

DECLARATION OF RESTRICTIONS BOOK 244 PAGE 301

KNOW ALL MEN BY THESE PRESENTS, that the undersigned EDWARD S. SAUNDERS, being the owner of the real property in Hamilton County, Florida, more particularly described in Exhibit A, attached hereto any by this reference made a part hereof, makes the following Declaration of Restrictions covering the real property described in said Exhibit A, specifying that this declaration shall constitute a covenant running with the land and that this declaration shall be binding upon the undersigned and upon all persons deraining title through the undersigned. These restrictions, during their lifetime, shall be for the benefit of and limitation upon all present and future owners of the real property.

1. Said real property shall be used only for residential purposes, and said property shall not be used for business, commercial, amusement, charitable or manufacturing purposes. No billboards or advertising signs shall be erected or displayed on said property, except such signs as may be reasonably required in connection with sale of the real property or a residence thereon, and such signs as may be customarily used by a builder during construction.

2. No building or structure shall be erected, installed, placed, altered, maintained or permitted to remain on said lands other than single-family dwellings and buildings as may be incidental to such single-family dwellings, such as, but not limited to, a building for the parking of motor vehicles, a storage building for lawn and garden equipment, or barn, as hereinafter provided. No building or structure shall be more than three (3) stories in height.

3. No trade or business shall be carried on upon said property; and, no sign or signs shall be erected, installed or permitted to remain on said property advertising any trade, business or commercial activity including any sign relating to any non-profit business or organization.

4. Nothing herein contained shall prohibit the placing,

THIS INSTRUMENT WAS PREPARED BY:
JOHN H. MCCORMICK
MCCORMICK, DRURY & SCOTT
ATTORNEYS AT LAW
JASPER, FLORIDA

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installation and use of a "double wide" mobile home as a dwelling or home on said property; but, no "double wide" mobile home shall be permitted on said lands unless it is no more than five (5) years old, from the date of manufacture, when initially placed on said lands and contains not less than nine hundred (900) square feet, exclusive of open porches and garages. Any Double wide mobile home, placed on said property must be underskirted and set-up and maintained in a neat and orderly manner.

5. As used herein, the words or phrase "double wide mobile home" shall mean a factory manufactured mobile home originally constructed of two or more parts or sections, and designed and intended to be joined together for occupancy and use as a dwelling or home. Two or more originally constructed "single wide" mobile homes shall not be joined or placed together and shall not constitute a "double wide mobile home" within this Declaration of Restrictions.

6. Any bus body, school bus body or truck body shall not be placed on said property and used either temporarily or permanently for any purpose including but not limited to storage purposes, as a building or structure incidental to a dwelling or as a barn or structure incidental to keeping animals as provided herein.

7. The following shall not be used either temporarily or permanently as a dwelling or home:

- (a) Any "tent",
- (b) Any "truck camper", as defined by Section 320.01(1) (b), Florida Statutes,
- (c) Any new or used bus body, any new or used school bus body or any new or used truck body,
- (d) Any "camping trailer" as defined by Section 320.01 (1) (b), Florida Statutes,
- (e) Any "single wide" mobile home, being any mobile home less than fourteen (14) feet in width, and
- (f) Any "park trailer", as defined by Section 320.01(1) (b), Florida Statutes,

but, provided however, nothing herein contained shall prohibit the non-use parking of a "truck camper" or a

"camping trailer", as above defined, near or adjacent to any home or dwelling on said property, provided ~~308424 4-11-68 3~~ is not used, either temporarily or permanently, for living purposes or for any commercial purpose, and the same is parked and situated more than seventy-five (75) feet from the southerly or southwesterly right of way boundary line of the county road adjoining said real property. But, nothing herein contained shall prohibit the overnight or temporary parking of a school bus at or adjacent to any home or dwelling on said property, when such school bus is a current operating vehicle, owned or leased by any school system and the driver of such bus is an occupant of a home or dwelling on said property.

8. A "motorhome", as defined by Section 320.01(1) (b), Florida Statutes, shall not be used as a permanent dwelling or home on said property.

9. Nothing herein contained shall prohibit the temporary parking and use of a "motorhome", as defined by Section 320.01(1) (b), Florida Statutes, as a temporary dwelling or home, provided:

- (a) The "motorhome" has a duly issued and current motor vehicle tag or license plate for the same,
- (b) The "motorhome" is in a driveable and operating condition,
- (c) The "motorhome" is parked and situated on said land for no more than three hundred (300) days during any calendar year, and
- (d) The "motorhome" is parked and situated more than seventy-five (75) feet from the Southerly or Southwesterly right of way boundary line of the County Road adjoining said property:

The provisions of this paragraph shall relate only to "motorhomes" originally designed and manufactured by a nationally recognized factory, such as but not limited to Winnebago, and originally intended for use as a "motorhome" and for living purposes, including a "Greyhound Type" bus converted for living purposes by a nationally recognized factory, such as but not limited to Custom Coach Corporation of Columbus, Ohio; but, "motorhome", as used in this

paragraph, shall not include any "school bus" converted for living purposes or any other type or kind of "home made" motorhome.

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10. Nothing herein contained shall prohibit the temporary parking of a "motorhome", as defined by Section 320.01 (1) (b), Florida Statutes, when such "motorhome" so parked is owned by a friend or relative of the owner of a home or dwelling on said property (including another "motorhome" coming within the provisions of paragraph 8, above) near or adjacent to such home or dwelling (including another "motorhome" coming within the provisions of paragraph 8, above), provided:

- (a) The "motorhome" has duly issued and current vehicle tag or license plate for the same,
- (b) The "motorhome" is in a driveable and operating condition,
- (c) The "motorhome" is parked and situated at least seventy-five (75) feet from the Southerly or Southwesterly right of way boundary line of the County Road adjoining said property, and
- (d) The "motorhome" so parked, as provided in this paragraph, is not owned by the owner of the home, dwelling or "motorhome" as aforesaid, on the said property,
- (e) No rent is paid for such occupancy and use, and
- (f) The "motorhome", so parked as provided in this paragraph, is parked and situated on said property for no more than twenty (20) days during any calendar month.

The provisions of this paragraph shall relate only to "motorhomes" originally designed and manufactured by a nationally recognized factory, such as but not limited to Winnebago, and originally intended for use as a "motorhome" and for living purposes, including a "Greyhound Type" bus converted for living purposes by a nationally recognized factory, such as but not limited to Custom Coach Corporation of Columbus, Ohio; but, a "motorhome", as used in this paragraph, shall not include any "school bus" converted for living purposes or any other type or kind of "home made" motorhome.

11. Nothing herein contained shall prohibit the non-use

parking of a "motorhome" near or adjacent to any home or dwelling on said property, provided:

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- (a) The "motorhome" has a duly issued and current tag or license plate for the same,
 - (b) The "motorhome" is in a driveable and operating condition, and
 - (c) The "motorhome" is not used, either temporarily or permanently, for living purposes or for any commercial purpose, and
 - (d) The "motorhome" is parked and situated more than seventy-five (75) feet from the southerly or southwesterly right of way boundary line of the county road adjoining said property.

The provisions of this paragraph shall relate only to "motorhomes" originally designed and manufactured by a nationally recognized factory, such as but not limited to Winnebago, and originally intended for use as a "motorhome" and for living purposes, including a "Greyhound Type" bus converted for living purposes by a nationally recognized factory, such as but not limited to Custom Coach Corporation of Columbus, Ohio; but, "motorhome", as used in this paragraph, shall not include any "school bus" converted for living purposes or any other type or kind of "home made" motorhome.

12. A "Travel trailer", as defined by Section 320.01 (1) (b), Florida Statutes, shall not be used as a permanent dwelling or home on said property.

13. Nothing herein contained shall prohibit the temporary parking, and use for living purposes, of a "Travel trailer", as defined by Section 320.01 (1) (b), Florida Statutes, when such "Travel trailer" so parked is owned by a friend or relative of the owner of a home or dwelling on said property (including a "motorhome" coming within the provisions of paragraph 8, above) near or adjacent to such home or dwelling (including a "motorhome" coming within the provisions of paragraph 8, above), provided:

- (a) The "Travel trailer" has a duly issued and current vehicle tag or license plate for the same,
- (b) The "Travel trailer" is in a moveable and

operating condition,

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- (c) The "Travel trailer" is parked and situated at least seventy-five (75) feet from the southerly or southwesterly right of way boundary line of the County Road adjoining said property,
 - (d) The "Travel trailer" so parked for temporary living purposes is not owned by the owner of the home, dwelling or "motorhome" as aforesaid, on the said property,
 - (e) No rent is paid for such occupancy and use, and
 - (f) The "Travel trailer" is parked and situated on said lands for no more than twenty (20) days during any calendar month.

The provisions of this paragraph shall relate only to "Travel trailers" originally designed and manufactured by a nationally recognized factory, such as but not limited to Fleetwood, and originally intended for use as a "Travel trailer" and for living purposes; the words or phrase, "Travel trailer" as used in this paragraph, shall not include any truck body converted for living purposes or any type or kind of "home made" trailer.

14. Nothing herein contained shall prohibit the non-use parking of a "Travel trailer", as defined by Section 320.01

(1) (b), Florida Statutes, near or adjacent to any home or dwelling on said property, provided:

- (a) The "Travel trailer" has a duly issued and current vehicle tag or license plate for the same,
- (b) The "Travel trailer" is in a movable and operating condition,
- (c) The "Travel trailer" is not used, either temporarily or permanently, for living purposes, and
- (d) The "Travel trailer" is parked and situated more than seventy-five (75) feet from the southerly or southwesterly right of way boundary line of the county road adjoining said property.

The provisions of this paragraph shall related only to "Travel trailers" originally designed and manufactured by a nationally recognized factory, such as but not limited to Fleetwood, and originally intended for use as a "Travel trailer" and for living purposes; the words or phrase,

"Travel trailer" as used in this paragraph, shall not include any truck body converted for living purposes or any type or kind of "home made" trailer.

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15. All reference, herein, to Section 320.01, Florida Statutes, shall be according to the 1988 Supplement to the Florida Statutes of 1987.

16. Only new materials may be used, on the outside or exterior, in the construction of any dwelling, except that used brick may be used in such construction.

17. The exterior of any dwelling, or any building incidental to a dwelling as mentioned herein, must be completed within twelve (12) months from the date of commencement.

18. No dwelling, nor any building incidental to a dwelling as mentioned herein, shall be erected nearer than fifteen (15) feet to any property line, and must be more than fifty (50) feet from the southerly or southwesterly right of way boundary line of the county road adjoining said property.

19. The natural flow of rain and drainage water shall not be interrupted or diverted.

20. No animals, livestock, swine or poultry of any kind shall be raised, bred, kept or permitted to remain on said property for commercial purposes; however, for non-commercial purposes, no more than two (2) hogs, four (4) dogs, four (4) cats, thirty (30) chickens, two (2) horses or two (2) cows may be kept or permitted to remain on any part of said property that contains at least two (2) acres. All horses and cows kept or permitted to remain on said property must be kept in a fenced area having at least three-fourths (3/4) acre per each horse or cow within such fenced area. In the event that animals, as aforesaid, are kept on said lands, the same shall be kept in such a way as to assure that the animals do not create a nuisance through noise, odor, insect infestation or any health hazard. The animals shall be well maintained at all times and given the best care reasonably available taking into consideration that the animals are

being kept in a residential area. Sheds, barns or buildings for the housing and keeping of horses or cows may be constructed on said property; but, any such shed, barn or building shall be kept and maintained in a clean and sanitary manner at all times so that the same shall not cause a health hazard or a nuisance. Any shed, barn or building for the animals shall be in conformity to the appearance of the homes located on said lands and shall in no way detract from the over-all appearance of the lands.

21. Said lands shall not be used or maintained as a dumping ground for rubbish, junk cars, abandoned motor vehicles, discarded appliances, trash, garbage or other waste. All equipment for the storage or disposal of waste and garbage shall be kept in a clean and sanitary condition.

22. No noxious or offensive activity shall be carried on upon said lands, nor shall anything be done on said lands that may be or may become a nuisance.

23. No fence, wall, hedge or shrub planting that obstructs sight lines so as to cause a traffic hazard at or adjacent to any roadway shall be placed or permitted to remain on said lands.

24. All septic tanks and sewage disposal shall be constructed, installed, placed and maintained in compliance with the applicable laws and statutes of the United States of America (also called "Federal Government"), the State of Florida, and all applicable rules, regulations and ordinances of all governmental agencies.

25. All dwellings including double wide mobile homes, shall be constructed, installed, placed and maintained in compliance with the applicable laws and statutes of the United States of America (also called "Federal Government"), the State of Florida, and all applicable rules, regulations and ordinances of all governmental agencies.

26. All garbage, rubbish, trash, and other waste shall be disposed of in accordance with the applicable laws and statutes of the United States of America (also called

"Federal Government"), the State of Florida, and all applicable rules, regulations and ordinances of all governmental agencies.

27. These covenants are to run with the land and be binding on all parties and all persons claiming under them for a period of thirty (30) years from the date of recording same, after which time they shall be extended automatically for successive periods of ten (10) years.

28. Enforcement shall be by action 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. The party bringing the action or suit shall be entitled to recover, in addition to costs and disbursements allowed by law, such sum as the Court may adjudge to be reasonable for the services of his attorney.

29. Invalidity of any one of these covenants by judgment or court order in no way shall affect any of the other provisions, which shall remain in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 16 day of June, 1989.

Signed and sealed
in the presence of:

John B. Davis
Pat Mullinnis
Witnesses

Edward S. Saunders
EDWARD S. SAUNDERS

STATE OF NORTH CAROLINA
COUNTY OF MITCHELL

The foregoing instrument was acknowledged, before me, by
EDWARD S. SAUNDERS, this 16 day of JUNE, 1989.



Sandra A. Terry
Notary Public

My Commission Expires: 11-16-93

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DESCRIPTION

A tract of land in Section 24, Township 1 South, Range 14 East, Hamilton County, Florida, more particular described as follows:

COMMENCE at the Southwest corner of said Section 24 run North 00 degrees 39 minutes 48 seconds West a distance of 2,277.26 feet to the Southwest corner of the hereinafter described tract to Point Of Beginning; thence continue North 00 degrees 39 minutes 48 seconds West 309.17 feet to the South side of a county paved road; thence North 86 degrees 06 minutes 36 seconds East along south side of said county paved road 1,251.28 feet to the beginning of a curve concave to the right having a radius of 248.75 feet; thence in a southeasterly direction along said curve an arc distance of 250.51 feet to end of said curve; thence South 36 degrees 11 minutes 24 seconds East along the westerly Right of Way line of service road a distance of 585.75 feet; thence South 27 degrees 39 minutes 33 seconds East still along said westerly Right Of Way line a distance of 606.71 feet; thence South 36 degrees 11 minutes 24 seconds East still along said westerly Right Of Way line a distance of 351.40 feet; thence South 53 degrees 51 minutes 45 seconds West a distance of 8.02 feet; thence South 36 degrees 08 minutes 15 seconds East still along said westerly Right Of Way line a distance of 187.97 feet; thence South 53 degrees 48 minutes 36 seconds West a distance of 346.12 feet; thence North 36 degrees 11 minutes 24 seconds West a distance of 1,617.74 feet; thence South 86 degrees 06 minutes 36 seconds West a distance of 560.11 feet; thence North 3 degrees 53 minutes 24 seconds West a distance of 135.63 feet; thence South 86 degrees 06 minutes 36 seconds West a distance of 600.84 feet to Point Of Beginning.

This description prepared by Loyd Register, R.L.S. Certificate No. 1522, Post Office Box 508, Jasper, Florida, 32052.

Loyd Register, R.L.S.

Ed Saunders

EXHIBIT A

BR 244 PC 301-30
FILED AND RECORDED
IN THE OFFICIAL RECORDS
OF HAMILTON COUNTY
JUN 19 1 33 PM '89
CLERK OF CIRCUIT COURT
HAMILTON COUNTY FLORIDA
BY Ed Saunders CL

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