

RESTRICTIONS FOR WESTBROOK SUBDIVISION

STATE OF ALABAMA
HOUSTON COUNTY

PART A - PREAMBLE AND PURPOSE:

This indenture made and entered into by and between Westbrook Developers and the purchaser or purchasers of lots or parcels of land in Westbrook Subdivision, a Subdivision in the City of Dothan, Houston County, Alabama. Witnesseth:

WHEREAS Westbrook Developers has had platted and subdivided into the lots and streets as shown by the plat of said land recorded in Plat Book 10 Page 27 in the Office of the Judge of Probate of Houston County, Alabama, and desire to place certain minimum restrictions on the use of said property as to size of dwelling, and other related matters, and in order to properly restrict said property, do hereby covenant and agree as follows:

PART B - AREA OF APPLICATIONS:

B-1 Fully Protected Residential Area: The residential area covenants in Part C in their entirety shall apply to the entire subdivision.

PART C - RESIDENTIAL AREA COVENANTS:

- C-1 Land Use and Building Type: No lot shall be used except for residential purposes. No building shall be erected, altered, placed or permitted to remain on any lot other than one detached single family dwelling not to exceed two and one-half stories in height. For structures other than main building, refer to C-2.
- C-2 Architectural Control: No main building, storage building, cabana, swimming pool, fences, walls, TV satellite dishes basketball goals, clotheslines, or any other structure shall be erected, placed or altered on any lot in the subdivision until the plans, material specifications and plot plan showing the location and design of such buildings, or structures have been expressly approved as to conformity and harmony of external design and location with existing structures in the subdivision and as to location of the buildings or other structures in respect to topography and finished ground elevation by the Architectural Control Committee. Approval shall be as provided in Part
- C-3 Size and Quality: It is the intention and purpose of the covenants to assure that all dwelling shall be of a quality of workmanship and material substantially the same or better than that which can be produced on the date these covenants are recorded. The heated and cooled area of the main structure, exclusive of porches and garages shall be 2,300 square feet on all lots except Lots 1 - 11, Block B, which shall be not less than 2,000 square feet.
- C-4 Building Location: No building shall be located on any lot nearer than 35 feet to the front lot lines, 35 feet to any side street line, 15 feet to any interior lot lines, or 40 feet to any rear lot line. For the purpose of this covenant, eaves, steps and fireplace chases shall not be considered as a part of a building, provided, however, that this shall not be constructed to permit any portion of a building or a lot to encroach upon another lot.
- C-5 Easements: Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the recorded plat.
- C-6 Nuisance: No noxious or offensive activities shall be carried on upon lot, nor shall anything be done thereon which may be or may become any annoyance or nuisance to the neighborhood.
- C-7 Temporary Buildings: No building materials or temporary buildings of any kind or character shall be placed or stored on the property until the owner is ready to commence improvements, and then such material or temporary building shall be placed within the property line of the lot or parcel of land upon which the improvements are to be erected and shall not be placed in the streets or between the street and the property lines; and any such temporary building or structure of any kind shall not be used for other than construction purposes; and expressly such term temporary structure or buildings shall not be used for residential or sales office purposes either during construction or thereafter, and shall be removed immediately upon completion of construction within one year after such material or temporary building was placed thereon, whichever is sooner.
- C-8 Signs: No sign of any kind shall be displayed to the public view on any lot except a professional sign of not more than one square foot, or one sign of not more than five square feet advertising the property for sale or rent, or one sign used by a builder and one sign used by a Realtor to advertise the property during the construction and sale period.

- C-8 Signs: No sign of any kind shall be displayed to the public view on any lot except a professional sign of not more than one square foot, or one sign of not more than six square feet advertising the property for sale or rent, or one sign used by a builder and one sign used by a Realtor to advertise the property during the construction and sale period.
- C-9 Material Specifications: Each building shall consist of at least 70% brick veneer for exterior wall coverings. The front, sides, & rear elevation must be brick from bottom plate line to top plate line. Indention for porch areas, etc. are excluded. No roof pitch is to be lower than 5/12 pitch. Roofing colors are to be limited to shades of brown, gray and black. Each property shall have a brick mailbox.
- C-10 Walls and Fencing: No fences shall be installed on any lot without written approval of the Architectural Committee, but in no case shall the fencing be closer to the front street than the rear of the house. Any wall visible to the street must be of wood, with the good side facing out.
- C-11 Storage Buildings: No storage building shall be erected or placed upon any lot unless the same be constructed with the same kinds of materials and workmanship as used in the main dwelling; and the design, construction, and location of such building shall be expressly approved by the Architectural Control Committee. No portable storage buildings are allowed.
- C-12 Satellite Dishes and Antennas: No towers, conductors, converters, satellite dishes, or other facilities or equipment for the reception of audio or video broadcasts directly from satellites or otherwise shall be maintained on any lot unless the same shall be located directly behind the main dwelling inside a privacy fence and the structure not to exceed eight feet tall; and the design, construction, and location shall be approved in writing the Architectural Control Committee. No antennae shall be erected or maintained on any lot without the prior written approval of the Architectural Control Committee.
- C-13 Livestock and Poultry: No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot, except that dogs, cats, or other household pets may be kept provided that they are not kept, bred, or maintained for any commercial purpose.
- C-14 Disposal of Refuse: No garbage, trash, ashes, refuse, inoperable vehicles (that have been inoperative for more than thirty days), or any waste shall be thrown or dumped on any lot or street in the subdivision as permitted to remain upon any such place. All incinerators or other equipment for the storage of, or disposal of such material, shall be kept in a clean and sanitary condition.
- C-15 Drying of Laundry: No structure or apparatus may be constructed for the outdoor drying of laundry or wash unless such structure or apparatus is enclosed in such a way so that it is not visible to the public or adjoining lot owners from a distance greater than twenty-five feet.
- C-16 Excavations: No excavations, except such as is necessary for the construction of improvements, shall be permitted.
- C-17 House and Travel Trailers: No house trailers, travel trailers or motor homes are allowed in the subdivision.
- C-18 Oil and Mining Operations: No oil drilling, oil development operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted upon any lot.
- C-19 Garage/Yard Sales: No garage/yard sale will be permitted unless specifically authorized in writing by the Architectural Control Committee.
- C-20 On Street Parking: The street shall not be used for parking any vehicle on a regular basis.
- C-21 Garages: Each house shall have a minimum of a two car garage. No carports are allowed. No front entrance garages are allowed.
- C-22 Lot Clearing: No removal of trees shall be permitted on any lot without approval by the Architectural Control Committee.
- C-23 Sign Distance at Intersection: No fence, wall edge, or shrub planting which obstructs sign lines at elevations between two and six feet above the roadways section of a street property line with the edge of a driveway. No trees shall be permitted to remain within such distance of such intersection unless the foliage line is maintained at sufficient height to prevent obstruction of such lines.

Done this the 2nd day of December, 2003.

WEST FAMILY DEVELOPERS, LLC

By: Tom A. West, III, its Registered Agent

STATE OF ALABAMA
HOUSTON COUNTY

I, the undersigned authority in and for said County and State, hereby certify that Tom A. West, III, Registered Agent of West Family Developers, LLC, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this date, that being informed of the contents of said instrument, he as such registered agent and with full authority, executed the same voluntarily for and as the act of said West Family Developers, LLC.

Given under my hand and seal this the 2nd day of December, 2003.

Notary Public
My Commission Expires: _____

- C-9 Walls and Fencing: No fence or wall shall be erected or placed upon any lot unless the same shall be constructed of wood or masonry or equivalent; and the design, construction and location of such fence or wall shall be expressly approved by the Architectural Control Committee.
- C-10 Storage Buildings: No storage building shall be erected or placed upon any lot unless the same be constructed with the same kinds of materials and workmanship as used in the main dwelling; and the design, construction, and location of such building shall be expressly approved by the Architectural Control Committee.
- C-11 Satellite Dishes and Antennas: No towers, conductors, converters, satellite dishes, or other facilities or equipment for the reception of audio or video broadcasts directly from satellites or otherwise shall be maintained on any lot unless the same shall be located directly behind the main dwelling inside a privacy fence and the structure not to exceed eight feet tall; and the design, construction, and location shall be approved in writing the Architectural Control Committee. No antennae shall be erected or maintained on any lot without the prior written approval of the Architectural Control Committee.
- C-12 Livestock and Poultry: No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot, except that dogs, cats, or other household pets may be kept provided that they are not kept, bred, or maintained for any commercial purpose.
- C-13 Disposal of Refuse: No garbage, trash, ashes, refuse, inoperable vehicles (that have been inoperative for more than thirty days), or any waste shall be thrown or dumped on any lot or street in the subdivision as permitted to remain upon any such place. All incinerators or other equipment for the storage of, or disposal of such material, shall be kept in a clean and sanitary condition.
- C-15 Drying of Laundry: No structure or apparatus may be constructed for the outdoor drying of laundry or wash unless such structure or apparatus is enclosed in such a way so that it is not visible to the public or adjoining lot owners from a distance greater than twenty-five feet.
- C-16 Excavations: No excavations, except such as is necessary for the construction of improvements, shall be permitted.
- C-17 House and Travel Trailers: Travel trailers shall not be used as a permanent residence while parked on any lot in the subdivision, nor used as a temporary or permanent residence while parked on any street in the subdivision, nor parked permanently on any street in the subdivision. Travel trailers that are or become unsightly, as determined by the Architectural Control Committee, must be hidden from view of the public, or adjoining lot owners. No house trailers shall be permitted to remain within the limits of this subdivision.
- C-18 Oil and Mining Operations: No oil drilling, oil development operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted upon any lot.
- C-19 Garage/Yard Sales: No garage/yard sale will be permitted unless specifically authorized in writing by the Architectural Control Committee.
- C-20 On Street Parking: The street shall not be used for parking any vehicle on a regular basis.
- C-21 Garages: All attached garages must be side entered unless specifically authorized in writing by the Architectural Committee.
- C-22 Lot Clearing: No removal of trees shall be permitted on any lot without approval by the Architectural Control Committee.

PART D - ARCHITECTURAL CONTROL COMMITTEE:

- D-1 Membership: The Architectural Control Committee is composed of Tom A. West, III and Mark J. Dennis, both of Dothan, Alabama. Either committee member may designate a representative to act for it. In the event of death or resignation of any member of the committee, the remaining members shall have full authority to designate a successor. Neither the members of the Committee, nor its designated representatives, shall be entitled to any compensation for services performed pursuant to this covenant.
- D-2 Procedure: All requests for approval shall be submitted in writing to the Committee. In the event the Committee, or its designated representative, fails to approve or disapprove within thirty days after plans and specifications have been submitted to it, approval will not be required and the related covenants shall be deemed to have been fully complied with.
- D-3 Term: The powers and duties of the members of the Architectural Control Committee shall cease on or after December 31, 2025. Thereafter, the approval described in these covenants is executed by the then recorded owners