

"Restrictions indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status, or national origin are hereby deleted to the extent such restrictions violate 42 USC 3604 (c)".

PROTECTIVE COVENANTS

The undersigned owner of all the property embraced in that subdivision shown on the map and plat prepared by Frank Crow, Civil Engineer, known and designated as Riverbend Subdivision certified to as of July 28, 1947, and recorded in the Office of the Judge of Probate of Lauderdale County, Alabama, in Plat Book No. 2, on page 112 hereby imposes on all the lots provided in said plat the following covenants and building restrictions.

I.

All lots in said subdivision are for residential use only and no more than one residence shall be erected on any lot. No structure shall be erected, placed or permitted to remain on any residential building plot other than one family dwellings except that in so far as the zoning Ordinance of the City of Florence is not violated apartment houses may be erected on any plat North of Alabama Street extended and excepting private garage and other outbuildings incidental to the residential use of such plot. Said one family dwelling not to exceed two and one-half stories in height.

II.

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

III.

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

IV.

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V.

A perpetual easement is reserved for utility installation and maintenance as shown on said recorded plat.

VI.

(a) The Zoning Ordinances of the City of Florence, Alabama, in so far as they relate to restrictive uses of said lots are hereby adopted and made a part of these covenants.

VII.

No dwelling costing less than \$10,000.00 shall be permitted on any lot in Block 7, on Lots 1 through 12, inclusive, in Block 9, on Lots 1 through 4 inclusive in Block 10, on Lots 1 through 4 inclusive in Block 8. The ground floor area of the main structure, exclusive of one-store open porches and garages, shall be not less than 1500 square feet in the case of a one-store structure nor less than 1200 square feet in the case of a one and one-half two, or two and one-half story structure on any of said lots.

(b) No dwelling costing less than \$7,000.00 shall be permitted on any lot in Block s 8, 9 and 10, on Lots 12 and 13 in Block 4, on Lots 10 through 12 inclusive in Block 5 and on Lots 9 and 10 inclusive in Block 6. The ground floor area of the main structure, exclusive of one-storey open porches and garages, shall be not less than 1000 square feet in the case of a one-story structure nor less than 750 square feet in the case of a one and one-half, two, or two and one-half storey, structure on any of said lots.

(c) No dwelling costing less than \$4,000.00 shall be permitted on any lot in said Subdivision. The ground floor area of the main structure, exclusvie of one-storey open porches and garages, shall not be less than 750 square feet in case of a one-story structure nor less than 600 square feet in the case of a one and one-half, two, or two and one-half Story structure.

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VIII.

All residences erected on any lots or parts thereof in said subdivision shall face and front on the street on which said lots or parts thereof face or front. No building shall be erected on any residential building plot which includes any or any part of Lots 15 through 21 inclusive in Block 7 nearer than 40 feet from the front lot line of any such lots. In all other respects lot lines shall conform to the applicable Zoning Ordinance of the City of Florence.

IX

These covenants are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 1957, at which time said covenants shall be automatically extended until and unless it is agreed to change said covenants in whole or in part by a vote of a majority of the then owners of the lots in said subdivision. It shall be sufficient evidence of any such change to record in the office of the Judge of Probate of Lauderdale County, Alabama, a written instrument, executed as deeds are executed by a majority of the said owners of said lots.

X.

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 lot situated in said subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant and either to prevent him or them from so doing to recover damages or other dues for such violation.

XI.

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.

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This the 27 day of September, 1947.

Catherine D. Poellnitz

C.A. Poellnitz

Acknowledged in General Code Form by Catherine D. Poellnitz and husband, C.A. Poellnitz, before W.H. Mitchell, Jr., Notary Public for Lauderdale County, Alabama. September 27, 1947.

The undersigned owners of lands adjoining said Riverbend Subdivision do hereby for ourselves and any persons claiming under us agree that the foregoing covenants shall be binding on our properties so adjoining.

In Witness whereof we have signed our names on this the 29th day of September, 1947.

Laura P. Reeder

Preston Reeder

W.C. Kennedy

Jane F. Kennedy

Filed, September 29, 1947.

Recorded, Book 357, Page 47-9.

STATE OF ALABAMA

LAUDERDALE COUNTY

We the undersigned owners of all the property embraced in that subdivision shown on the map and plat prepared by Frank Crow, Civil Engineer known and designated as Riverbend Subdivision, certified to as of July 28, 1947, and recorded in the office of the Judge of Probate of Lauderdale County, Alabama, in Plat Book No. 2 on page 112, hereby amend the protective covenants on said subdivision heretofore executed on the 27th day of September 1947 by Catherine D. Poellnitz and C.W. Pollnitz and recorded in Book 357, Page 47-48 and 49, in the office of the Judge of Probate of Lauderdale County, Alabama, as follows to-wit: Paragraph VII Section (c) of said protective covenants is amended to read as follows, to-wit:

No Dwelling costing less than \$4,000.00 shall be permitted on any lot in said Subdivision. The Ground Floor area of the main structure, exclusive of one-story open porches and garages, shall not be less than 695 square feet in case of one-story structures, nor less than 600 square feet in case of one and one-half, two or two and one-half story structures, EXCEPT that this amendment filed shall not change the protective covenants heretofore filed as they apply to Blocks 4, 7, 8, 9 and 10 lots 5-18 in Block 5 and Lots 4-10 in Block 6.

WITNESS OUR HANDS THIS 29th day of December, 1947.

C.A. Poellnitz

Catherine D. Poellnitz

Fannon F. Beauchamp

Genevieve A. Beauchamp

WITNESS OUR HANDS this 5th day of January, 1948.

Irene Patton Parker

Robert H. Parker

WITNESS OUR HANDS this 5th day of January, 1948.

Milburn Zeff

Bertha K. Zeff

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Acknowledged in General Code Form by C.A. Poellnitz, Catherine D. Poellnitz, Fannon F. Beauchamp before George W. McBurney, Notary Public for Lauderdale County, Alabama. On this 29th day of December, 1947.

Acknowledged in General Code Form by Genevieve A. Beauchamp and in Separate Code Form by her as the wife of Fannon F. Beauchamp before Margaret C. Springer, Notary Public for Lauderdale County, Alabama. This 29th day of December, 1947.

Acknowledged in General Code Form by Irene Patton Parker, Robert H. Parker, Milburn Zeff and Bertha K. Zeff and in Separate Code Form by Bertha K. Zeff, wife of Milburn Zeff before George W. McBurney, Notary Public for Lauderdale County, Alabama. This 5th day of January, 1948.

Filed, January 9, 1948.

Recorded, Book 357, Page 200-201.

AMENDED PROTECTIVE COVENANTS

The undersigned owner of the hereinafter described property, Catherine D. Poellnitz and her husband, C.A.Poellnitz, amend the protective covenants as recorded in the office of the Judge of Probate of Lauderdale County, Alabama in Book 357, Pages 47-49 and in Book 400, Pages 278-81, by adding the following paragraph thereto:

(D) No dwelling costing less than \$10,000.00 shall be permitted on Lots 12 through 19, both inclusive, in Block 9, in said Riverbend Addition. The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than 1500 square feet in the case of one story structure, nor less than 1200 square feet in the case of a one and one half , two or two and one half story structure on said lots.

IN WITNESS WHEREOF, we have signed our names and affixed our seals on this the 14th day of April, 1950.

Catherine D. Poellnitz

C.A.Poellnitz

Acknowledged in General Code Form by Catherine D.Poellnitz and husband C.A.Poellnitz before Imogene Ward, a Notary Public for Lauderdale County, Alabama. This the 15th day of April, 1950.

Filed, April 18, 1950

Recorded, Book 405, Page 182

AMENDED PROTECTIVE COVENANTS

The undersigned owner of the hereinafter described property, Catherine D. Poellnitz and her husband, C.A. Poellnitz, amend the protective covenants as recorded in the Office of the Judge of Probate of Lauderdale County, Alabama, in Book 357, Pages 47-49 and in Book 400, Pages 278-81, by adding the following paragraph thereto:

(2) No dwelling costing less than \$7,000.00 shall be permitted on Lots 13 through 17 in Block 5, and Lots 1 through 14 in Block 4, in said Riverbend Addition. The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than 1000 square feet in the case of a one-story structure, nor less than 750 square feet in the case of a one and one-half, two or two and one-half story structure on any of said lots.

IN WITNESS WHEREOF, we have signed our names and affixed our seals on this the 1st day of June, 1950.

Catherine D. Poellnitz (SEAL)

C.A. Poellnitz (SEAL)

Acknowledged in General Code Form by Catherine D. Poellnitz and husband, C.A. Poellnitz before Imogene Ward, a Notary Public for Lauderdale County, Alabama. This the 1st day of June, 1950.

Filed, June 6, 1950

Recorded, Book 405, Page 553

PROTECTIVE COVENANTS

The undersigned owners of all the property embraced in that subdivision shown on the map and plat prepared by Frank Crow C.E. known and designated as Riverbend Addition, and certified as of July 28, 1947, and recorded in the Office of the Judge of Probate of Lauderdale County, Alabama, in Plat Book No. 2 on page 112, hereby amend the protective covenants and building restrictions heretofore imposed on said properties in the respects and to the extent specified herein. And the undersigned, Henry Pittman (otherwise known as H.P. Pittman) and wife, Loretta Pittman, adopt said restrictions and said restrictions as amended and impose the same on the properties owned by said H.P. Pittman (adjoining the said Riverbend Addition) which are described as follows:

Lots 1 to 21, inclusive, in Block 4,
Lots 1 to 16, inclusive, and Lots 35 to 49, both inclusive,
in Block 6,
Lots 1 to 21, both inclusive, in Block 7
Lots 1 to 19, inclusive, in Block 5 in Beverly Hills
and Beverly Hills Addition according to the map and plat
thereof recorded in Lauderdale County, Alabama, in New
Plat Book No. 2, on Page 34.
All of said lots lying and being in the City of Florence,
Lauderdale County, Alabama, in Section 16, Township 3, Range
11 West, lying between Riverbend Addition and Cypress Creek.

(A) The protective covenants and restrictions adopted for said Riverbend Addition on September 27, 1947, as recorded in the Office of the Judge of Probate of Lauderdale County, Alabama, in Volume 357, Pages 47-49, are hereby amended by adding to Paragraph V relating to utility easements the following provisions:

The lines drawn on the plat of said Riverbend Addition as recorded in New Plat Book No. 2, on page 112 representing the utility easements shall, in no event, irrespective of scale, be less than 12 feet in width. It is intended hereby to provide utility easements as designated on said plat with minimum widths of 12 feet.

The words "utility installation and maintenance" shall include electric equipment, telephone and water service equipment and all other utilities of like character together with the right of ingress and egress to, from

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and over said lots and all rights and privileges necessary or convenient for the full use of said property for installation, maintenance and preservance of said utility equipment including the right of employees of said utility company to operate their trucks or other vehicles along and over said strip of land and the right to cut and clear all trees or parts thereof that may injure, damage or endanger said lines.

(B) No dwelling costing less than \$10,000.00 shall be permitted on Lots 5, 6, 7 in Block 10 in said Riverbend Addition nor on Lots 1 through 21, inclusive, in said Beverly Hills Subdivision. The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than 1500 square feet in the case of a one-story structure, nor less than 1200 square feet in the case of a one and one half, two, or two and one half story structure on said lots.

(C) No dwelling costing less than \$7000.00 shall be permitted on any lots owned by the said H.P. Pittman in the Beverly Hills Subdivision, including all of the lots described above; The ground floor area of the main structure, exclusive of one-story open porches and garages, shall be not less than 1000 square feet in the case of a one story structure, nor less than 750 Square feet in the case of the one and one half, two, or two and one half story structure on any of said lots.

This, the 28th day of March, 1949.

Catherine D. Foellnitz
C. A. Foellnitz
Henry Pittman
Loretta Pittman
Thomas N. Smith
Edna Earl Smith
J. Thomas Reeder
Nell Reeder
Milburn Zeff
Bertha K. Zeff
Fannon F. Beauchamp

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Genevieve Fitchie Beauchamp

Irene Patton Parker

Richard Parker

Acknowledged in General Code Form by all husbands and wives, and in Separate Code Form by all wives all before Imogene Ward, Notary Public for Lauderdale County, Alabama.

Filed, May 25, 1949.

Recorded, Book 400, Pages 278-81.