

THE STATE OF ALABAMA

LAUDERDALE COUNTY

PROTECTIVE COVENANTS  
FOR  
MARS HILL ACRES

The undersigned Barksdale Jordan and Russel G. Hightower owners of all the property embraced in that subdivision shown on the map and plat known and designated as Mars Hill Acres Subdivision and recorded in the office of the Judge of Probate of Lauderdale County, Alabama, in New Plat Book 3, on page 23, hereby imposes on all 49 lots described in said plat the following covenants and building restrictions.

I

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 detached single-family dwelling not to exceed two and one-half stories in height and a private garage for not more than two cars and other accessory structures customarily incidental to residential occupancy.

II

No trailer, basement, tent, shack, or garage, or other outbuilding erected on any lot in said subdivision shall at any time be used as a residence, temporary or permanent, nor shall any structure of a temporary character be used as a residence.

III

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

IV

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 sanitary condition.

V

No dwelling shall be permitted on any lot with a ground floor area

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of the main structure, exclusive of one-story open porches and garages, of less than nine hundred (900) square feet, nor less than seven hundred (700) square feet for a dwelling of more than one story.

VI

No building shall be located on any lot nearer than 30 feet to the front line. No building shall be located nearer than 8 feet to an interior lot line. For the purpose of this covenant, eaves, steps and open porches shall not be considered as a part of a building provided, however, that this shall not be construed to permit any portion of a building on a lot to encroach upon another lot.

VII

No sign of any kind shall be displayed to the public view on any lot except 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.

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 (25) years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of ten (10) years unless an instrument signed by a majority of the then owners of the lots have been recorded, agreeing to change the covenants in whole or in part.

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 or remove violation or to recover damages.~~

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.

IN WITNESS WHEREOF, the undersigned Barksdale Jordan and Russel G. Hightower, together with their respective wives, have hereunto set their hands and affixed their seals at Florence, Alabama, on this 2nd day of April, 1957.

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Barksdale Jordan (SEAL)  
Barksdale Jordan

Jessie D. Jordan (SEAL)  
Jessie D. Jordan

Russell G. Hightower (SEAL)  
Russell G. Hightower

Margaret R. Hightower (SEAL)  
Margaret R. Hightower

Acknowledged in General Code Form by Barksdale Jordan and his wife, Jessie D. Jordan, and Russell G. Hightower and his wife, Margaret R. Hightower before Marie Wright, a Notary Public for Lauderdale County, Alabama. On this the 8th day of April, 1957.

Filed, April 8, 1957

Recorded, Book 596, Pages 330-332

Compliments of Alabama Notaries