

**HOLLADAY PROJECT
PROTECTIVE COVENANTS**

**STATE OF ALABAMA
ST. CLAIR COUNTY**

N9900882 N DEED
02/23/1999 01:46P
Wallace Wyatt Jr., Judge of Probate

KNOW ALL MEN BY THESE PRESENTS: That

WHEREAS, Land Investment Group, L.L.C. is the owner of the land described in Exhibit "A" attached hereto and made a part hereof, do hereby adopt and declare the following Protective Covenants:

1. No single wide mobile home over two (2) years old at time of installation. No double wide mobile home or modular home over five (5) years old at time of installation. Developer reserves the right to approve any mobile home before it can be placed on the tract.
2. All mobile homes to be underpinned within sixty (60) days of installation. Underpinning material should be metal or fiberglass painted to compliment the existing structure and be painted or covered with siding.
3. All homes to be a minimum of 1,000 square feet. All homes to be constructed to meet FHA and Southern Builder code minimum specifications.
4. All homes to be a minimum of one hundred (100) feet off road. No out building to be constructed in front of house area. No structures to be closer than twenty (20) feet to any side or back property lines. Sellers reserve the right to alter this provision if, in their sole discretion, it creates undue hardship.
5. All driveway pipes must be approved by St. Clair County Engineer.
6. Up to one (1) mobile home or single family dwelling per three (3) acres of land. Property cannot be subdivided in less than three (3) acre tracts.
7. No camper, tent, shack, garage, barn or other outbuilding erected in the tract shall, at any time, be used as a residence temporarily or permanently.
8. No dwelling shall be used for rental purposes.
9. No animals, livestock or poultry of any kind shall be raised, bred or kept on any tract except horses, dogs, cats or other household pets which may be kept provided that they are not bred or maintained for any commercial purposes.
10. No junkyards, garbage piles, junk cars, or any such thing considered to be an eyesore or a detriment to the other tracts are to accumulate on the property.
11. No noxious or offensive trade or activity shall be carried on upon any tract nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood.
12. Enforcement of these covenants and restrictions shall be by proceeding in law or equity against any person or persons violating or attempting to violate any covenant either to restrain violation or to recover damages. No property owner has any obligation to enforce any of the covenants and restrictions. Any property owner has the right to enforce said restrictions and reservations.
13. These restrictions shall run with the land and shall be binding upon the undersigned, their heirs, successors and assigns. The invalidation of any one of the foregoing covenants and restrictions shall in no way affect any other provision or restriction contained therein.

EXHIBIT "A"

TRACT 1:

A part of the East ½ of the NE1/4 of Section 21, Township 14 South, Range 5 East, St. Clair County, Alabama, more particularly described as follows: Begin at the northwest corner of said NE1/4 of NE1/2, thence S0°24'35"E, 1083.0 feet along the 1/4-1/4 line to the center of Shoal Creek; thence along center of said creek as follows: N75°26'E, 261.93 feet; S46°17'46"E, 100.03 feet; S9°22'01"E, 53.60 feet; S31°05'13"W, 224.65 feet; S26°57'25"E, 103.68 feet; S57°10'22"E, 89.52 feet; S21°07'45"W, 266.82 feet; S3°31'43"W, 193.78 feet; S8°30'26"E, 118.49 feet; S27°11'45"E, 160.0 feet; S24°59'27"E, 123.84 feet; S38°34'03"E, 223.66 feet to the northwest right of way of County Road No. 21; thence along said right of way as follows: N28°05'58"E, 96.0 feet; along the arc of a curve concave northwesterly, having a radius of 1391.63 feet and an arc length of 579.42 feet; N4°14'38"E, 883.24 feet northerly along the arc of a curve concave easterly, having a radius of 5644.42 feet and an arc length of 617.06 feet; N10°30'27"E, 337.37 feet to an iron set; thence leaving said road run West, 514.31 feet along the section line to an iron set; thence S0°24'35"E, 210.0 feet to an iron set; thence West, 210.0 feet to an iron set; thence N0°24'35"W, 210.0 to an iron set; thence West 210.0 feet along the section line to a rebar found and the point of beginning. Containing 32.33 acres, more or less.

TRACT 2:

A part of the E1/2 of the NE1/4 of Section 21; and part of the NW1/4 of Section 22, all being in Township 14 South, Range 5 East, St. Clair County, Alabama, more particularly described as follows: Begin at the northwest corner of said Section 22, thence West, 462.83 feet along the section line to an iron set on the east right of way of County Road No. 21; thence S10°30'27"W, 201.11 feet along said right of way; thence leaving said road run East 330.0 feet; thence S10°16'19"W 264.0 feet; thence West 330.0 feet to the east right of way of County Road No. 21; thence along said right of way as follows: southerly along the arc of a curve concave easterly, having a radius of 5544.42 feet and an arc length of 496.93 feet; S4°14'38"W, 730.41 feet to an iron set; thence leaving said road run along the north right of way of a paved county road the following courses: S89°25'43"E, 156.92 feet; N84°41'08"E, 76.56 feet; N81°04'59"E, 289.73 feet; N84°27'24"E, 226.36 feet; S88°52'15"E, 85.99 feet; S85°57'02"E, 110.69 feet; N87°26'10"E, 104.06 feet; N81°45'29"E, 130.33 feet; N77°28'19"E, 303.86 feet; N84°29'45"E, 133.85 feet; S80°41'52"E, 102.62 feet; S65°53'36"E, 92.42 feet; S55°00'45"E, 204.81 feet; S58°59'41"E, 222.95 feet; S63°28'44"E, 137.15 feet to the center of Shoal Creek; thence along center of said creek as follows: N37°37'07"E, 76.52 feet; N8°39'47"E, 516.91 feet; N22°37'11"E, 319.29 feet; N49°52'19"E, 130.01 feet; N79°28'51"E, 265.64 feet; thence leaving said creek run N2°07'30"W, 284.93 feet along the 1/4 line to an iron set on the 509 contour of Neely Henry Lake; thence along said contour the following courses: N67°53'12"W, 182.12 feet; N17°30'29"W, 86.64 feet; N15°43'07"E, 140.77 feet; N2°59'15"W, 112.34 feet; S57°53'58"E, 70.12 feet; N12°48'13"W, 74.23 feet; N8°17'33"W, 81.79 feet to an iron set; thence leaving said lake run S89°42'16"W, 2077.58 feet along the section line to an axle found and the point of beginning. Containing 93.60 acres, more or less.

TRACT 3:

A part of the SE1/4 of the NE1/4 of Section 21; and also a part of the South 1/2 of NW1/4 of Section 22, all being in Township 14 South, Range 5 East, St. Clair County, Alabama, more particularly described as follows: From the northwest corner of said Section 22, thence West, 462.83 feet along the section line to the east right of way of County Road No. 21; thence S10°30'27"W, 237.81 feet along said right of way; thence leaving said road run S85°51'02"E, 159.13 feet; thence S3°02'04"W, 161.29 feet; thence S74°59'14"W, 197.30 feet to the east right of way of County Road No. 21; thence along said right of way as follows: southerly along the arc of a curve concave easterly, having a radius of 5544.42 feet and an arc length of 496.93 feet; S4°14'38"W, 790.53 feet to an iron set and the point of beginning; thence along said right of way as follows: S4°14'38"W, 92.70 feet; southerly along the arc to a curve concave northwesterly, having a radius of 1491.63 feet and an arc length of 621.06 feet; S28°05'58"W, 121.87 feet to the center of Shoal Creek; thence leaving said road run along center of Shoal Creek the following courses: S57°13'30"E, 102.84 feet; S72°13'34"E, 101.06 feet; N67°00'58"E, 75.80 feet; N26°20'41"E, 170.13 feet; N10°03'17"E, 225.85 feet; N51°45'E, 147.11 feet; S70°40'34"E, 129.05 feet; S48°46'17"E, 338.08 feet; S84°54'58"E, 56.82 feet; N48°31'35"E, 63.09 feet; N15°38'44"E, 163.22 feet; N57°16'18"E, 122.79 feet; S31°29'25"E, 226.57 feet; S31°01'56"E, 279.79 feet; N78°35'19"E, 144.93 feet; S83°45'07"E, 119.81 feet; S83°20'29"E, 138.75 feet; N53°02'10"E, 115.29 feet; N36°42'09"E, 507.09 feet; N80°40'22"E, 202.65 feet; N37°13'06"E, 177.71 feet; thence leaving said creek run along the south right of way of a paved county road as follows: N63°28'44"W, 127.95 feet; N58°59'41"W, 227.39 feet; N55°00'45"W, 201.18 feet; N65°53'36"W, 78.91 feet; N80°41'52"W, 86.74 feet; S84°29'45"W, 122.65 feet; S77°28'19"W, 302.42 feet; S81°45'29"W, 135.55 feet; S87°26'10"W, 110.50 feet; N85°57'02"W, 112.63 feet; N88°52'15"W, 80.96 feet; S84°27'24"W, 221.09 feet; S81°04'59"W, 289.85 feet; S84°41'08"W, 81.53 feet; N89°25'43"W, 163.85 feet to the point of beginning. Containing 33.68 acres, more or less.

According to the survey of Terry L. Gilliland, Ala. L.S. No. 13408 dated November 18, 1998.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this the 22 day of February, 1999.

LAND INVESTMENT GROUP, L.L.C.

Paul Kell
PAUL KELL, Manager

John Freeman
JOHN FREEMAN, Manager

Lyman Lovejoy
LYMAN LOVEJOY, Manager

STATE OF ALABAMA

COUNTY OF ST. CLAIR

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Paul Kell, John Freeman and Lyman Lovejoy, whose names as Managers of Land Investment Group, L.L.C., a limited liability company, 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, as such managers and with full authority, executed the same voluntarily on the day the same bears date, for and as the act of said limited liability company.

Given under my hand and official seal this 22 day of February, 1999.

Jeanne McLinder
NOTARY PUBLIC

My commission expires: 9-31-2000



N9900002 N DEED 01:46P
02/23/1999
Wallace Wyatt Jr., Judge of Probate
St. Clair County, AL
Date 02/23/1999
Deed Tax = \$0.00
Mortgage Tax = \$0.00
Recording = \$14.00
By: Deputy Clerk

DR