

# COVENANTS

While the property owned by Donald N. Smith, Jr. is not part of a platted subdivision in the sense that it was required to be so platted under County subdivision regulations, nevertheless, because it is in close proximity to other lots or parcels of property which are owned. Or have been or will be sold or developed, by Grantor, the following covenants shall apply to the following property and shall run with said property and be binding on Grantee, and his/her/its/their heirs, successors, assigns and successors in interest:

*A lot or parcel of land as described in Exhibit "A" attached hereto and incorporated herein by reference.*

## RESTRICTIVE COVENANTS

- Land Use and Building Type:** The property (also sometimes referred to herein as "lot") conveyed by this deed shall be only for residential purposes unless otherwise approved in writing by the Architectural Control Committee (as defined below). The property may not be further subdivided unless otherwise approved in writing by the Architectural Control Committee. 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 unless otherwise approved by the Architectural Control Committee. The type of construction of each dwelling/building/structure must be such that the quality of workmanship and materials which will compliment the pattern of and must be approved by the Architectural Control Committee.
- Architectural Control Approval for Structures in General:** No main Building or outbuilding, storage building, cabana/gazebo, or above ground swimming pool shall be erected or altered on the lot until the plans, material specifications, and plot plan showing the location and design of such buildings or structures have been expressly approved by the Architectural Control Committee. No building shall be erected on the lot until the Residential dwelling has started construction. All buildings main or otherwise shall be finished in a timely manner, as determined by the Architectural Control Committee.
- Size and Quality:** It is the intention and purpose of the covenants to assure that all dwellings and structures shall be of a quality of workmanship and material substantially the same or better than that which can be produced on the date these covenants are recorded. The heated and cooled area of the main structure's first floor, exclusive of porches and garages shall be as follows: At least 2,400 square feet.
- Building Location:** Building locations shall conform to the setback and/or buffer line requirements as follows: All building/structures shall be set back at least twenty feet (20') from the side boundary lines, no closer than One Hundred feet (100') from the front boundary line and no farther than Three Hundred (300') from Front boundary line and at least twenty feet (20') from the back boundary line.
- Easements:** Easements for installation and maintenance of utilities and any drainage facilities as necessitated by utility companies or public entities shall be granted.
- Signs:** No Commercial signage. No more than one 2ft by 3ft sign.
- Walls and Fencing:** No fence or wall shall be erected or placed upon any lot until the design, construction and location of such fence or wall shall be expressly approved by the Architectural Control Committee.

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Book: 1129 Page: 336  
Recorded: 12/9/2025 9:29:37 AM  
Jodee Thompson, Probate Judge  
Coffee County, Alabama  
Inst Num: 395258 - 8 Pages

8. **Storage Buildings:** No storage building shall be erected upon any lot unless site built and the same be constructed with the same kinds of materials and workmanship as used in the main dwelling unless otherwise approved by the Architectural Control Committee; and the design construction, and location of such building shall be expressly approved by the Architectural Control Committee.
9. **House and Travel Trailers:** Travel trailers or motor homes shall not be used as a permanent residence while parked on the lot, nor used as a temporary or permanent residence. Travel trailers/motor homes that are or become unsightly, as determined by the Architectural Control Committee, must be hidden from view of the public, or adjoining lot by owners. There shall be no all-terrain vehicles, go-carts, dune buggies or Recreational vehicles stored or parked on the lot except in a carport or other permitted enclosure.
10. **Screened Areas:** The Architectural Control Committee may apply different standards for items, structures, or vehicles that are fully screened from public roads and adjacent properties by an approved solid privacy fence of at least 6 feet in height. Such screening does not eliminate the requirement for Architectural Control Committee approval where otherwise required by these covenants.
11. **Livestock and Poultry:** Domesticated pets, animals, livestock may be kept on a lot provided that they are kept within approved fencing (as approved by Architectural Control Committee) but may not be kept, bred, or maintained for any commercial purposes and they must not create any nuisance to other lot owners. No more than a total of fifteen (15) of said domestic pets, animals or livestock may be kept on the lot. Livestock over five hundred (500) pounds shall be limited to one head per acre after the first acre (for example, a 2-acre lot may have one, a 3-acre lot may have two, and so forth). Lots of less than two acres shall not have any livestock over five hundred (500) pounds.
12. **Disposal of Refuse:** No garbage, trash, ashes, refuse, inoperative vehicles (that have been inoperative for more than thirty days), or other waste shall be thrown, or dumped on any lot or permitted to remain upon any such place. All equipment for storage of, or disposal of such material, shall be kept in a clean and sanitary condition.
13. **Utilities:** The owner of the lot will not erect or grant to any person, firm, or corporation the right, license, or privilege to erect or use or permit the use of overhead wires, poles, or overhead facilities of any kind for electrical, telephone or other utility services on said lot without the prior written consent of the Architectural Control Committee. All electrical and telecommunication lines located upon the lot shall be installed and maintained underground.
14. **Maintenance and Landscaping:** All structures, landscaping and other improvements upon the lot shall be continuously maintained by the owner or interest holder thereof so as to preserve a well-kept appearance, especially along the perimeters of any lot, including a vacant lot. The lot must be kept neat, clean, and orderly, free of debris and litter, mowed, and/or trimmed. Landscaping, including grassing, planting of shrubs, trees, flowers, and other aesthetic features shall be installed and maintained in an aesthetically pleasing manner.

**15. Accumulation of Refuse:** No lumber, metals, bulk materials (except lumber. Metals bulk materials as is usual in the maintenance of a private residence and which must be stored in such a manner so that it cannot be seen from adjacent and surrounding property) refuse or trash shall be kept, stored, or allowed to accumulate on any part of the lot except building materials during the course of construction of any approved structure. Lot owner shall cause builders to provide dumpsters on the property during the construction period. If trash or other refuse is to be disposed of by being picked up and carried away on a regular and recurring basis, containers may be placed in the open, on any day that a pickup is to be made, at such place on the lot to provide access to persons making such pick up. Garbage containers shall be kept in a clean and sanitary condition and shall be so placed or screened by shrubbery or other appropriate material approved in writing by the Architectural Committee as not to be visible from any road or from adjacent or surrounding property. No outside burning of trash, garbage or household refuse shall be permitted, except during construction period, or except as specifically approved by the Architectural Committee.

**16. Drainage:** All owners understand that water flows downhill, and no lot owner can demand his neighbor of a higher elevation change the natural flow of water that was established before the time the lot owner took possession of the lot to accommodate the lot owner. In the same respect, no lot owner has the right to change the natural flow of water if it affects his neighbor without a written agreement with said neighbor.

**17. Environmental Violations:** Lot owner is responsible for maintaining the environmental quality of their property and the lot owner will monitor and control activities which might be in violation of applicable environmental regulations as set forth by the Alabama Department of Environmental Management or other like government agencies.

**18. Architectural Control Committee:** The Architectural Control Committee is composed of Donald N. Smith, Jr., or his designee or successor designee. Donald N. Smith, Jr. or his heirs or personal representative shall have the full right to designate one or more individuals to act on his behalf or to designate his successor. Any time, Donald N. Smith, Jr., his heirs or personal representatives, shall have the authority to resign to designate some other person(s), firm(s) or entity(ies) to act as the Architectural Control Committee.

**19. Procedure:** All requests for approval to the Architectural Control Committee shall be submitted in writing to the committee prior to any construction or for purposes of other requests that are required to be made to the committee.

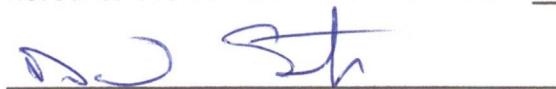
**20. Term of Restrictions and Amendments:** These covenants and restrictions are to run with the land lots identified in the deed to which Exhibit "A" is attached. However, notwithstanding to preceding sentence or any provision in these covenants, as long as Donald N. Smith, Jr., his heirs or personal representative is the Architectural Control Committee he/they shall have power to unilaterally amend these covenants.

**21. Proceeding Against Violators:** If any owner, tenant, or occupant of the lot shall violate or attempt to violate any of these covenants and restrictions while in force and effect, it shall be lawful for any person or persons having ownership interest in any un-platted lot originally owned by Donald N. Smith, Jr. and adjoining the lot to which these covenants apply, or Donald N. Smith, Jr., his heirs or personal representatives, to prosecute any proceedings at law or in equity against any person violating or attempting to violate such covenants and restrictions and either to prevent them from doing so to recover damages for such violations.

**22. Invalidation of any Covenants:** Invalidation of any of these covenants or restrictions by judgement or court order shall in no way affect any other provisions which shall remain in full force and effect.

## EXECUTION

IN WITNESS WHEREOF, Donald N. Smith, Jr. has caused this instrument to be executed, has hereunto set his hand and seal this the 9 day of December, 2025.



Donald N. Smith, Jr.

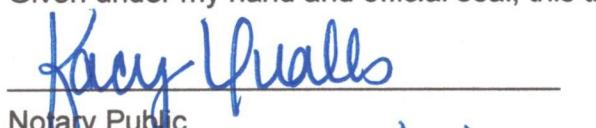
### NOTARY ACKNOWLEDGMENT

STATE OF ALABAMA

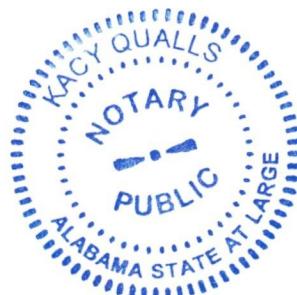
COUNTY OF COFFEE

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Donald N. Smith, Jr. whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the Restrictive Covenants, he, with full authority executed the same voluntarily.

Given under my hand and official seal, this the 9 day of December, 2025.



\_\_\_\_\_  
Notary Public  
My Commission Expires: 3/13/2027



## Exhibit A

### DESCRIPTION- 1

A lot or parcel of land located in Coffee County, Alabama, and being more particularly described as follows: COMMENCING at an iron pin found (IPF) (1/2" rebar, cap #CA-0717-LS) at the intersection of the South Right of Way (R/W) line of Coffee County Road #711 and the East line of the N1/2 of the NW1/4 of Section 5, T3N, R22E; thence along said R/W line and a curve to the left having a radius of 2,826.49 feet and an arc length of 301.03 feet with a chord bearing and distance of N78°08'16"W, 300.89 feet to an IPF; thence continue along said R/W line N79°36'06"W for a distance of 872.90 feet to an IPF; thence along said R/W line N79°41'44"W for a distance of 50.15 feet to an iron pin set (IPS) (1/2" rebar, cap #CA-0717) and the POINT OF BEGINNING; thence leaving said R/W line S05°52'05"W for a distance of 514.10 feet to an IPS; thence N79°38'18"W for a distance of 340.10 feet to an IPS; thence N68°02'15"W for a distance of 197.70 feet to an IPS; thence N09°43'04"E for a distance of 488.19 feet to an IPS on the South R/W line of Coffee County Road #711; thence along said R/W line and a curve to the left having a radius of 842.33 feet and an arc length of 197.79 feet with a chord bearing and distance of S75°01'46"E, 195.35 feet to an IPS; thence along said R/W line S79°41'44"E for a distance of 304.26 feet to the POINT OF BEGINNING. Said property being located in the NW1/4 of Section 5, T3N, R22E, the SW1/4 of Section 32, T4N, R22E, and contains 6.00 acres, more or less.

### DESCRIPTION- 2

A lot or parcel of land located in Coffee County, Alabama, and being more particularly described as follows: COMMENCING at an iron pin found (IPF) (1/2" rebar, cap #CA-0717-LS) at the intersection of the South Right of Way (R/W) line of Coffee County Road #711 and the East line of the N1/2 of the NW1/4 of Section 5, T3N, R22E; thence along said R/W line and a curve to the left having a radius of 2,826.49 feet and an arc length of 301.03 feet with a chord bearing and distance of N78°08'16"W, 300.89 feet to an IPF; thence continue along said R/W line N79°36'06"W for a distance of 872.90 feet to an IPF; thence along said R/W line N79°41'44"W for a distance of 354.41 feet to an iron pin set (IPS) (1/2" rebar, cap #CA-0717); thence along said R/W line and a curve to the right having a radius of 842.33 feet and an arc length of 197.79 feet with a chord bearing and distance of N75°01'46"W, 195.35 feet to an IPS and the POINT OF BEGINNING; thence leaving said R/W line S09°43'04"W for a distance of 488.19 feet to an IPS; thence N68°02'15"W for a distance of 591.24 feet to an IPS; thence N24°29'57"E for a distance of 595.11 feet to an IPS on the South R/W line of

Coffee County Road #711; thence along said R/W line S46°51'16"E for a distance of 113.60 feet to an IPS; thence along said R/W line and a curve to the left having a radius of 842.33 feet and an arc length of 366.44 feet with a chord bearing and distance of S55°54'28"E, 363.56 feet to the POINT OF BEGINNING. Said property being located in the NW1/4 of Section 5, T3N, R22E, the SW1/4 of Section 32, T4N, R22E, and contains 6.24 acres, more or less.

#### DESCRIPTION- 3

A lot or parcel of land located in Coffee County, Alabama, and being more particularly described as follows: COMMENCING at an iron pin found (IPF) (1/2" rebar, cap #CA-0717-LS) at the intersection of the South Right of Way (R/W) line of Coffee County Road #711 and the East line of the N1/2 of the NW1/4 of Section 5, T3N, R22E; thence along said R/W line and a curve to the left having a radius of 2,826.49 feet and an arc length of 301.03 feet with a chord bearing and distance of N78°08'16"W, 300.89 feet to an IPF; thence continue along said R/W line N79°36'06"W for a distance of 872.90 feet to an IPF; thence along said R/W line N79°41'44"W for a distance of 354.41 feet to an iron pin set (IPS) (1/2" rebar, cap #CA-0717); thence along said R/W line and a curve to the right having a radius of 842.33 feet and an arc length of 562.23 feet with a chord bearing and distance of N62°33'59"W, 551.85 feet to an IPS; thence N46°51'16"W for a distance of 113.60 to an IPS and the POINT OF BEGINNING; thence leaving said R/W line S24°29'57"W for a distance of 595.11 feet to an IPS; thence N68°02'15"W for a distance of 498.35 feet to an IPS; thence N27°22'25"E for a distance of 749.00 feet to an IPS on the South R/W line of Coffee County Road #711; thence along said R/W line and a curve to the right having a radius of 749.34 feet and an arc length of 220.42 feet with a chord bearing and distance of S52°54'09E, 219.63 feet to an IPS; thence along said R/W line S46°51'16"E for a distance of 259.58 feet to the POINT OF BEGINNING. Said property being located in the NW1/4 of Section 5, T3N, R22E, the SW1/4 of Section 32, T4N, R22E, the SE1/4 of Section 31, T4N, R22E, the NE1/4 of Section 6, T4N, R22E, and contains 7.51 acres, more or less.

#### DESCRIPTION- 4

A lot or parcel of land located in Coffee County, Alabama, and being more particularly described as follows: COMMENCING at an iron pin found (IPF) (1/2" rebar, cap #CA-0717-LS) at the intersection of the South Right of Way (R/W) line of Coffee County Road #711 and the East line of the N1/2 of the NW1/4 of Section 5, T3N, R22E; thence along said R/W line and a curve to the left having a radius of 2,826.49 feet and an arc length of 301.03 feet with

a chord bearing and distance of N78°08'16"W, 300.89 feet to an IPF; thence continue along said R/W line N79°36'06"W for a distance of 872.90 feet to an IPF; thence along said R/W line N79°41'44"W for a distance of 354.41 feet to an iron pin set (IPS) (1/2" rebar, cap #CA-0717); thence along said R/W line and a curve to the right having a radius of 842.33 feet and an arc length of 562.23 feet with a chord bearing and distance of N62°33'59"W, 551.85 feet to an IPS; thence N46°51'16"W for a distance of 373.18 to an IPS; thence along said R/W line and a curve to the left having a radius of 749.34 feet and an arc length of 220.42 feet with a chord bearing and distance of N52°54'09"W, 219.63 feet to an IPS and the POINT OF BEGINNING; thence leaving said R/W line S27°22'25"W for a distance of 749.00 feet to an IPS; thence N68°02'15"W for a distance of 160.00 feet to an IPS; thence N27°23'08"E for a distance of 750.67 feet to an IPS on the South R/W line of Coffee County Road #711; thence along said R/W line and a curve to the right having a radius of 749.34 feet and an arc length of 160.00 feet with a chord bearing and distance of S67°26'47E, 159.70 feet to the POINT OF BEGINNING. Said property being located in the SE1/4 of Section 31, T4N, R22E, the SW1/4 of Section 32, T4N, R22E, the NE1/4 of Section 6, T3N, R22E, and contains 2.75 acres, more or less.

#### DESCRIPTION- 5

A lot or parcel of land located in Coffee County, Alabama, and being more particularly described as follows: COMMENCING at an iron pin found (IPF) (1/2" rebar, cap #CA-0717-LS) at the intersection of the South Right of Way (R/W) line of Coffee County Road #711 and the East line of the N1/2 of the NW1/4 of Section 5, T3N, R22E; thence along said R/W line and a curve to the left having a radius of 2,826.49 feet and an arc length of 301.03 feet with a chord bearing and distance of N78°08'16"W, 300.89 feet to an IPF; thence continue along said R/W line N79°36'06"W for a distance of 872.90 feet to an IPF; thence along said R/W line N79°41'44"W for a distance of 354.41 feet to an iron pin set (IPS) (1/2" rebar, cap #CA-0717); thence along said R/W line and a curve to the right having a radius of 842.33 feet and an arc length of 562.23 feet with a chord bearing and distance of N62°33'59"W, 551.85 feet to an IPS; thence N46°51'16"W for a distance of 373.18 to an IPS; thence along said R/W line and a curve to the left having a radius of 749.34 feet and an arc length of 380.42 feet with a chord bearing and distance of N59°01'10"W, 376.35 feet to an IPS and the POINT OF BEGINNING; thence leaving said R/W line S27°23'08"W for a distance of 750.67 feet to an IPS; thence N68°02'15"W for a distance of 160.00 feet to an IPS; thence N27°40'13"E for a distance of 729.82 feet to an IPS on the South R/W line of Coffee County Road #711; thence S75°46'13"E for a distance of 115.00 feet to an IPS; thence along said R/W line and a curve to the right having a radius of 749.34 feet and an arc length of 44.77 feet with a

chord bearing and distance of S75°16'29"E, 44.76 feet to the POINT OF BEGINNING. Said property being located in the SE1/4 of Section 31, T4N, R22E, the SW1/4 of Section 32, T4N, R22E, and contains 2.68 acres, more or less.