Prepared by:
Mark D. Mullins PC
Attorney at Law
P.O. Box 83
Montgomery AL 36101

StoneRidge

An Archer Properties Development

PLAT II

All of the following conditions, covenants, and restrictions are hereby adopted by the owner of the plat of StoneRidge Plat No. II

Covenants and Restrictions
StoneRidge Plat No. II

1. NO LOT SHALL BE USED EXCEPT FOR SINGLE FAMILY RESIDENTIAL PURPOSE WITH ONLY ONE RESIDENCE PER LOT BEING PERMISSIBLE EXCEPT THAT ONE ATTACHED OR DETACHED DOMICILE IN ADDITION TO THE PRIMARY SINGLE FAMILY RESIDENCE, MAY BE CONSIDERED FOR APPROVAL BY THE DESIGN REVIEW BOARD. THIS ATTACHED OR DETACHED DOMICILE MUST BE FOR THE EXCLUSIVE USE OF FAMILY MEMBERS OR GUEST OF THE PRIMARY HOMEOWNERS. THIS DOMICILE MAY NOT BE SOLD OR RENTED SEPARATELY FROM THE PRIMARY SINGLE FAMILY RESIDENCE AND MUST MEED ALL OTHER RESTRICTIONS FOR ATTACHED OR DETACHED STRUCTURES CONTAINED WITHIN THESE COVENANTS AND RESTRICTIONS. THE ATTACHED OR DETACHED DOMICILE SHALL NOT HAVE SEPARATE UTILITY, MAILING ADDRESS, OR ENTRANCE FROM THE PRIMARY SINGLE FAMILY RSIDENCE.

2.MINIMUM SQUARE FOOT RESTRICTIONS
THE RESIDENCE SHALL BE ERECTED UPON OR ALLOWED TO OCCUPY ANY LOT OR LOTS UNLESS THE MAIN STRUCTURE EXCLUSIVE OF OPEN PORCHES AND GARAGES BE NO LESS THAN THE MINIMUM SQUARE FOOT RESTRICTIONS OF 1400 SQUARE FEET, OR IN THE CASE OF A RESIDENCE HAVING MORE THAN ONE STORY, THE SAME MUST HAVE A MINIMUM GROUND FLOOR LIVING AREA OF AT LEAST 1100 SQUARE FEET.

3. DESIGN REVIEW BOARD ("DRB").
THE ARCHITECTURE OF ANY HOUSE TO BE ERECTED ON SAID LOTS IN ADDITION TO THE SQUARE FOOT LIMITATIONS CONTAINED ABOVE SHALL BE GENERALLY IN SUBSTANTIAL HARMONY AND CONFORMITY WITH THE GENERAL PREVAILING TYPE ARCHITECTURE IN THE VICINITY. NO BUILDING OR ADDITION THERETO, OR FENCE, OR ANCILLARY STRUCTURE SHALL BE ERECTED, ALTERED, PLACED ON ANY LOT UNTIL AND UNLESS THE CONSTRUCTION PLANS AND SPECIFICATIONS AND A PLAN SHOWING THE LOCATION OF THE STRUCTURE ON THE LOT HAVE BEEN APPROVED BY THE DESIGN REVIEW BOARD, HEREAFTER REFERRED TO AS "DRB", IN ALL RESPECTS. THE "DRB" SHALL BE COMPRISED OF NOT LESS THAN THREE (3) INDIVIDUALS, AS DESIGNATED BY GARY BLACKMAN AND HAROLD L. HALE JR., THEIR SUCCESSORS AND/OR ASSIGNS. THE "DRB" MUST APPROVE ANY AND ALL CONSTRUCTION AND IMPROVEMENTS ON EACH LOT WITHIN THE PLAT HEREIN SET OUT, INCLUDING BUILDING AND LANDSCAPE PLANS FOR THE INDIVIDUAL LOTS. EACH REQUEST FOR APPROVAL MUST BE ACCOMPANIED WITH TWO (2) SETS OF PLANS FOR THE PROPOSED CONSTRUCTION, RENOVATION, IMPROVEMENT, OR OTHER ACTION REQUIRING "DRB" APPROVAL. ONE SET WILL BE RETAINED BY THE "DRB" AND ONE SET WILL BE RETURNED TO THE BUILDER OR LOT OWNER. THE "DRB" WILL ESTABLISH ITS OWN REQUIREMENTS,

PROCEDURES, POLICIES AND SCHEDULES, WHICH SHALL BE AVAILABLE, UPON REQUEST, TO OWNERS, THEIR ARCHITECTS AND BUILDERS. ALL APPROVALS BY THE "DRB" MUST BE IN WRITING AND SIGNED BY ONE MEMBER OF THE "DRB". THE DECLARANT MAY ASSIGN THE DUTIES OF THE "DRB" OR DISSOLVE THE "DRB" AT SUCH TIME THAT THE RESIDENTIAL DEVELOPMENT IS SUBSTANTIALLY COMPLETED.

4. BUILDING SETBACK REQUIREMENTS

THE RESIDENCE OR BUILDING ON ANY LOT MUST FACE THE STREET OR FACE THE MAJOR STREET IN CASE OF A LOT FRONTING ON MORE THAN ONE STREET. NO PART OF ANY RESIDENCE OF BUILDING SHALL BE NEARER TO THE STREET AND LOT LINES THAN IS INDICATED BY THE PLATTED BUILDING SET BACK LINES. SITE PLANS ON EACH LOT SHALL BE SUBMITTED WITH THE ARCHITECTURAL PLANS FOR REVIEW AND APPROVAL BY THE "DRB".

5. GARAGES AND/OR OUT BUILDINGS

NO SEPARATE GARAGES OR OUT BUILDING OF ANY KIND OR NATURE, EXCEPTING GARDEN OR ORNAMENTAL LANDSCAPE STRUCTURES, SHALL BE ERECTED OR CONSTRUCTED ON OR ALLOWED TO OCCUPY ANY LOTS EXCEPT ON THAT PORTION OF THE LOT OR LOTS IN THE REAR OF THE RESIDENCE OR OFFSET BEHIND THE RESIDENCE REAR BUILDING LINE WITH OPENINGS ORIENTED AWAY FROM THE FRONT, AND NO GARAGE, OR OTHER OUT BUILDING SHALL BE CONSTRUCTED OR OCCUPIED PRIOR TO THE CONSTRUCTION OF THE MAIN DWELLING HOUSE, EXCEPT THAT IT MAY BE USED IN STORING TOOLS OR MATERIALS FOR THE CONSTRUCTION OF THE MAIN HOUSE. ANY GARAGE OR OUT BUILDING SHALL BE OF A PERMANENT NATURE AND SHALL CONFORM TO THE GENERAL ARCHITECTURE OF THE MAIN RESIDENCE. PREFABRICATED AND/OR PORTABLE STRUCTURES SHALL BE CONSIDERED NONCONFORMING.

6. COVENANTS AND RESTRICTIONS

THESE COVENANTS AND RESTRICTIONS ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM FOR A PERIOD OF TWENTY YEARS FROM THE RECORDATION DATE OF THE DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS OF ARCHER PROPERTIES DEVELOPMENT PLAT NO. II, AFTER WHICH TIME SAID COVENANTS AND RESTRICTIONS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESIVE PERIODS OF TEN YEARS.

7. VIOLATIONS

IF THE PARTIES HERETO, OR ANY OF THEM, OR THEIR HEIRS OR ASSIGNS SHALL VIOLATE OR ATTEMPT TO VIOLATE ANY OF THE COVENANTS OR RESTRICTIONS HEREIN, IT SHALL BE LAWFUL FOR ANY PERSON OWNING ANY OTHER LOT IS SAID DEVELOPMENT OR SUBDIVISION TO PROSECUTE

BY ANT PROCEEDING AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE SAID COVENANTS OR RESTRICTIONS, AND EITHER TO PREVENT THEM OR HIM FROM DOING SUCH VIOLATIONS OR TO RECOVER DAMAGES OR OTHER DUES FROM SUCH VIOLATIONS.

8. INVALIDATION
INVALIDATION OF ANY ONE OF THESE COVENANTS BY JUDGMENT OR COURT ORDER SHALL IN NO WAY AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

9. USE OF PROPERTY
NO PREVIOUSLY APPROVED STRUCTURE SHALL BE USED FOR ANY OTHER PURPOSE OTHER THAN THAT FOR WHICH IT WAS ORIGINALLY DESIGNED.

10. SUBDIVISION OR PARTITION
NO LOT SHALL BE SPLIT, DIVIDED, OR SUBDIVIDED FOR SALE, RESALE, GIFT, TRANSFER OR OTHERWISE. IT SHALL BE PERMISSIBLE FOR TWO ADJACENT LOTS TO BE COMBINED FOR THE PURPOSE OF CONSTRUCTING A SINGLE DWELLING. IF SUCH DWELLING IN CONSTRUCTED, AFTER APPROVAL BY THE “DRB”, SUCH THAT THE DWELLING WILL NO LONGER MEET THE SET BACK REQUIREMENTS FOR EITHER LOT IF TAKEN INDIVIDUALLY, THEN THE COMBINED LOTS SHALL THEREINAFTER BE CONSIDERED AS ONE LOT FOR COMPLIANCE WITH PLAT RESTRICTIONS CONTAINED HEREON AND MAY NOT BE RESOLD INDIVIDUALLY AS SEPARATE LOTS. IF TWO LOTS ARE COMBINED, THEN ANY PRIVATE EASEMENTS, IF INTENDED FOR THE SOLE USE OF THE TWO INDIVIDUAL LOTS, LYING ON OR CONTIGUOUS TO THE COMMON LOT LINE WILL BECOME NULL AND VOID FOR THE PURPOSE OF CONSTRUCTING A DWELLING. DEVELOPER RESERVES THE RIGHT TO AMEND THE PRELIMINARY PLAT FOR THE PURPOSE OF DECREASING OR INCREASING LOT AND PARCEL SIZES.

11. RECREATIONAL VEHICLES
NO BOAT, BOAT TRAILER, HOUSE TRAILER, HORSE TRAILER, TRAILER, CAMPER, MOTOR HOME OR ANY SIMILAR ITEMS SHALL BE STORED ON OR AT ANY LOT FOR A PERIOD OF TIME IN EXCESS OF TWENTY-FOUR (24) HOURS. UNLESS PRIOR APPROVAL IS RECEIVED FROM THE “DRB”, OR UNLESS HOUSED IN A CARPORT OR GARAGE, OR PARKED BEYOND THE BUILDING SETBACK LINE AND OTHERWISE SCREENED SO THAT IT CANNOT BE SEEN FROM ADJACENT AND SURROUNDING PROPERTY.

12. COMMERCIAL TRUCKS
NO COMMERCIAL TRUCK, VEHICLE OR EQUIPMENT SHALL BE PERMITTED TO BE PARKED OR TO BE STORED AT ANY PLACE ON THE PROPERTY. THIS PROHIBITION ON PARKING SHALL NOT APPLY TO TEMPORARY PARKING

OF TRUCK AND COMMERCIAL VEHICLES USED FOR PICK-UP AND DELIVERY.

13. VEHICLE MAINTENANCE OR REPAIR
NO MAINTENANCE OR REPAIRS SHALL BE PERFORMED ON ANY VEHICLES UPON ANY PORTION OF THE PROPERTY. UNLESS PERFORMED IN A GARAGE, EXCEPT IN AN EMERGENCY SITUATION. NOTWITHSTANDING THE FOREGOING, ALL REPAIRS TO DISABLED VEHICLES WITHIN THE PROPERTY MUST BE COMPLETED WITHIN FOUR (4) HOURS FROM ITS IMMOBILIZTION OR THE VEHICLE MUST BE REMOVED.

14. ANIMALS
NO ANIMALS, LIVESTOCK, INSECTS, REPTILES OR POULTRY SHALL BE KEPT OR MAINTAINED ON ANY PART OF THE PROPERTY EXCEPT FOR USUAL HOUSEHOLD PETS KEPT FOR PURPOSES OTHER THAN BREEDING OR COMMERCIAL.

15. SIGNS
NO SIGN OR OTHER ADVERTISING DEVICE OF ANY NATURE SHALL BE PLACED UPON ANY PART OF THE PROPERTY EXCEPT AS PROVIDED HEREIN. THE “DRB” SHALL ADOPT AND PROMULGATE RULES AND REGULATIONS RELATING TO SIGNS AND OTHER ADVERTISING DEVICES. SIGNS AND OTHER ADVERTISING DEVICES, WHEN IN COMPLIANCE WITH CRITERIA AS ESTABLISHED BY THE “DRB”, MAY BE ERECTED AND MAINTAINED UPON THE OWNERS LOT. NOTWITHSTANDING THE FOREGOING, THE DECLARANT SPECIFICALLY RESERVES THE RIGHT FOR HIMSELF, HIS HEIRS, SUCCESSORS, NOMINEES AND ASSIGNS TO PLACE AND MAINTAIN SIGNS IN CONNECTION WITH CONSTRUCTION, MARKETING, SALES AND RENTAL OF THE DWELLING UNITS AND IDENTIFYING OR INFORMATIONAL SIGNS ANYWHERE ON THE PROPERTY.

16. TEMPORARY STRUCTURES
NO TEMPORARY BUILDING, TRAILER, GARAGE OR BUILDING IN THE COURSE OF CONSTRUCTION OR OTHER STRUCTURE SHALL BE USED, TEMPORARILY, OR PERMANENTLY, AS A RESIDENCE ON ANY PART OF THE PROPERTY.

17. ACCUMULATION OF REFUSE
NO LUMBER, METALS, BULK MATERIALS (EXCEPT LUMBER, METALS, BULK MATERIALS AS IS USUAL IN THE MAINTENANCE OF A PRIVATE RESIDENCE AND WHICH MUST BE STORED IN SUCH A MANNER SO THAT IT CANNOT BE SEEN FROM ADJACENT AND SURROUNDING PROPERTY), REFUSE OR TRASH SHALL BE KEPT, STORED, OR ALLOWED TO ACCUMULATE ON ANY PART OF THE PROPERTY, EXCEPT BUILDING MATERIALS DURING THE COURSE OF CONSTRUCION OF ANY APPROVED STRUCTURE. BUILDERS MUST PROVIDE DUMPSTERS ON THE PROPERTY

DURING THE CONSTRUCTION PERIOD. IF TRASH OR OTHER REFUSE IS TO BE DISPOSED OF BY BEING PICKED UP AND CARRIED AWAY ON A REGULAR AND RECURRING BASIS, CONTAINERS MAY BE PLACED IN THE OPEN, ON ANY DAY THAT A PICK UP IS TO BE MADE, AT SUCH PLACE ON THE PARCEL SO AS TO PROVIDE ACCESS TO PERSONS MAKING PICK UP. AT ALL OTHER TIMES SUCH CONDITIONS SHAL BE STORED IN SUCH A MANNER SO THAT THEY CANNOT BE SEEN FROM ADJACENT AND SURROUNDING PROPERTY. THE "DRB" IN ITS DISCRETION, MAY ADOPT AND PROMULGATE REASONABLE RULES AND REGULATIONS, RELATING TO THE SIZE, SHAPE, COLOR AND TYPE OF CONTAINERS PERMITTED AND THE MANNER OF STORAGE OF THE SAME ON THE PROPERTY.

18. PIPES AND CLOTHESLINES

NO WATER PIPES, GAS PIPES, SEWER PIPES, DRAINAGE PIPES OR CLOTHESLINES MAY BE INSTALLED OR MAINTAINED ON THE PROPERTY SO AS TO BE VISIBLE FROM ADJOINING PROPERTY OR PUBLIC VIEW EXCEPT HOSES AND MOVABLE PIPES USED FOR TEMPORARY IRRIGATION PURPOSES.

19. MINING

TO THE EXTENT OF THE INTEREST OF THE OWNER OF A LOT, NO LOT SHALL BE USED FOR THE PURPOSE OF BORING, MINING, QUARRYING, EXPLORING FOR OR REMOVING OIL OR OTHER HYDROCARBONS, MINERALS, GRAVEL OR EARTH.

20. BUSINESS ACTIVITY

NO PROFESSION OR HOME INDUSTRY SHALL BE CONDUCTED IN OR ON ANY PART OF A LOT OR IN ANY IMPROVEMENT THEREON THE PROPERTY. THE "DRB" IN ITS DISCRETION, UPON CONSIDERATION OF THE CIRCUMSTANCES IN EACH CASE, AND PARTICULARLY THE EFFECT ON SURROUNDING PROPERTY, MAY PERMIT A LOT OR ANY IMPROVEMENT THEREON TO BE USED IN WHOLE OR IN PART FOR THE CONDUCT OF A PROFESSION OR HOME INDUSTRY. NO SUCH PROFESSION OR HOME INDUSTRY SHALL BE PERMITTED HOWEVER, UNLESS IT IS CONSIDERED BY THE "DRB" TO BE COMPATIBLE WITH A HIGH QUALITY RESIDENTIAL NEIGHBORHOOD. THIS SECTION DOES NOT AUTHORIZE OR PERMIT ANY BUSINESS ACTIVITY IN VIOLATION OF THE ZONING LAWS OF THE GOVERNING BODY.

21.GARBAGE CONTAINER, OIL & GAS TANKS, SWIMMING POOL, EQUIPEMENT

ALL GARBAGE AND TRASH CONTAINERS, OIL TANKS, BOTTLED GAS TANKS, AND SWIMMING POOL EQUIPMENT AND HOUSING MUST BE UNDERGROUND OR PLACED IN WALLED-IN AREAS OR LANDSCAPED AREAS SO THAT THEY ARE NOT VISIBLE FROM ANY ADJOINING

PROPERTY. ADEQUATE LANDSCAPING SHALL BE INSTALLED AND MAINTAINED BY THE OWNER.

22. MACHINERY
NO MACHINERY SHALL BE PLACED OR OPERATED UPON ANY LOT EXCEPT SUCH MACHINERY AS IS USUAL IN MAINTENANCE OF A PRIVATE RESIDENCE

23. AUTHORIZED USE AND EXCEPTIONS
NOTWITHSTANDING OTHER PROVISIONS HEREIN, EACH RESIDENCE LOCATED WITHIN SUBJECT PROPERTY SHALL BE USED AS ONLY A SINGLE-FAMILY RESIDENCE, AS DESCRIBED IN RESTRICTION NUMBER 1, AND SUBJECT TO ALL OTHER REQUIREMENTS HEREUNDER, BUT, THE "DRB" MAY AUTHORIZE ANY LOT OWNER, WITH RESPECT TO HIS OR HER RESIDENCE, TO TEMPORARILY USE SAME FOR MORE THAN ONE FAMILY, TO TEMPRORARILY MAINTAIN A SIGN OTHER THAN AS EXPRESSLY PERMITTED HEREIN, TO LOCATE OTHER TEMPORARY STRUC TURES ON THE PROPERTY, AND MAY MAKE OTHER EXCEPTIONS TO THESE COVENANTS. IN ALL SUCH INSTANCES, APPROVALS AND EXCEPTIONS BY THE "DRB" MUST BE IN WRITING AND EACH CASE AND EACH REQUEST SHALL BE REVIEWD ON ITS OWN MERITS AND THE "DRB" SHALL HAVE UNRESTRICTED DISCRETION AND NEITHER THE GRANTING OF SIMILAR REQUESTS FOR OTHER LOT OWNERS NOR THE APPROVAL AND CONSENT OF ADJOINING LOT OWNERS SHALL IN ANY WAY BE A DETERMINATIVE INFLUENCE ON THE DECISION OF THE "DRB"

24. MAIL BOXES
THE DESIGN OF ALL MIALBOXES MUST BE APPROVED BY THE "DRB" AND SAID "DRB" MAY ESTABLISH A COMMON DESIGN AND A REQUIRED LOCATION FOR ALL MAILBOXES, SO LONG AS COMPATIBLE WITH THE REQUIREMENTS OF THE UNITED STATES POSTAL SERVICE.

25. TELEVISION AND SATELLITE EQUIPMENT
SATELLITE DISHES EXCEEDING 24" IN DIAMETER ARE PROHIBITED UNLESS APPROVED BY THE "ARB". ALL DISHES SHALL BE LOCATED IN THE REAR OF THE RESIDENCE.

26. PROHIBITED USES
NO PERSON SHALL, WITHOUT THE WRITTEN APPROVAL OF THE "DRB", DO ANY OF THE FOLLOWING ON ANY PART OF THE PUBLIC RIGHTS-OF-WAYS, EASEMENTS OR LOT AREA: (A) PERMIT THE RUNNING OF ANIMALS EXCEPT WHEN ON A LEASH; (B) FELL ANY TREES OR INJURE OR DAMAGE ANY LANDSCAPING WITHOUT PRIOR WRITTEN CONSENT OF THE "DRB" (C) INTERFERE WITH ANY DRAINAGE, UTIITY OR OTHER ACCESS EASEMENTS; (D) BUILD ANY STRUCTURES, RECREATIONAL OR OTHER FACILITIES OTHER THAN THOSE APPROVED BY THE "DRB" (E) DISCHARGE ANY LIQUID

OR MATERIAL OTHER THAN NATURAL DRAINAGE INTO ANY LAKE, PONDS OR WATER COURSES; OF (G) INTERFERE WITH ANY WATER CONTROL STRUCTURES OR APPARATUS.

27. NUISANCES

NO OBNOXIOUS, OFFENSIVE OR ILLEGAL ACTIVITIES SHALL BE CARRIED ON UPON ANY LOT NOR SHALL ANYTHING BE DONE ON ANY LOT WHICH MAY BE OR BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.

28.UNDERGROUND UTILITIES

TO THE EXTENT OF THE INTEREST OF THE OWNER OF A LOT, THE OWNER OF A LOT WILL NOT ERECT OR GRANT TO ANY PERSON, FIRM OF CORPORATION THE RIGHT, LICENSE OR PRIVILEGE TO ERECT OR USE OR PERMIT THE USE OVERHEAD WIRES, POLES, OR OVERHEAD FACILITIES OF ANY KIND FOR ELECTRICAL OR TELEPHONE POLES, OR OVERHEAD FACILITIES OF ANY KIND FOR ELECTRICAL OF TELEPHONE SERVICE ON SAID REAL ESTATE (EXCEPT SUCH POLES AND OVERHEAD FACILITIES AS MAY BE REQUIRED AT THOSE PLACES WHERE DISTRIBUTION FACILITIES ENTER AND LEAVE THE PARTICULAR AREA) WITHOUT THE PRIOR WRITTEN CONSENT OF THE “DRB” NOTHING HEREIN SHALL BE CONSTRUED TO PROHIBIT OVERHEAD STREET LIGHTING OR ORNAMENTAL YARD LIGHTING, WHERE SERVICED BY UNDERGROUND WIRES OR CABLES. WHERE UNDERGROUND ELECTRIC SERVICE IS TO BE INSTALLED, IN ORDER TO PERMIT INSTALLATION OF UNDERGROUND ELECTRIC SERVICE TO EACH LOT FOR THE MUTUAL BENEFIT OF ALL OWNERS THEREIN, NO OWNER OF ANY SUCH LOT WILL COMMENCE CONSTRUCTION OF ANY HOUSE ON ANY SUCH LOT UNTIL SUCH OWNER (1) NOTIFIES THE ELECTRIC UTILITY THAT SUCH CONSTRUCTION IS PROPOSED, (2) GRANTS IN WRITING TO THE ELECTRIC UTILITY SUCH RIGHTS AND EASEMENTS THE ELECTRIC UTILITY REQUIRES IN CONNECTION WITH ITS CONSTRUCTION, OPERATION, MAINTENANCE AND REMOVAL OF UNDER-GROUND SERVICE LATERAL ON EACH LOT, AND (3) OTHERWISE COMPLIES WITH THE RULES AND REGULATIONS FOR UNDERGROUND RESIDENTIAL DISTRIBUTION ON FILE WITH AND APPROVED BY THE ALABAMA PUBLIC SERVICE COMMISSION IS APPLICABLE. IF REQUIRED BY THE ELECTRIC UTILITY, SUCH ELECTRIC UTILITY, ITS SUCCESSORS AND ASSIGNS, MAY RETAIN TITLE TO THE UNDERGROUND SERVICE LATERAL AND OUTDOOR METERING THROUGH OR HOUSE-POWER BOX (EXCLUSIVE OF CIRCUIT BREAKERS) SERVING EACH SAID HOUSE, AND SAID SERVICE ENTRANCE FACILITIES PROVIDED BY SUCH UTILITY WILL NOT IN ANY WAY BE CONSIDERED A FIXTURE OR FIXTURES AND THEREBY A PART OF SAID REAL ESTATE, BUT WILL REMAIN PERSONAL PROPERTY BELONGING TO SUCH UTILITY, ITS SUCCESSORS AND ASSIGNS, IN ACCORDANCE WITH APPLICABLE RULES

AND REGULATIONS FILED WITH AND APPROVED BY THE ALABAMA PUBLIC SERVICE COMMISSION.

29. CONNECTION POINT FOR UTILITIES SERVICES

TO THE EXTENT OF THE INTEREST OF THE OWNER OF EACH LOT, SUCH OWNERS AGREE TO CONNECT UTILITY SERVICE LINES (INCLUDING, BUT NOT LIMITED TO, WATER AND ELECTRICITY) AT POINTS DESIGNATED BY DECLARANT. THE OWNER SHALL INSTALL THE REQUIRED ON-SITE SANITARY SEWERAGE SEPTIC TANKS AND FIELD LINES. THE OWNER OR OWNER'S CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE PERMIT TO CONSTRUCT FROM THE LOCAL GOVERNING AUTHORITIES, INCLUDING PAYMENT OF ALL PERMIT FEES.

30.CENTRAL ALABAMA ELECTRIC COOPERATIVE RIGHTS

CENTRAL ALABAMA ELECTRIC COOPERATIVE IS GRANTED THE RIGHT TO CONSTRUCT, INSTALL, OPERATE AND MAINTAIN ITS FACILITIES, INCLUDING ALL CONDUITS, CABLES, TRANSCLOSURES AND OTHER APPLIANCES USEFUL OR NECESSARY IN CONNECTION THEREWITH, WITHIN A TEN (10) FOOT EASEMENT ALONG THAT PORTION OF EACH LOT ABUTTING A DEDICATED STREET, AND ANY OTHER UTILITY EASEMENT SHOWN, FOR THE UNDERGROUND TRANSMISSION AND DISTRUBUTION OF ELECTRIC POWER. TOGETHER WITH ALL THE RIGHTS AND PRIVILEGES NECESSARY OR CONVENIENT FOR THE FULL ENJOYMENT OR USE THEREOF, INCLUDING THE RIGHT OF INGRESS AND EGRESS TO AND FROM SAID FACILITIES AND THE RIGHT TO EXCAVATE FOR INSTALLATION, REPLACEMENT, REPAIR AND REMOVAL THEREOF, AND ALSO THE RIGHT TO CUT AND KEEP CLEAR TREES, UNDERBRUSH, SHRUBBERY, ROOTS AND OTHER GROWTH, AND TO KEEP CLEAR ANY AND ALL OBSTRUCTIONS OR OBSTACLES OF WHATEVER CHARACTER ON, UNDER AND ABOVE SAID FACILITIES. ALSO INCLUDED IN THE RIGHTS GRANTED HEREIN IS THE RIGHT TO INSTALL SERVICE LATERALS RUNNING FROM SAID 10 FEET WIDE EASEMENT TO THE DWELLINGS OR BUILDINGS CONSTRUCTED ON THE LOTS WITHIN THIS PLAT.

31.STREET AND ACCENT LIGHTING

THE DECLARANT MAY HAVE INSTALLED, OR CAUSE TO BE INSTALLED, CERTAIN OVERHEAD STREET AND/OR ACCENT LIGHTING ON EASEMENTS ADJACENT TO, OR LOCATED ON, SELECTED OTS. THIS LIGHTING IS FOR THE UTUAL BENEFIT OF ALL LOT OWNERS. THE OWNER OF ANY LOT MAY NOT ERECT OR HAVE ERECTED ANY STREET OR SECURITY LILGHTING ON ANY LOT OR EASEMENT ADJACENT TO LOT WITHOUT PRIOR WRITTEN APPROVAL OF "DRB"

32.FENCES AND WALLS

NO FENCE OR WALL SHALL BE ERECTED OR PLACED ON ANY LOT NEARER TO ANY STREET THAN THE MINIMUM SET-BACK LINES OF SAID LOT

UNLESS APPROVED IN WRITING BY THE "ARB". ALL FENCES MUST BE APPROVED BY THE “ARB”.

33.EASEMENTS

EASEMENTS FOR INSTALLATION AND MAINTENANCE OF UTILITIES CABLE TV, DRAINAGE, ACCESS ARE RESERVED AS SHOWN ON THIS PLAT. THESE EASEMENT AREAS, WITHIN EACH RESPECTIVE LOT, SHALL BE MAINTAINED CONTINUOUSLEY BY THE LOT OWNER OF EACH RESPECTIVE LOT, OVER WITHC SAID EASEMENTS CROSS. IT BEING UNDERSTOOD AND AGREED BY ALL LOT OWNERS WITHIN THE SUBDIVISION THAT THESE AREAS ARE IMPORTANT TO THE OVERALL SUBDIVISION AND TO ALL LOT OWNERS THEREIN.

34.RAVINES, GULLIES, BLUFFS AND DITCHES

ALL LOT OWNERS RECOGNIZE THAT BECAUSE OF THE IRREGULAR TOPOGRAPHY WITHIN THE SUBDIVISION AND BECAUSE OF THE DESIRE TO MAINTAIN CERTAIN NATURAL BEAUTY AND AESTHETICS, VIEWS, AND NATURAL DRAINAGE AREAS, THAT THERE EXISTS WITHIN THE SUBDIVISION RAVINES,GULLLIES, BLUFFS, AND OPEN DITCHES. NO LOT OWNER SHALL FILL, BRICK, OR OTHERWISE INTEREFERE WITH NORMAL SURFACE WATER DRAINAGE WITHIN THE SUBDIVISION AND IN PARTICULAR ON ANY PARTS OF THE SUBDIVISION WITHIN THEIR RESPECTIVE LOT. NO SURFACE WATER DRAINAGE WILL BE ARTIFICIALLY DIRECTED INTO EXISTING REAVINES, GULLIES OR OPEN DITCHES, EXCEPT AS APPROVED BY THE "ARB" AS A PART OF THE APPROVAL OF THE ORIGINAL PLANS AND SPECIFICATIONS OR SUBSEQUENT PLANS AND SPECIFICATIONS AND APPROVAL WILL ONLY BE GRANTED WHEN SAID ACTIVITY COMPLIES WITH PROFESSIONAL ENGINEERING STANDARDS. LOT OWNERS MAY FENCE OR OTHERWISE PROTECT ANY AREAS DEEMED DANGEROUS OR HAZARDOUS, SO LONG AS THEIR FENCING OR OTHER PROTECTION PLANS ARE APPROVED BY THE "DRB".

35.PARKING AND DRIVEWAYS

THE OWNER OF EACH LOT SHALL PROVIDE PARKING SPACE AT LEAST ADEQUATE FOR THE USE OF THE OCCUPANTS OF EACH RESIDENCE, OFF THE PUBLIC STREETS, AND CONFINED TO THE INTERIOR OF EACH RESPECTIVE LOT AN NOT ON THE PUBLIC RIGHT-OF-WAYS AND FURTHER CONFINED TO THE REAR OR ON THE SIDES OF THE RESPECTIVE HOUSES BUT NOT IN THE FRONTS OF THE RESPECTIVE HOUSES, EXCEPT FOR TEMPORARY PARKING AND USAGE AS IN THE CASE OF A WRAP AROUND OR CIRCULAR DRIVEWAY.

IN THOSE CASES WHERE SURFACE WATER DRAINAGE IS PROVIDED AT THE FRONT OF RESPECTIVE LOTS WHERE DRIVEWAYS MUST CROSS SURFACE WATER DRAINAGE DITCHES, BRICK HEAD WALLS SHALL BE REQUIRED ON ALL DRAINAGE PIPES UNDER SAID DRIVEWAYS. DRIVEWAYS MUST BE

PAVED WITH CONCRETE OR MASONRY AGGREGATE COMPOSITION OR OTHER MATERIALS APPROVED BY THE "ARB". THERE SHALL BE NO EXTRUDING PIPES BEYOND THE HEAD WALLS AND THE HEAD WALLS SHALL BE CONSTRUCTED OR BRICK AND SHALL BE PERPENDICULAR TO GROUND LEVEL AND SHALL EXTEND NO HIGHER THAN ONE BRICK ABOVE THE TOP SURFACE OF THE DRIVEWAY WHICH IT SERVES, ALL DRAINPIPES MUST BE INSTALLED IN ACCORDANCE WITH PLANS AND SPECIFICATIONS AS APPROVED BY THE "ARB" AND IN ACCORDANCE WITH PROFESSIONAL ENGINEERING PRACTICES, IN ORDER NOT TO RESTRICT THE FLOW OF SURGACE WATER DRAINAGE. MINIMUM DRAINPIPE SIZE MAY BE ESTABLISHED BY THE "DRB" AND EACH LOT OWNER SHALL BE REQUIRED TO ADHERE TO SUCH MINIMUM STANDARDS.

36. THE OWNER OR OWNERS OF THE PLATTED PROPERTY AT THE TIME OF THE RECORDING OF THESE RESTRICTIONS AND COVENANTS, THEIR HEIRS AND ASSIGNS, HEREBY RESERVE UNTO THEMSELVES, THEIR HEIRS AND ASSINGS, UNTIL SUCH TIME AS THE LAST LOT WITHIN THE SUBJECT SUBDIVISION HAS BEEN CONVEYED BY DEED FROM THE CURRENT OWNER OR OWNERS TO ANOTHER PARTY, THE RIGHT TO WAIVE ANY VIOLATION OR THESE RESDTRICTIONS AND COVENANTS BY RECORDED WRITTEN INSTRUMENT UPON DETERMINATION THAT THE VIOLATION WAIVED IS MINOR, DOES NOT SUBSTANTIALLY ADVERSELY AFFECT THE VALUE, UTILITY OR ENJOYMENT OF ANY OTHER LOT IN SAID PLAT AND DOES NOT CONSTITUTE A SAFETY HAZARD TO ANYONE. THIS RESERVED RIGHT ALSO RELATES TO THE RELOCATION OF LOT LINES AND BOUNDARIES, AND ANY MATTERS APPEARING ON THAT CERTAIN PLAT TO WHICH THESE RESTRICTIONS AND COVENANTS APPLY.

ARCHER PROPERTIES, L.L.C.

BY: _____
GARY BLACKMAN,
ITS MEMBER

BY:_____
HAROLD L. HALE JR.
ITS MEMBER

STATE OF ALABAMA
COUNTY OF ELMORE

I, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID STATE AT LARGE, HEREBY CERTIFY THAT GARY BLACKMAN AND HAROLD L. HALE JR. WHOSE NAMES AS MEMBERS OF ARCHER PROPERTIES, L.L.C., A LIMITED LIABILITY COMPANY, IS SIGNED TO THE FOREGOING

INSTRUMENT AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY, THAT, BEING INFORMED OF THE CONTENTS OF THE INSTRUMENT, THEY, AS SUCH MEMBERS AND WITH FULL AUTHORITY, EXECUTED THE SAME VOLUNTARILY FOR AND AS THE ACT OF SAID LIMITED LIABILITY COMPANY.

GIVEN UNDER MY HAND AND SEAL ON THIS _____ DAY OF JULY 2004.

_____
NOTARY PUBLIC
MY COMMISSION EXPIRES:_____