

RESTRICTIVE COVENANTS

STATE OF FLORIDA  
COUNTY OF LEON

THIS DECLARATION OF RESTRICTIVE COVENANTS, made and published this 9th day of Oct, 1974, by WOODGATE DEVELOPMENT CORPORATION, a corporation chartered under the laws of the state of Florida and having its principal office in Tallahassee, Leon County, Florida.

WITNESSETH:

THAT, WHEREAS; said corporation is the owner of the subdivision known as Eastgate, Unit No. 1, being a subdivision land situate, lying and being in Leon County, Florida, and described on Exhibit "A" attached hereto and made a part hereof.

WHEREAS, it is to the interest, benefit and advantage of WOODGATE DEVELOPMENT CORPORATION and to each and every person who shall hereafter purchase any lot in said subdivision that certain protective covenants governing and regulating the use and occupancy of the same shall be established, set forth and declared to be covenants running with the land.

NOW, THEREFORE, for and in consideration of the premises and of the benefits to be derived by WOODGATE DEVELOPMENT CORPORATION and each and every subsequent owner of any of the lots in said subdivision, said corporation does hereby set up, establish, promulgate and declare the following restrictions to apply to all of said lots and to all persons owning said lots, or any of them, hereafter; these restrictions shall become effective immediately and run with the land and shall be binding upon all persons deraining title through WOODGATE DEVELOPMENT CORPORATION during the lifetime of these restrictions.

1. LAND USE AND BUILDING TYPE. No lot shall be used except for residential purposes. 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 and a private garage for not more than

RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF LEON, FLORIDA, ON OCTOBER 10, 1974, AT 2:45 PM. BY CLARK OF SCOUT COUNTY

322492

2. ARCHITECTURAL CONTROL. No building shall be erected, placed or altered on any lot until the construction plans and specifications and plan showing the location of the structure have been approved by the architectural control committee as to quality of workmanship and materials, harmony of external design with respect to topography and finish grade elevation. No fence or wall shall be erected, placed or altered on any lot nearer to any street than the minimum building setback line without being similarly approved. Approval shall be as provided in item number 14 below.

3. DWELLING COST, QUALITY AND SIZE. No dwelling shall be permitted on any lot unless the ground floor area of the main structure, exclusive of one-story open porches and garages, shall contain at least 1,000 square feet a one-story dwelling, exclusive of carport, garage, open porches, etc., and at least 600 square feet for a dwelling of more than one-story.

4. BUILDING LOCATION. No building shall be located on any lot nearer than 25 feet to the front lot line, or nearer than 15 feet to any side street line. No building shall be located nearer than 7½ feet or any combination of setbacks on each side that equals at least 15 feet, provided that no such setback shall be less than 5 feet to an interior lot line. No dwelling shall be located on any interior lot nearer than 35 feet to the rear lot line. For the purposes of this covenant, eaves, steps, carports and open porches shall not be considered as a part of a building; provided, however, that this shall not be construed to permit any portion of a building on a lot to encroach upon another lot.

5. LOT AREA AND WIDTH. No dwelling shall be erected or placed on any lot having a width of less than 60 feet at the minimum building setback line nor shall any dwelling be erected or placed on any lot having an area of less than 8,500 square feet.

6. WAIVER. The architectural control committee shall have power and authority to waive such violations of building line and lot restrictions as it in its sole discretion deems reasonable and proper.

7. EASEMENTS. Easements for installation and maintenance of utilities and drainage facilities are reserved as shown on the aforementioned plat and over the rear five feet of each lot.

8. NUISANCES. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may or may become an annoyance or nuisance to the neighborhood.

9. TEMPORARY STRUCTURES. No structure of a temporary character, trailer, tent, basement, shack, garage, barn, or other outbuilding shall be used on any lot at any time as a residence either temporarily or permanently.

10. SIGNS. No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property during construction and sales period.

11. OIL AND MINING OPERATIONS. No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon or in any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted upon any lot.

12. LIVESTOCK AND POULTRY. No animals, livestock, or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept, provided they are not kept, bred maintained for any commercial purpose.

13. GARBAGE AND REFUSE DISPOSAL. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall be kept in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

14. SIGHT DISTANCE AT INTERSECTIONS. No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between 2 and 6 feet above the roadways shall be placed or permitted to remain on any corner lot within the triangular area formed by the

street property lines and a line connecting them at points 25 feet from the intersection of the street lines, or in the case of a rounded property corner from the intersection of the street property lines extended. The same sight-line limitations shall apply on any lot within 10 feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such sight lines. No fence shall be erected nearer the front lot line than the front of the dwelling situated thereon.

15. ARCHITECTURAL CONTROL COMMITTEE.

a. MEMBERSHIP. The architectural control committee is composed of the officers of WOODGATE DEVELOPMENT CORPORATION, or its successor in interest, which shall consist of at least the president and two other officers. A majority of the committee may designate a representative to act for it. In the event of the death or resignation of any member of the committee, the remaining members shall have full authority to designate a successor. Neither the members of the committee, nor its designated representative, shall be entitled to any compensation for service performed pursuant to this covenant. At any time, the then recorded owners of a majority of the lots shall have the power through a duly recorded written instrument to change the membership or the committee to withdraw from the committee or restore to it any of its powers and duties.

b. PROCEDURE. The committee's approval or disapproval as required in these covenants shall be in writing. In the event the committee, or its designated representative fails to approve or disapprove within 30 days after the plans and specifications have been submitted to it, or any event, if no suit to enjoin the construction has been commenced prior to the completion thereof, approval will not be required and the related covenants shall be deemed to have been fully complied with.

16. TERM. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them

for a period of 30 years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of 10 years unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

17. ENFORCEMENT. Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate any covenant either to restrain violating or to recover damages.

18. SEVERABILITY. Invalidation of any one of these covenants by judgement of court order shall in no way affect any of the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, the said WOODGATE DEVELOPMENT CORPORATION has caused these presents to be executed at Tallahassee, Florida, by its duly authorized officer and its corporate seal to be hereunto affixed on the day and year first above written.

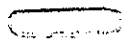
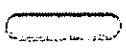
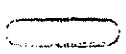


WOODGATE DEVELOPMENT CORPORATION

By R. A. [Signature]  
Its President

Witnesses:

[Signature]  
[Signature]



SEE 679 PAGE 713

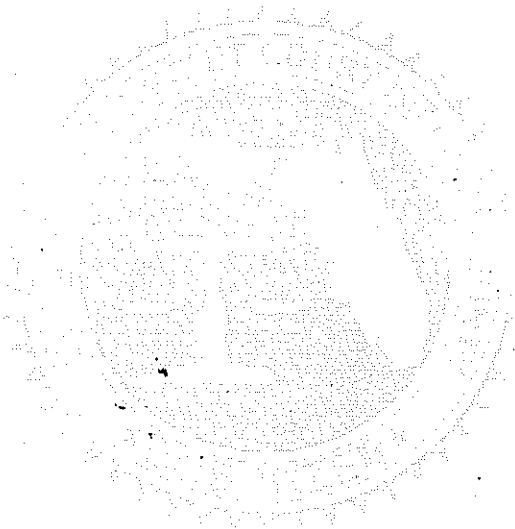
STATE OF FLORIDA  
COUNTY OF LEON

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared R. F. Donaldson, Jr. to me known to be the President of the corporation named as owner and covenantor in the instrument, and that he acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in him by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 9th day of Oct., 1974.

*Ruth S. [Signature]*  
Notary public, State of Florida at  
Large  
4-10-78

Notary Public, State of Florida at Large  
My Commission Expires April 10, 1978  
Bonded by American Fire & Casualty Co.



Commence at the Southwest corner of Section 9, Township 1 North; Range 1 East, Leon County, Florida, and run thence North 89 degrees 51 minutes 20 seconds East along the Section Line 120.73 feet to the Northeastly right-of-way boundary of State Road No. 5-251 (Capital Circle). From said POINT OF BEGINNING, continue North 89 degrees 51 minutes 20 seconds East along the Section Line 817.50 feet, thence North 00 degrees 00 minutes 40 seconds West 270.0 feet, thence South 85 degrees 51 minutes 20 seconds West 31.82 feet, thence North 00 degrees 00 minutes 40 seconds East 257.0 feet, thence North 89 degrees 51 minutes 20 seconds East 30.0 feet, thence North 00 degrees 00 minutes 40 seconds West 187.35 feet, thence North 69 degrees 51 minutes 20 seconds East 225.03 feet, thence North 00 degrees 00 minutes 40 seconds West 160.50 feet, thence South 07 degrees 51 minutes 20 seconds West 9.00 feet, thence North 07 degrees 28 minutes 37 seconds East 160.50 feet, thence South 74 degrees 51 minutes 20 seconds East 295.38 feet, thence North 03 degrees 52 minutes 05 seconds West 105.00 feet, thence North 60 degrees 03 minutes 07 seconds West 219.48 feet to a point of curve to the right, thence along said curve with a radius of 427.96 feet, through a central angle of 14 degrees 53 minutes 19 seconds, for an arc distance of 156.22 feet, with a radius of 416.41 feet, through a central angle of 01 degree 56 minutes 05 seconds, for an arc distance of 14.06 feet (the chord of said arc being South 45 degrees 12 minutes 17 seconds East 150.24 feet to a point lying on a curve concave to the Northwesterly, thence Northwesterly along said curve with a radius of 315.56 feet, through a central angle of 05 degrees 23 minutes 52 seconds, for an arc distance of 27.73 feet (the chord of said arc being North 45 degrees 59 minutes 45 seconds West 29.72 feet), thence North 67 degrees 09 minutes 05 seconds East 678.55 feet, thence North 85 degrees 33 minutes 37 seconds East 32.00 feet, thence North 14 degrees 34 minutes 47 seconds East 219.39 feet to a point lying on a curve concave to the Southwesterly, thence Southwesterly along said curve with a radius of 214.43 feet, through a central angle of 03 degrees 03 minutes 53 seconds, for an arc distance of 25.24 feet (the chord of said arc being South 69 degrees 47 minutes 27 seconds East 24.20 feet), thence North 24 degrees 47 minutes 07 seconds East 128.73 feet, thence South 55 degrees 42 minutes 47 seconds East 121.92 feet to a point lying on a curve concave to the Southwesterly, thence North 69 degrees 39 minutes 19 seconds East 447.02 feet, through a central angle of 03 degrees 15 minutes 51 seconds, for an arc distance of 54.48 feet (the chord of said arc being South 16 degrees 12 minutes 46 seconds East 64.42 feet), thence North 77 degrees 51 minutes 10 seconds East 203.11 feet to the East boundary of the West Half of said Section 9, thence South 00 degrees 30 minutes 50 seconds West along said East boundary 788.42 feet to the Southerly right-of-way boundary of 1-10, thence South 89 degrees 58 minutes 09 seconds West along said Southerly right-of-way boundary 482.95 feet, thence North 86 degrees 02 minutes 04 seconds West 58 minutes 09 seconds West 415.56 feet, thence South 16 degrees 24 minutes 01 second East 450.00 feet, thence South 15 degrees 53 minutes 59 seconds West 265.87 feet, thence South 09 minutes 05 seconds West 323.45 feet, thence North 60 degrees 15 minutes 54 seconds West 40.00 feet, run thence South 29 degrees 44 minutes 06 seconds West 155.57 feet to a point on the Northerly right-of-way of a 60 foot roadway, said point lying on a curve concave to the Southwesterly, run thence Northwesterly along said right-of-way curve with a radius of 216.19 feet, through a central angle of 14 degrees 30 minutes 09 seconds, for an arc distance of 92.50 feet (the chord of said arc being North 44 degrees 22 minutes 13 seconds West 91.60 feet), thence leaving said Northerly right-of-way run North 31 degrees 20 minutes 18 seconds East 130.59 feet, run thence North 60 degrees 15 minutes 54 seconds West 465.00 feet, run thence South 25 degrees 44 minutes 06 seconds West 130.00 feet to the Northerly right-of-way of said 60 foot roadway, run thence along said right-of-way as follows: North 60 degrees 15 minutes 54 seconds West 204.21 feet to a point of curve to the right, thence run along said right-of-way curve with a radius of 90.76 feet, through a central angle of 57 degrees 53 minutes 56 seconds, for an arc distance of 91.72 feet to a point of compound curve, run thence along said compound right-of-way curve with a radius of 30.00 feet, through a central angle of 90 degrees 00 minutes 00 seconds, for an arc distance of 47.12 feet to the Southerly main-tained right-of-way boundary of Raymond Ditch Road, thence South 87 degrees 37 minutes 32 seconds West along said Southerly maintained right-of-way boundary 120.00 feet to a point lying on a curve concave to the Southwesterly, thence Southwesterly along said curve with a radius of 30.05 feet, through a central angle of 90 degrees 00 minutes 00 seconds, for an arc distance of 47.12 feet (the chord of said arc being South 47 degrees 22 minutes 28 seconds East 47.43 feet) to a point of reverse curve, thence along said reverse curve with a radius of 150.76 feet, through a central angle of 57 degrees 53 minutes 56 seconds, for an arc distance of 152.33 feet, thence South 60 degrees 15 minutes 54 seconds East 234.52 feet, thence South 12 degrees 44 minutes 34 seconds West 154.79 feet, thence South 59 degrees 02 minutes 19 seconds West 923.35 feet to the West boundary of said Section 9, thence South 00 degrees 24 minutes 30 seconds East along the West boundary of said Section 9, a distance of 1673.66 feet to a point lying on a curve concave to the Northerly, thence Northwesterly along said curve with a radius of 38.19 feet, through a central angle of 24 degrees 02 minutes 06 seconds, for an arc distance of 18.02 feet (the chord of said arc being North 50 degrees 59 minutes 25 seconds West 15.50 feet) to the Northeastly right-of-way boundary of said State Road No. 5-261 (Capital Circle), thence South 30 degrees 58 minutes 26 seconds East along said right-of-way 226.19 feet to the POINT OF BEGINNING.

LESS AND EXCEPT the following described property:

Commence at the Southwest corner of Section 9, Township 1 North; Range 1 East, Leon County, Florida, and run thence North 89 degrees 51 minutes 20 seconds East along the Section Line 120.73 feet to the Northeastly right-of-way boundary of State Road No. 5-251 (Capital Circle), thence Northwesterly along said right-of-way boundary North 38 degrees 58 minutes 26 seconds West 226.19 feet to a point on a curve concave to the North, thence leaving said right-of-way run Southeastly along the curve with a radius of 38.19 feet, through a central angle of 24 degrees 02 minutes 06 seconds, for an arc distance of 18.02 feet (the chord of said arc being South 50 degrees 59 minutes 29 seconds East 15.90 feet) to the West boundary of said Section 9, thence North 00 degrees 24 minutes 30 seconds West along said West Section Line, a distance of 1122.15 feet, thence North 89 degrees 35 minutes 50 seconds East 376.59 feet, thence South 69 degrees 04 minutes 28 seconds East 25.00 feet, thence North 39 degrees 25 minutes 55 seconds East 90.00 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING run North 39 degrees 04 minutes 15 seconds West 124.49 feet to the Southerly boundary of a proposed 60.00 foot road (Paintree Circle), thence North 69 degrees 00 minutes 11 seconds East along said road 72.96 feet to a point of curve concave to the South, thence Northwesterly 69 degrees 00 minutes 11 seconds East along said curve with a radius of 95.14 feet, through a central angle of 51 degrees 13 minutes 51 seconds, for an arc distance of 85.07 feet to a point of tangency (the chord of said curve being South 85 degrees 14 minutes 54 seconds East 82.25 feet), thence South 59 degrees 37 minutes 58 seconds East 18.00 feet, thence South 29 degrees 26 minutes 55 seconds West 139.55 feet to the POINT OF BEGINNING; containing 0.256 acre, more or less.

Also:

Commence at the Southwest corner of Section 9, Township 1 North; Range 1 East, Leon County, Florida, and run thence North 89 degrees 51 minutes 20 seconds East along the Section Line 766.31 feet, thence North 00 degrees 00 minutes 40 seconds West 225.0 feet, thence South 85 degrees 51 minutes 20 seconds West 31.82 feet, thence North 00 degrees 00 minutes 40 seconds West 257.0 feet, thence North 69 degrees 51 minutes 20 seconds East 30.0 feet, thence North 00 degrees 00 minutes 40 seconds West 187.35 feet, thence North 69 degrees 51 minutes 20 seconds East 225.0 feet, thence North 00 degrees 00 minutes 40 seconds West 160.50 feet, thence South 07 degrees 51 minutes 20 seconds West 9.0 feet, thence North 07 degrees 28 minutes 37 seconds East 160.50 feet, thence South 74 degrees 51 minutes 20 seconds East 295.38 feet, thence North 03 degrees 52 minutes 05 seconds West 105.00 feet to the Southwesterly boundary of a 30.0 foot Natural Gas Line Easement, thence North 60 degrees 03 minutes 07 seconds West along said Southwesterly boundary 219.48 feet to a point of curve to the right on said Southwesterly boundary, thence along said curve on said Southwesterly boundary with a radius of 400.96 feet, through a central angle of 14 degrees 53 minutes 19 seconds, for an arc distance of 156.22 feet, thence North 45 degrees 52 minutes 35 seconds East 207.25 feet to a point on a curve concave to the Northwesterly, thence Southwesterly along said curve with a radius of 315.41 feet, through a central angle of 01 degree 56 minutes 05 seconds, for an arc distance of 14.06 feet (the chord of said arc being South 45 degrees 04 minutes 05 seconds East 14.06 feet), thence run North 49 degrees 31 minutes 05 seconds East 135.73 feet, thence North 44 degrees 18 minutes 17 seconds East 190.24 feet to a point on a curve concave to the Northwesterly, thence Northwesterly along said curve with a radius of 315.56 feet, through a central angle of 05 degrees 23 minutes 52 seconds, for an arc distance of 27.73 feet (the chord of said arc being North 42 degrees 59 minutes 45 seconds West 27.72 feet), thence North 14 degrees 07 minutes 03 seconds East 678.55 feet, thence North 85 degrees 33 minutes 37 seconds East 32.00 feet, thence North 14 degrees 34 minutes 47 seconds East 219.39 feet to a point lying on a curve concave to the Southwesterly, thence Southwesterly along said curve with a radius of 214.43 feet, through a central angle of 03 degrees 03 minutes 53 seconds, for an arc distance of 25.24 feet (the chord of said arc being South 69 degrees 47 minutes 27 seconds East 24.20 feet), thence North 24 degrees 47 minutes 07 seconds East 128.73 feet, thence South 55 degrees 42 minutes 47 seconds East 121.92 feet to a point on a curve concave to the Southwesterly, thence Southwesterly along said curve with a radius of 457.02 feet, through a central angle of 03 degrees 15 minutes 51 seconds, for an arc distance of 54.48 feet (the chord of said arc being South 16 degrees 12 minutes 46 seconds East 64.42 feet), thence North 77 degrees 51 minutes 10 seconds East 203.11 feet to the East boundary of the West Half of Section 9, thence North 00 degrees 30 minutes 50 seconds West along the Quarter Section Line, a distance of 457.73 feet, thence North 60 degrees 15 minutes 54 seconds West 40.00 feet, thence North 01 degree 26 minutes 14 seconds East 130.0 feet to the Southerly right-of-way boundary of a 60.0 foot roadway (Dundee Drive), thence South 28 degrees 31 minutes 45 seconds East along said right-of-way boundary 75.0 feet, thence South 01 degree 20 minutes 14 seconds West 130.0 feet to the POINT OF BEGINNING; containing 0.22 acre, more or less.

The foregoing described property containing, less exceptions, 71.12 acres, more or less.

The foregoing described property being subject to a 60 foot natural Gas Line Easement.