

STATE OF ALABAMA

SHELBY COUNTY

DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND RIGHTS

HIGHLANDS

This Declaration made on this day by Highlands Subdivision, owned by James W. and Margaret R. Glasgow, hereinafter referred to as "Owner".

WITNESSETH:

WHEREAS, the undersigned Owner owns in fee simple the following described real estate situated in Shelby County, Alabama, to wit:

SEE ATTACHED LEGAL DESCRIPTION

SECTOR I, LOTS 1 - 4

SECTOR II, LOTS 1 - 21

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known as Highlands.

NOW, THEREFORE, The Owner hereby declares that all of the above described properties shall be held, sold and conveyed subject to the following easements, restrictions, covenants, conditions, and rights which are for the purpose of creating uniformity, protecting the value and desirability of the above described property, and which shall run with the said real estate and be binding on all parties having any right, title of interest in the above described property or any part thereof, their heirs, successors and assigns shall enure to the benefit of each owner thereof, and shall, in addition thereto, be enforceable by the Shelby County Health Department and any other municipal entity at interest.

1. MINIMUM PARCEL SIZE. No Parcel of land may be divided leaving any parcel less than original size of lot (all these restrictions shall apply equally to all such parcels).

2. 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 single-family dwelling not to exceed two and one-half stories in height, with less than 1500 square feet of heated space and related non-residential outbuildings. No mobile, modular or factory constructed housing is allowed.

*Glasgow Enterprises
1505-S. Shaded Crest Rd.
Bessemer, Al. 35023*

3. NUISANCES. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be of may become an annoyance or nuisance to the neighborhood.

4. TEMPORARY STRUCTURES. No structure of a temporary character, trailer, basement, tent shack, garage, barn or other outbuilding shall be used on any lot at any time as a residence either temporarily or permanently.

5. SIGNS. No signs of any kind shall be displayed to the public view on any lot except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent or signs used by a builder to advertise the property during the construction and sales period.

6. OIL AND MINING OPERATIONS. No oil drilling, oil development operations, 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 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.

7. 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 any other household pets may be kept provided they are not kept, bred, or maintained for any commercial purpose.

8. WATER SUPPLY. No individual water-supply system shall be permitted on any lot unless such system is located, constructed and equipped in accordance with the requirements, standards and recommendations of both state and local public health authorities. Approval of such system as installed shall be obtained from such authority.

9. SEWAGE DISPOSAL. No individual sewage disposal system shall be permitted on any lot unless such system is designated, located and constructed in accordance with the requirements, standards and recommendations of both state and local public health authorities. Approval of such system as installed shall be obtained from such authority.

10. SET BACK LINE. All residence and other structures must be set back a minimum of 35 feet from the ingress and egress road, if any part of the original parcel of land as deeded by Highlands to the original owner on which the structure is constructed has a minimum side length or depth of at least 150 feet. No structure of any nature may be placed closer than 10 feet to the side or back of any parcel of land.

11. SET BACK - OUTBUILDINGS. No structure (in addition to the residence) may be constructed closer to the ingress and egress road than the back of the residential building.

12. CONCRETE BLOCK. No concrete block on any structure may be visible from the ingress and egress road; this means no concrete block may be visible from the road or street on the front or sides of the residential structures.

13. DRIVEWAYS. All driveways visible from the ingress and egress streets must be to the side of the lot and must be concrete.

14. ADDITIONAL REAL ESTATE MAY BE INCLUDED. Owner reserves the right to include additional real estate under these covenants.

15. ARCHITECTURAL STYLE. All homes must be country-style and/or cape cod, 1-1/2 story saltbox, 2-story colonial, or traditional and agree in esthetic value with other homes in the area. No split-level or contemporary homes are allowed. Plans must be approved prior to construction by Architectural Committee composed of:

James W. Glasgow, Margaret R. Glasgow, Lynn G. Smith

16. All windows must be wooden; also, no sliding glass doors are allowed.

17. All homes must be Alabama Gas Corporation WESE HOMES and must meet subject specifications regarding insulation and energy efficiency.

18. No satellite discs for television may be used.

19. TERM. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of twenty-five years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of 10 years unless an agreement signed by a majority of the then owners of the lots has been recorded changing said covenants in whole or in part.

20. ENFORCEMENT. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages.

21. SEVERABILITY. In validation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, the OWNER has hereunto set its hand and seal this the 3rd day of March, 1987.

HIGHLANDS

By:

James W. Glasgow
Margaret R. Glasgow

HIGHLANDS SUBDIVISION, SECTOR I

STATE OF ALABAMA
SHELBY COUNTY

Commence at the northeast corner of the SE 1/4 of NE 1/4 Section 14, Township 20 South, Range 4 West and run westerly along the north line thereof 246.42' to the intersection with the centerline of South Shades Crest Road; thence turn left 28°-40'-20" and run southwesterly along said centerline 108.83' to the point of beginning of a curve to the left having a central angle of 4°-44'-10" and a radius of 2525.31'; thence turn left 2°-22'-05" to the chord of said curve and run southwesterly along the arc of said curve 208.75' to the point of beginning; thence turn left 90°-47'-40" and run southeasterly 207.05'; thence turn right 88°-12'-05" and run southwesterly 199.98'; thence turn left 2°-20'-30" and run southwesterly 260.08'; thence turn right 94°-02'-10" and run northwesterly 202.47' to the intersection with the centerline of South Shades Road and the point of beginning of a curve to the left having a central angle of 5°-36'-54" and a radius of 813.11'; thence turn right 87°-00'-05" to the chord of said curve and run northeasterly along the arc of said curve 79.69'; thence turn left 2°-48'-30" and run northeasterly along the centerline of South Shades Crest Road 247.03' to the point of beginning of a curve to the right having a central angle of 3°-02'-33" and a radius of 2525.31'; thence turn right 1°-31'-15" to the chord of said curve and run northeasterly along the arc of said curve 134.09' to the point of beginning.- Containing 2.2 acres more or less subject to rights of way and easements of record.

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HIGHLANDS
SECTOR II

STATE OF ALABAMA
SHELBY COUNTY

Commence at the northeast corner of the SE 1/4 of the NE 1/4 of Section 14, Township 20 South, Range 4 West and run South along the east line thereof 492.60' to the point of beginning; thence continue South along said East line 500.00'; thence turn right 73°-59'-23" and run Southwesterly 321.39'; thence turn left 32°-39'-57" and run Southwesterly 155.67'; thence turn right 31°-16'-50" and run Southwesterly 197.69'; thence turn right 113°-02'-15" and run Northwesterly 294.56'; thence turn right 99°-19'-20" run Northeasterly 53.00'; thence turn left 90°-00'-00" and run Northwesterly 175.00' to the point of beginning of a curve to the left having a central angle of 6°-02'-37" and a radius of 1059.66'; thence turn right 92°-51'-29" to the chord of said curve and run Northeasterly along the arc of said curve 111.77'; thence turn left 93°-01'-21" from the chord of said curve and run Northwesterly 215.31'; thence turn right 96°-02'-37" and run Northeasterly 25.00'; thence turn left 9°-54'-54" and run Northeasterly 260.00'; thence turn right 2°-20'-30" and run Northeasterly 199.98'; thence turn right 91°-47'-53" and run Southeasterly 183.88'; thence turn left 93°-03'-33" and run Northeasterly 31.45'; thence turn right 90°-00'-00" and run Southeasterly 177.01'; thence turn left 88°-08'-05" and run Northeasterly 232.22' to the point of beginning. Containing 11.6 acres more or less.

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STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1987 APR -3 PM 12:06

F. Thomas A. Shivers, Jr.
JUDGE OF PROBATE

1. Deed Tax	\$ <u> </u>
2. Mtg. Tax	<u> </u>
3. Recording Fee	<u>12.50</u>
4. Indexing Fee	<u>1.00</u>
TOTAL	<u>13.50</u>