

### RESTRICTIONS OF BUCKHEAD SUBDIVISION

The following minimum restrictions are placed on each and every lot in Buckhead, a subdivision in Houston County, Alabama, a map or plat of which is recorded in the Office of the Judge of Probate of Houston County, Alabama in Plat Book 8, Page 126.

- (1) All lots in the subdivision shall be residential lots. No building or structure shall be erected, placed or permitted to remain on any residential lot other than detached single family dwellings, not to exceed three stories in height, and a private garage. No more than one such dwelling shall be erected on any one numbered lot in the subdivision. However, more than one lot may be used for the erection for one single family dwelling.
- (2) No building or structure shall be erected, altered, placed or permitted to remain on any building lot in this subdivision until the external design and location have been approved in writing by a committee composed of Randall and Theo Epperson or whomever they designate. In the event the committee fails to approve or disapprove such design or location within thirty (30) days after plans have been submitted to said committee, then such approval will not be required. The completion of any construction, alteration or placement of a structure for thirty (30) days or more shall be construed as prima facie evidence of the committee's approval. In the event of the death or resignation of one of the above named members of the committee, the survivors shall appoint a replacement for such member of the committee.
- (3) No noxious or offensive trade activity shall be carried on upon any residential lot, and no activity shall be done thereon which may be or become an annoyance or nuisance to the neighborhood.
- (4) No trailer, basement, tent, garage or other out building shall be erected on any residential lot for use temporarily or permanently as a residence and no structure of a temporary character shall be used as a residence.
- (5) No dwelling shall be permitted to be constructed on Lots 4-17 within the subdivision, with a floor area of the main structure exclusive of open porches, garages and out buildings of less than 2000 square feet. Lots 1-3 and lots 18&19 shall be 2300 square feet minimum, exclusive of open porches, garages and out buildings.
- (6) No sign of any kind shall be displayed to the public view on any lot except on 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 signs use by builders to advertise property during the construction and sales.
- (7) No oil drilling, oil development operation, oil refining, quarrying or mining 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 any lot.
- (8) No animals, livestock, or poultry of any kind shall be raised, bred, or kept on any lot, except that horses, dogs, cats, or other household pets, may be kept provided that they are not kept, bred, or maintained for any commercial purpose.
- (9) No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage, or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

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BOOK 0151 PAGE 256

- (10) If the parties hereto, or any of them, or their heirs or assigns, violate or attempt to violate any of the covenants herein, it shall be lawful for any other person or persons owning real property situated in said subdivision to prosecute a suit at law or in equity against the person or persons violating or attempting to violate these covenants for the purpose of preventing them from doing so, or to recover damages for such violations.
- (11) No section shall be removed or alterations of any kind made to the fence running along the front of Buckhead Subdivision. It is the responsibility of the adjacent land owner to keep his section of fence in good state of repair.
- (12) No fence of any kind shall be erected without written approval of a committee composed of Randall and Theo Epperson or whomever they designate. In the event the committee fails to approve or disapprove such fence within thirty (30) days after written request has been submitted to said committee, then such approval will not be required.
- (13) The covenants and restrictions are to run with the land, and shall be binding on all parties and persons claiming ownership hereto, unless changed by 51 percent of the owners of all lots.
- (14) Invalidation of any of these covenants shall not affect the validity of any other covenants, which shall remain in full force in effect.
- (15) All area on road right-of-way in front of or adjacent to any lot shall be kept mowed and in neat appearance by the respective lot owner.
- (16) The location of any antennae or satellite dishes on any lot shall be approved by a committee composed of Randall and Theo Epperson or whomever they designate.
- (17) Any campers, RV's, boats, etc. shall be stored in inconspicuous locations or screened from visibility.
- (18) No healthy trees 30" or greater in diameter shall be removed without permission by a committee composed of Randall and Theo Epperson or whomever they designate.
- (19) All utility services (electrical, water, phone, etc.) from R.O.W. to house must be installed underground.

This the 13<sup>th</sup> day of OCTOBER, 1993.

Filed this 13 day of Oct 23 1993 at 11:24 am M. L. Miss Tax  
 \$ Dead Tax Paid, Recorded BOOK 151 Page 256  
Clester M. Young Judge of Probate No. 737  
 HOUSTON COUNTY, ALABAMA

Randall Epperson  
EE & BY 270-B  
Headland, AL 36345

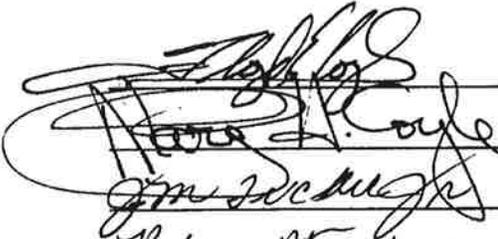
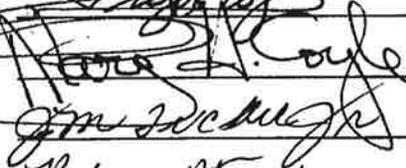
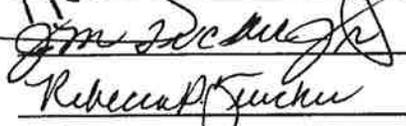
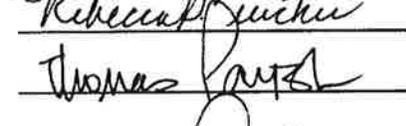
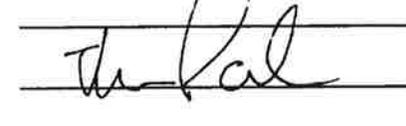
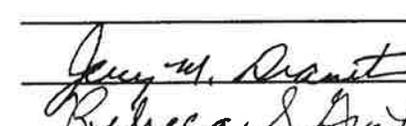
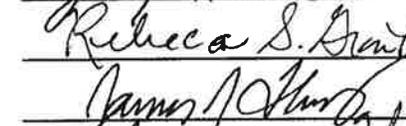
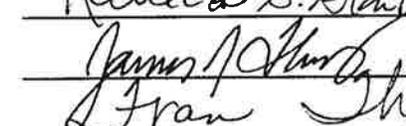
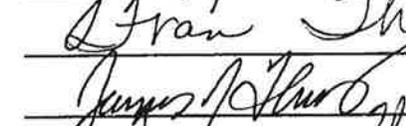
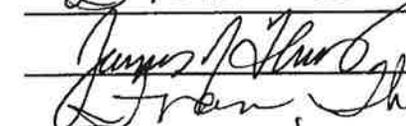
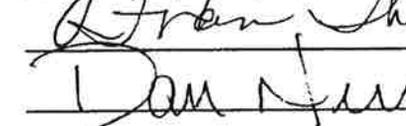
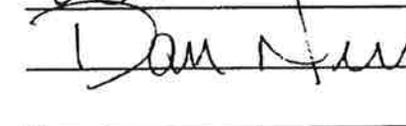
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AMENDMENT TO BUCKHEAD SUBDIVISION RESTRICTIONS

The undersigned, being the owners of lots and homes located in Buckhead Subdivision, a subdivision in Houston County, Alabama, a map or plat of which is recorded in Plat Book 8, Page 126, in the Office of the Judge of Probate of Houston County, Alabama, do hereby amend the Restrictions recorded in Misc. Book 151, Page 255, in the Office of the Judge of Probate of Houston County, Alabama, pursuant to paragraph 13., of said Restrictions, as follows:

The minimum building line restriction applicable to Lot 13, Buckhead Subdivision, is hereby amended and changed from fifty (50) feet to thirty (30) feet along the Southern boundary of said lot.

This change is limited and applicable only to this lot.

	SIGNATURES:	DATE:
Lot No. <u>1</u>		<u>6/9/00</u>
Lot No. <u>16</u> 106 BUCKHEAD		<u>6-9-00</u>
		<u>6-9-00</u>
Lot No. <u>4,5</u>		<u>6-9-00</u>
Lot No. <u>4,5</u>		<u>6-9-00</u>
Lot No. <u>6</u>		<u>6-9-00</u>
		<u>6-9-00</u>
Lot No. <u>13</u>		<u>6-9-00</u>
		<u>6-9-00</u>
Lot No. <u>14</u>		<u>6-9-00</u>
		<u>6-9-00</u>
Lot No. <u>2</u>		<u>6-9-00</u>

MISC 198 144  
Recorded In Above Book and Page  
06/13/2000 10:35AM  
Luke Cooley  
Judge of Probate  
Houston County, Alabama

Lot No. 7

Alansel & Patricia Bateman 6/9/00

Lot No. 12

lot 12 Barbara & Richard Seaman 6/9/00

lot 10 Lockard B. Blanchard 6/9/00

Lot No. 10

Lot No. \_\_\_\_\_

The above signatures constitute 58 percent of the owners of all lots.

SPJ Fee	5.00
Recording Fee	7.00
<b>TOTAL</b>	<b>12.00</b>

*Shell & Smith*