

Summit Park Covenants and Restrictions

Lots 1 thru 28

STATE OF ALABAMA }
ST. CLAIR COUNTY }
TOWN OF MARGARET }

- A. All tracts shall be used for owner occupied residential purposes only. No home shall be purchased with the primary intent being Investment Rental Property. Homeowners may be allowed to rent home in the event owners move and/or are relocated and home has not sold. Any other uses will also need to be approved in writing by the developers. No business or commercial building may be erected on any lot, and no business or commercial activity may be conducted on any lot.
- B. All homes must be completed within one (1) year from the beginning of construction. Only one single-family site built home is permitted per lot. All homes must be of conventional type construction with stone, brick, vinyl, stucco (drivet) or masonite exterior. All dwellings shall have brick, rock or stone foundation. There shall be no concrete type blocks exposed to public view after completion of construction. No HVAC equipment shall be located in the front of any dwelling
- C. Mobile Homes or Modular homes are not permitted.
- D. All one level homes must have a minimum of 1400 square feet of heated and cooled living area.(excluding any basements- finished or unfinished porches, decks or garages). Any multi-level homes must have a minimum of 900 square feet on the main level and a minimum of 1400 square feet in the entire dwelling, with the same above –mentioned exclusions. A minimum attached 1 car garage is required for site built homes.
- E. All outbuildings around home must complement the dwelling pertaining to color scheme and building materials. Barns are allowed at the rear of the property away from other tracts.
- F. No structure shall be located on any tract nearer than 100 feet from the front porch line (porch, retaining wall, or projection not including the steps or driveway retaining wall) and 30 feet on either side., or 10 feet from the back property line
- G. All driveways must have an all-weather surface.
- H. All driveway pipes to be approved by the St.Clair Co. Engineer or City of Margaret
- I. No camper, tent , shack, garage, barn, bus or other outbuilding erected on any tract shall, at any time be used as a residence temporarily or permanently. 1 Apartment barn is allowed per tract 15 acres and above. Must be a minimum 1000 square feet and then property can no longer can be subdivided to allow more than 1 additional home.
- J. Property may not be subdivided in such a manner as to make any one tract less than three (3) acres in size. If a parcel should be sold off, it will be subject to the existing restrictive covenants and approved by Developers.
- K. There shall be no more than one dwelling per three acre tract.
- L. No animals, livestock or poultry of any kind shall be raised, bred, or kept on any tract except household pets which may be kept provide they are not bred or maintained for any commercial purposes. Horses shall be allowed on all tracts of five (5)acres or more, not to exceed one horse per three (3) acres. No horses shall be kept or fences erected nearer than 300 feet from the front property line. Cattle may be allowed on tracts of 10ac and above. 1 cow per 2 acres.
- M. There shall be No commercial or junk yards or salvage operations of any type upon said property nor any commercial hog parlors or chicken houses upon said property. No junkyards, garbage piles, juck cars, or any such thing considered to be an eyesore or a detriment to the other tracts are to accumulate on the property. 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.
- N. During lot preparation and construction process, all measures deemed necessary shall be used to prevent mud, storm water or any construction material, etc. from being discharged on any other street or ditch. When construction is complete, a sufficient ground cover must be maintained to eliminate excessive water shed on to street or other tracts. THEREFORE the developers require that all builders and property owners comply with State Regulations (ADEM) during any type of construction to prevent erosion. Silt fence and erosion control measures shall be completed and maintained prior to starting and during excavation. If builder/owner does not comply, developers can and will bring the lot up to necessary ADEM requirements and transfer these costs to the builder and property owners as an assessment of cost plus 20%. Builders and property owners must adhere to the following:
 - 1. Maintain at least 50' of gravel at construction entrance;
 - 2. Install silt fencing in downhill grade areas near roads;
 - 3. Vegetate lot when construction/clearing/etc. is complete to prevent erosion.
 - 4. Comply with building practices and ADEM Regulations: refuse containers, no burning debris, etc.
- O. These covenants and restrictions shall run with the land and shall be binding upon the undersigned, their heirs, successors, and assigns and all lot and/or property owners. The invalidation of any one of the foregoing covenants and restrictions shall in no way affect any other provision or restriction contained herein. Any change in these covenants shall require written consent of seventy-five (75%) of the owners of the property
- P. The developer reserves the right to amend, alter, or modify the provisions of these restrictions with regard to any tract or tracts in the event that the developers, in their sole judgment, deem such amendment, alteration or modification consistent with the restrictive intent of these restrictions or if terrain features and topographical considerations render the enforcement of these restrictions in regard to any particular tract harsh to the owner or the developer..
- Q. If a Homeowners Association is formed within the subdivision, each homeowner shall be a member and shall be responsible for any and all

assessments.

- R. 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 or to recover damages. No property owner, including developer, has any obligation to enforce any of the covenants and restrictions, but all property owners have the right to enforce said restrictions and reservations through proceedings in law. The developers and/or Homeowners Association has full authority to enforce said restrictions by bringing into compliance and transferring costs to owner at cost plus 20%.
- S. Garbage and refuse disposal: No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage, or other waste shall not be kept, except in sanitary containers. All equipment designed for the storage or disposal of such material shall be kept in a clean and sanitary condition.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this the _____ day of _____, 2010.

CLC PROPERTIES, LLC

STATE OF ALABAMA
ST. CLAIR COUNTY

Sworn to and subscribed to before me this _____ day of _____, 2010.

NOTARY PUBLIC