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RESTRICTIONS  
WESTERN ESTATES SUBDIVISION

The following minimum restrictions are placed on each and every residential building lot in the Western Estates Subdivision in the City of Dothan, Alabama, as per plat of said Subdivision of record in the Office of the Judge of Probate of Houston County, Alabama, in Plat Book 3, Page 53.

RESIDENTIAL BUILDING LOTS

1. Residential Building Lots shall be all lots in the Subdivision except Lots 1 and 2 in Block A, Lots 1, 2, 9, 10, 11, 12, in Block B.

DWELLING SIZE

2. No dwelling of a ground floor area exclusive of porches, garages and carports, less than 1400 square feet shall be permitted on any residential building lot and all homes to be of brick or brick veneer construction.

NUISANCES

3. No noxious or offensive trade or activity shall be carried on upon any residential building lot nor shall anything be done thereon which may be or become a public annoyance or nuisance to the neighborhood.

TEMPORARY STRUCTURE

4. No trailer, basement, tent, shack, garage, barn or other building erected in the tract shall at any time be used as a residence temporarily or permanently, nor shall any structure of a temporary character be used as a residence.

TERM

5. These covenants are to run with the land and shall be binding on all persons claiming under them until January 1, 1978, provided these restrictions may be modified or changed from time to time by action taken by a majority of the lot owners in said tract at the time of the proposed modification or change.

ENFORCEMENT

6. If the parties hereto, or any of them or their heirs or assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any other person or persons owning any real property situated in said Subdivision to prosecute proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant or covenants and either to prevent him or them doing so or to recover damages or other dues for such violation, or both.

SEVERABILITY

7. Invalidation of any one of the covenants by judgment of a court shall in no wise affect any of the other provisions which shall remain in full force and effect.

This the 10th day of July, 1965.

Attest:

*A. E. Ludlum*  
A. E. Ludlum

*W. D. Morris*

*Elizabeth Ludlum*  
Elizabeth Ludlum

JUL 13 9 03 AM '65

Filed this 13 day of July 1965 at Dothan Ala. M. S. 5 9:03 Mtg. Tax

Dred Tax Paid. Recorded Book Page  
*Carl E. Sellers* Judge of Probate No. 8295  
HOUSTON COUNTY, ALABAMA

K.C. Dow 12.5.12 - Book 1006

659

A/S

MAY 31 10 30 AM 1968

FILED - STATE OF ALA  
HOUSTON COUNTY

*Scott A. Miller*  
JUDGE OF PROBATE

STATE OF ALABAMA )  
HOUSTON COUNTY )

AMENDMENT TO BUILDING RESTRICTION

WHEREAS, the undersigned are all of the owners of property known as Ross Heights Subdivision, a Subdivision in the City of Dothan, Houston County, Alabama, per map or plat of same recorded in the Office of the Judge of Probate of Houston County, Alabama, in Plat Book 3, Page 65; and

WHEREAS, there are certain restrictions regarding the use and development of said property previously filed for record in the Office of the Judge of Probate of Houston County, Alabama, in Miscellaneous Book 39, Page 161 and Page 851, and

WHEREAS, said restrictions, under Part "B" and Part "C" restricted the use of all of said Subdivision to residential purposes, and a certain portion of said Subdivision having been inadvertently included under Exhibit "A" as attached to said original restrictions, and

WHEREAS, a portion of the property included in said Subdivision having been zoned by the City of Dothan for Apartment House or multi-family purposes units.

NOW, THEREFORE, the undersigned do therefore have hereby amended said Subdivision so as to delete from Exhibit "A" as originally filed, Lots 8, 9, 10, and 11, Block "B", of said Ross Heights Subdivision; and further amend the restrictions for said Subdivision so as to allow the construction of Apartment House units on said property, but only upon said Lots 8 through 11, Block "B" of said Subdivision.

The restrictions of said Subdivision will otherwise confirm and are otherwise to remain in full force and effect.

IN WITNESS WHEREOF, the Parties hereto have hereunto set their hands and seals on this the 20th day of May, 1968.

*Thomas C. Underwood*  
2/A Thomas C. Underwood 11, 12/C Hugh Spann

*Emmie Nell Underwood*  
2/A Emmie Nell Underwood 3/B H. G. Brackin

*Elton O. Metts*  
6/C Elton O. Metts 1/B Fred Johnson

*Doris T. Metts*  
6/C Doris T. Metts 14/C Arthur H. Saliba

*Thomas Curtis Williams*  
7/C Thomas Curtis Williams 14/C Elaine T. Saliba

*Mrs. Vivian Williams*  
7/C Vivian Williams BAUMAN & DANIEL, INC.

*Arthur L. Parsons*  
8/C Arthur L. Parsons BY: Theodore J. Bauman, President

*Sandra F. Parsons*  
8/C Sandra F. Parsons CARRIAGE HOUSE APARTMENTS OF DOTHAN, INC.  
BY: L. J. Langlois, Pres.

*James Lee Bruster*  
9/C James Lee Bruster Deryl Wayne Selfried

*Diane S. Bruster*  
9/C Diane S. Bruster Mrs. Deryl Selfried

*Delores L. Stanfield*  
3/A Delores L. Stanfield

*Malvin Ronald Stanfield*  
3/A Malvin Ronald Stanfield

*Bonnie Tew*  
15/C Bonnie Tew 3/C John B. Cunningham, Jr.

*Robert E. Tew*  
3/C Robert E. Tew Alleine J. Cunningham

Filed May 21 1968 10:30 AM  
Book 9359  
Page 10  
Richard M. Ramsey  
Houston County, Alabama

RICHARD M. RAMSEY  
Attorney at Law  
DOTHAN, ALABAMA