STATE OF ALABAMA LAUDERDALE COUNTY

PROTECTIVE COVENANTS FOR "RASCH HEIGHTS"

The undersigned, Frank A. Rasch, the owner of all of the property in that subdivision known as "Rasch Heights", as the same appears of record in the office of the Judge of Probate of Lauderdale County, Alabama, in New Plat Book No. 3, Page 45, does hereby impose on all of the lots contained therein the following covenants and building restrictions.

These covenants shall run with the land, and shall be binding on all parties and all persons claiming under him until January 1, 1983. Thereafter said covenants shall be automatically extended for successive periods of ten years each, unless, by a vote of the majority of the then owners of the lots contained in said subdivision, it is agreed to change said covenants in whole or in part.

If anyone owning property in said subdivision shall violate or attempt to violate any of the covenants herein, it shall be lawful for any person or persons owning any real property situated in said subdivision to prosecute any proceedings at law or in equity against the persons or persons violating or attempting to violate any covenant, for the purpose of preventing any violation hereof, or to recover damages for such violation.

Invalidation 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.

- 1. All lots in the subdivision are for single family residential use only, and no more than one residence may be placed on any one lot.
- 2. No noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be done which may be or become an annoyance or nuisance to the neighborhood.
- 3. No trailer, basement, tent, shack, garage, barn, or other out-building erected on any lot shall be used, at any time, for a residence, temporarily, or permanently, nor shall any structure of a temporary character be used as a residence.
- 4. Perpetual easements are reserved for utility installation and maintenance as shown on the recorded plat.

Page # 2, continued.

- 5. BUILDING LOCATIONS. No building shall be located nearer than eight feet to an interior lot line, except that a minimum five foot side yard shall be required for a garage or any accessory building, so long as said garage or accessory building is located on the rear half of a lot. For the purpose of this covenant, eves, steps and open porches shaould not be considered as part of the building; provided, however, that this shall not be construed to permit any portion of the building on the lot to encroach upon another lot. The foregoing provisions shall not be construed to prohibit one or more lots from being used as one building site. No building shall be located closer than forty feet from the front lot line. No building shall be located on any lot or tract containing less than 20,000 square feet, except that a building may be located on Lot No. 1, in Block No. 2, in said subdivision.
- 6. No building shall be permitted on any lot at a cost of less than \$10,000.00, based upon cost levels prevailing on the date of these covenants, it being the intention and purpose of this covenant to assure that all buildings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date of these covenants, at the minimum cost stated herein for the minimum permitted dwelling site. The ground floor area of the main strucutre, exclusive of one story porches and garages, shall be not less than one thousand (1,000) square feet for a one-story dwelling, nor less than eight-hundred fifty (850) square feet for a dwelling of more than one story.
- 7. No house shall be constructed on any lot in said subdivision, nor shall any outbuilding be so constructed, the exterior covering of which is concrete or cinder block, asbestos siding, stucco, tar paper, or any susbtance not in keeping with a first-class residential area.

IN WITNESS WHEREOF, I hereunto set my hand and affix my seal at Florence, Alabama, on this the 16 day of December, 1957.

Frank A.Rasch (SEAL)

Acknowledged in General Code Form by Frank A. Rasch before Sammie H. Thompson, a Notary Public for Lauderdale County, Alabama. On this the 16th day of December, 1957.

STATE OF ALABAMA

LAUDERDALE COUNTY

AMENDMENT TO PROTECTIVE COVENANTS FOR "RASCH HEIGHTS"

The undersigned, Frank A. Rasch, Billy Martin and wife, Jimmie Lou Martin, Albert S. Jackson, and wife, Rose G. Jackson, and First Federal Savings and Loan Association of Florence, (Mortgagee), being the owners of all the land covered by those certain Protective Covenants for Rasch Heights, as the same appear of record in the Office of the Judge of Probate of Lauderdale County, Alabama, in Book 620, at page 30-32, hereby amend said Protective Covenants by adding the following paragraph, towit:

5. (a) No building on Lot 1, Block 3, and Lot 10, Block 1, shall be located closer than 25 feet to Scott Avenue. No building on Lot 10, Block 2, and Lot 1, Block 4, shall be located closer than 25 feet to that area marked on said plat as "reserved to owner"; unless said reserved area be sold. No building located on Lot 14, Block 2, shall be located closer that 25 feet to Augusta Street.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and affixed their seals at Florence, Alabama, on this 29th day of April, 1958.

/s/ Frank A. Rasch
/s/ Rose G. Jackson
/s/ Billy O. Martin

/s/ Jimmie Lou Martin

FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF FLORENCE,
By, /s/ W.L. Foy, Jr.

Alvin L. Lovelace
Its Secretary

Its Ex. V. Pres.

Acknowledged in General Code Form by Frank A. Rasch, Billy Martin, and wife, Jimmie Lou Martin, Albert S. Jackson and wife, Rose G. Jackson, before Sammie H. Thompson, a Notary Public for Lauderdale County, Alabama. Seal. April 29, 1958.

Acknowledged in Code Form for Corporation, by W.L. Foy, Jr., as Executive Vice President of First Federal Savings and Loan Association of Florence, before Sammie H. Thompson, a Notary Public for Lauderdale County, Alabama. With Seal. April 29, 1958.

Filed, May 12,1958, at 2:20 PM.

Recorded Book 620 Page 550-1.

STATE OF ALABAMA

FICHE 86-0018 FRAME DOIS

LAUDERDALE COUNTY

AMENDMENT TO PROTECTIVE COVENANTS FOR "RASCH HEIGHTS"

The undersigned, being the owners and mortgagees of a majority of the land covered by those certain Protective Covenants for Rasch Heights, as the same appear of record in the Office of the Judge of Probate of Lauderdale County, Alabama, in Book 620 at pages 30-32, hereby amend said Protective Covenants by adding the following paragraph, to-wit:

5. (b) No building on the South 25 feet of Lot 5 and all of Lot 6, Block 1, shall be located closer than 27 feet to Augusta Street.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and affixed their seals at Florence, Alabama, on this 3^{60} day of April, 1985.

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& BUNCH
ATTORNEYS AT LAW
WEST DR. HICKS BOULEVARD
FLORENCE, ALABAMA
35630

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PECK, SLUSHER

& BUNCH

ATTORNEYS AT LAW

3 WEST DR HICKS BOULEVARD
FLORENCE, ALABAMA

35630

FIRST NATIONAL BANK IN TUSCUMBIA

FICHE 86-0018 FRAME 5001 Owner of FIRST FEDERAL SAVINGS & LOAN ASSN. Its Mu a FIRST FEDERAL SAYINGS & LOAN ASSN. secretalis Owner of Lot(s) /3, Blk. Esther A. Murp Owner of Lot(s) SOUTHTRUST MORPGAGE CORPORATION Owner of Lot(s) 18 +9 Owner of Lot(s) SOUTHTRUST MORTGAGE CORPORATION Its

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PECK, SLUSHER & BUNCH ATTORNEYS AT LAW
3 WEST DR. HICKS BOULEVARD FLORENCE . ALABAMA 35630

Owner

STATE OF ALABAMA LAUDERDALE COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State hereby certify that Lavoye C. McCanless and wife, Dorothy McCanless, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 3rd day of May, 1985.

Allra Q Frederick
Notary Public 3-287

STATE OF ALABAMA LAUDERDALE COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State hereby certify that favid A. Me full whose name as Ar. Vice Anexaged 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, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Notary Public 0

my commission experes. 3,2.86

STATE OF ALABAMA LAUDERDALE COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State hereby certify that Clyde H. Thomas and wife, Louise Thomas, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date

Given under my hand and official seal this 3rd day of May, 1985.

Notary Public

MY COMMINDION EXPERS 3-2-37

STATE OF ALABAMA Jefferson COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State hereby certify that Hubert E. Rawson, Jr.

, whose name as Vice President

of SouthTrust Mortgage Corporation , 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, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

PECK, SLUSHER
& BUNCH
ATTORNEYS AT LAW
& WEST DR. HICKS BOULEYARD
FLORENCE, ALABAMA
35630

Given under my hand and official seal this 20 day of June , 1985. Notary Public My Commission expires: STATE OF ALABAMA LAUDERDALE COUNTY I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Aleta T. Stewart, whose name 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, she executed the same voluntarily on the day the same bears date. Given under my hand and official seal this 3rd day of May. 1985. - MY COMMING TON EXPINES 3-2-87 STATE OF ALABAMA LAUDERDALE COUNTY I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that John R. Flood and wife, Linda F. Flood, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears Given under my hand and official seal this 3rd day of ... May, 1985. MY CONTINUOUS EXTYNES 3-2-52 STATE OF ALABAMA LAUDERDALE COUNTY I, the undersigned authority, a Notary Public in and for County in said State hereby certify that Charles W. Wall and said County in said State hereby certify that whose name as Vice President whose name as Collateral Investment Company of Collateral Investment 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, he, as such officer and with full authority, executed the same voluntarily for and as the act of said . corporation. Given under my hand and official seal this 22 August ___, 1985.

PECK, SLUSHER

& BUNCH

ATTORNEYS AT LAW

WEST DR. HICKS BOULEVARD

FLORENCE, ALABAMA

35630

STATE OF ALABAMA LAUDERDALE COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that I. Grady Gauntt, Jr. and wife, Barbara Jean Gauntt, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 3rd day of May 1985.

Notary Public ()

MY COMMISSION ENTIRES JOHN:

STATE OF ALABAMA LAUDERDALE COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that found in the forest form of free free forest form from the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this /8th day of

Notary Public

My commission depens 3-2-86

STATE OF ALABAMA LAUDERDALE COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that William Andujar and wife, Mary Alice Andujar, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 3rd day of May, 1985.

Notary Public

MY COUNTLINES EXPIRES SON

STATE OF ALABAMA
LAUDERDALE COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Kapung J. Kabung, whose name as Vecco Public in and for

of <u>Minters Catallers by the instrument</u>, 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, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

PECK , SLUSHER
& BUNCH
ATTORNEYS AT LAW
WEST DR. HICKS BOULEVARD
FLORENCE, ALABAMA
35630

\$ 008 From E305.

Given under my hand and official seal this. day of

Notary Public

EST COMMISSION EXPIRES OCTOBER 17, 1988

STATE OF ALABAMA LAUDERDALE COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Robert H. Hart and wife, Nina M. Hart, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 3rd day of May, 1985.

STATE OF ALABAMA LAUDERDALE COUNTY

I, the undersigned authority, a Notary Public in and for

said County in said State, hereby certify that flavid I. Me full

whose name as At. Vice Presedent

of First Fed. San. Jan. Ossn. 9 Florence, 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, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 18 une, 1985.

Notary Public

STATE OF ALABAMA LAUDERDALE COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Elliott Bass and wife, Martha T. Bass, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 3rd day of May, 1985.

MY CONTINUES A 2-87

PECK, SLUSHER & BUNCH ATTORNEYS AT LAW WEST DR. HICKS BOULEVARD FLORENCE, ALABAMA 35630

STATE OF ALABAMA LAUDERDALE COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that formed in Fall of Fort Fed. Jack Jean Chang Through, 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, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 18th day of Jene, 1985.

Notary Public

My Commission eggin 3-2-86

STATE OF ALABAMA LAUDERDALE COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that (Belle H.), whose name as Ever U. Fredent of Frot roll, Bank in Justice , 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, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this $/\sqrt{2}$ day of $\sqrt{2}$, 1985.

Notary Public

My Commission Expires June 29, 1985,

STATE OF ALABAMA LAUDERDALE COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Charles Eaves and wife, Bernice Eaves, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 3rd day of May, 1985.

Notary Public)

STATE OF ALABAMA LAUDERDALE COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Back of the fall of first Fed. Sac. Vice Presedent 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, he, as such officer and with full authority,

PECK, SLUSHER
& BUNCH
ATTORNEYS AT LAW
WEST DR. HICKS BOULEVARD
FLORENCE, ALABAMA
35630

5 1 HE 86-0018 H 1NO E007

executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this /8 day of arci, 1985.

Notary Public 177-3-3-3-86

STATE OF ALABAMA LAUDERDALE COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Aaron South and wife, Maxine South, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears

Given under my hand and official seal this 3rd day of May, 1985.

MY COMMISSION EXPIRES 323

STATE OF ALABAMA LAUDERDALE COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Navel Syne fall whose name as Source Provident of First Fed. Sund Land Research, 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, he, as such officer and with full authority, executed the same voluntarily for and as the act of said

Given under my hand and official seal this $/s^{+a}$ day of ung_, 1985.

Notary Public

My Commission expires 3-2

STATE OF ALABAMA LAUDERDALE COUNTY

corporation.

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Clarence D. Palmer and wife, Wanda R. Palmer, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 3rd day of May, 1985.

Notary Public

My communiche emples

PECK, SLUSHER & BUNCH ATTORNEYS AT LAW VEST DR. HICKS BOULEVARD 35630

STATE OF ALABAMA LAUDERDALE COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that said for whose name as for the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 18 day of

Notary Public
My Commission appear 3-2-86

STATE OF ALABAMA LAUDERDALE COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Included for whose name as descent that I have the following instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Notary Public

STATE OF ALABAMA LAUDERDALE COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Dewey A. Murphy and wife, Esther A. Murphy, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 3rd day of May, 1985.

Notary Public

hir Commission 22. 1428 3.2-87

STATE OF ALABAMA Jefferson COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Hubert E. Rawson, Jr., whose name as Vice President

of SouthTrust Mortgage Corporation , 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, he, as such officer and with full authority,

PECK, SLUSHER
& BLINCH
ATTORNEYS AT LAW
WEST DR. HICKS BOULEVARD
FLORENCE, ALABAMA

85-0018 FLAME 5009

executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 20th day June , 1985.

My Commission expires: 8-8-8,7

STATE OF ALABAMA LAUDERDALE COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Deborah Heathcock, whose name 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 3rd day of.... May, 1985.

MY COMMISSION EXPIRES 3-2-87

STATE OF ALABAMA COUNTY Jefferson

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Hubert E. Rawson, Jr. , whose name as

Vice President of <u>SouthTrust Mortgage Corporation</u>, is signed to the foregoing instrument and who is known to me, acknowledged , is signed to before me on this day that, being informed of the contents of the instruemnt, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 20th

My Commission expires 8-8-87

STATE OF ALABAMA LAUDERDALE COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that David A. Mays and wife, Betty S. Mays, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 3rd day of May, 1985.

STATE OF ALADAMA,

PECK, SLUSHER

& BUNCH

ATTORNEYS AT LAW EST DR. HICKS BOULEVARD

FLORENCE, ALABAMA 35630

LAUDERDALE COUNTY, PROBATE COURT

I hereby certify that the foregoing instrument was

filed to record in this office on Jan 28, 1986

at 3:17ph o'clock and duly recorded in Fiche

86-0018 Frame 2013-6009 Deed Tox _ Fee 27.50 _ Mig. Tax____

Victim February Judge of Probota

Notary Public