

DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS

("REHOBETH FARMS" PROPERTIES)

THIS DECLARATION, made on the date hereinafter set forth by Drew Kriser and Nathan Kriser .

WITNESSETH:

WHEREAS, Declarants are the owners of certain property in Houston County of the State of *Alabama*, which is more particularly described as:

(See Attachment "A")

NOW THEREFORE, Declarants hereby declare that all of the property or properties described above shall be held, sold and conveyed subject to the following, restrictions, covenants, and conditions, which are for the purpose of protecting the value and desirability of the real property and shall be binding on all parties having any right, title or interest in the described property or properties or any part thereof, their heirs, successors and assigns.

The following restrictive covenants shall run with the property or properties as described above. Drew Kriser and Nathan Kriser, or the survivor of them, have the authority to enforce any of the restrictive covenants herein, or any part thereof, at any time. Also, any adjacent or adjoining landowner, in whole or in part, of any restrictive covenants herein, may enforce the same and seek judicial relief. Any amendments to the following restrictive covenants must be approved and authorized by Drew Kriser and Nathan Kriser or the survivor of them:

- 1) **Use of Property:** The property or Living Dwelling thereon shall not be used, occupied or altered in violation of law or these Covenants, Conditions and Restrictions, so as to create a nuisance or interfere with the rights of any adjoining or adjacent landowner. The Property shall not be used for commercial retail or industrial purposes, except for reason of small, in-home business, office or hobby. No mobile home, modular home, or manufactured home shall be located on the property at any time. All homes must be site built and proposed home plans shall be reviewed for approval by Drew and Nathan Kriser.

- 2) **Building Location:** Each Living Dwelling or building shall be located such that the main structure of the Living Dwelling shall not be located on any Lot nearer than 75 feet to the front property line or nearer than 25 feet to any side property line or nearer than 70 feet to the rear property line. Secondary structures may be located within 5 feet of a rear or side property line, but no closer than 5 feet of an adjoining property. Secondary structures must be of good quality material, attractive, and maintained.
- 3) **Machinery and Equipment:** Machinery or equipment as is usual and customary in connection with the use and maintenance of the property or a small business may be reasonably kept on the property but shall not be excessively placed or stored on the property. Small business vehicles, trucks, machinery or equipment that is allowed on the property shall be screened from view behind the front yard setback and shall not be a nuisance to the community.
- 4) **Maintenance and Repair:** No Living Dwelling, building, structure or landscaping and fencing upon the property shall be permitted to fall into disrepair and at all times shall be kept in good condition. Such obligation shall extend, but shall not be limited to, the painting, repair, replacement and care of roofs, gutters and downspouts, exterior building surfaces, fences and landscaping.
- 5) **Nuisances:** No rubbish or debris of any kind shall be placed or permitted by an owner upon or adjacent to the property, so as to render such property or portion thereof unsanitary, unsightly, offensive, or detrimental to near-by property owners. No Living Dwelling or property shall be used in such a manner as to obstruct or interfere with the enjoyment of occupants of other Living Dwellings or near-by property owners.
- 6) **Pets and Animals:** All pet and animal ownership must meet the requirements of the Houston County animal ordinance. Horses or cows are permitted on parcels which are 1.5 acres or larger, but no more than one large animal per acre. Other farm animals are reasonably allowed on the property, but must be organized in a neat and orderly fashion and shall not over-populate or over-run the property. Dogs and cats shall be confined to the property, and all animals shall in no way be a nuisance to other near-by property owners.
- 7) **Trash Container and Collection:** All garbage and trash shall be placed and kept in covered containers. As much as is possible, such containers shall be maintained as not to be visible from the front road or neighboring properties, except to make them available for collection, and then only for the shortest time necessary to effect such collection.

8) **Recreational and Other Vehicles:** On properties smaller than 1.5 acres, no large trucks and commercial vehicles shall be parked on or adjacent to the property, except temporary parking, not to exceed 72 hours. No motor vehicle of any kind shall be repaired, constructed, or reconstructed upon any driveway or front of a dwelling, private or public street, except that these restrictions shall not apply to emergency repair to vehicles. No exposed, inoperative, disabled, or abandoned vehicles shall be kept openly on property at any time. Boats and motor homes, or recreational vehicles, other than regularly used passenger cars and light trucks, which may be parked upon driveway areas, must be kept on side or rear yards behind the front yard setback, and obscured from the front view.

9) **Building Structures and Accessories:** Every Living Dwelling exclusive of garages, shall have a minimum finished area of Seventeen Hundred (1700) square feet for a single-level residence and Two Thousand (2000) square feet for a two-story, of which fourteen hundred (1400) square feet must be on the main floor.

- a. **Garages.** Each Living Dwelling must accommodate a minimum of two (2) vehicles. Enclosed Garages and carports shall not be less than 20 ft. by 20 ft. in size. Carports must be located in rear or side yard. Side yard carports must be detached from the main structure of the Living Dwelling, except that a breezeway may attach side yard carports.
- b. **Exterior Building Materials.** Brick, Stone, or other masonry materials are required to cover at least 25% of the home exterior, of which 15% minimum must be located on the front of the home. The colors and materials on the homes shall be varied to improve aesthetics. Color combinations shall blend well as to enhance the overall look of the home. Extreme color combinations and designs are not permitted.
- c. **Roofs.** Roof pitch shall not be less than 6/12 over the main portion of the structure.
- d. **Porches.** Every Living Dwelling shall have a covered front porch or covered entry of at least 20 square feet.
- e. **Home Accessory Structures.** Patio structures, trellises, sunshades, gazebos and any other similar structures shall be constructed of materials consistent with the colors, textures, and materials of the Living Dwelling. Other secondary buildings must be of good quality material, attractive, and maintained.
 1. **Solar Equipment.** If solar panels are used, they are to be aesthetically integrated into the roof design.
 2. **Fences and Walls.** Front, side and backyard fences around Living Dwelling area, shall be of brick, stone,

wrought iron, high quality wood, or combinations of the above materials. Chain link fences are permitted on the side and back of the Living Dwelling, but must be black in color. Backyard fences shall not exceed 6' in height. For front yard fences, anything over 3' in height, must be non-obscuring fencing. Field fences shall be orderly, of good fencing material, and well-maintained.

- 3. Pools, Spas, Game-courts. Pools, spas, and game-courts shall be located in the backyard. No unsightly structures shall be constructed or permitted.
- f. Mechanical Equipment. All air-conditioning, heating equipment, and soft water tanks must be integrated in with the landscaping. Air conditioning units are not permitted on roofs or through windows.
- g. Landscaping Guidelines and Requirements. Front yard landscaping must be in place within six (6) months of occupancy of the Living Dwelling. Landscaping of entire yard, including grass, trees, and shrubs, must be completed within twelve (12) months following completion or occupancy. Owners of vacant property shall maintain the property so that it is not unsightly. Landscaping must include a minimum of five (5) trees per lot with at least three (3) being planted in the front yard. The remaining landscaping shall be groomed grass and other landscaping materials and plant life.

EXECUTED THIS 23rd day of October, 2015

Drew Kriser
DREW KRISER

Nathan Kriser
NATHAN KRISER

[Signature]
WITNESS

EXHIBIT "A"

One parcel of land in Houston County, Alabama as surveyed by Branton Land Surveyors as per plat dated October 22, 2015 and being more particularly described as follows: COMMENCING at an existing iron pipe marking the Northeast corner of Section 5, T1N, R26E, Houston County, Alabama and from said point run S 02°47'00" W a distance of 2272.00 feet to a set iron pipe on the Southerly R/W of Skipper Road (60' R/W) and the POINT OF BEGINNING; thence run S 79°13'50" E along said R/W and curve to the right having a radius of 5770.00 feet, and a chord distance of 150.00 feet to a set iron pipe; thence run S 10°33'33" W a distance of 580.48 feet to a set iron pipe; thence run N 79°13'50" W a distance of 150.00 feet to a set iron pipe; thence run N 10°33'33" E a distance of 580.48 feet to the POINT OF BEGINNING. Said parcel being located in the SW1/4 of the NW1/4 of Section 4, T1N, R26E, and the SE1/4 of the NE1/4 and the NE1/4 of the SE1/4 of Section 5, T1N, R26E, Houston County, Alabama, and contains 2.000 acres, more or less.

Recording Fee	23.00
TOTAL	23.00

Deke McInish