

DEED 228 PAGE 491

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, M. W. Green and Frances B. Green, his wife; George P. Croy and Minnie Lee Croy, his wife; and Bertel W. Raa, unmarried, all of the County of Leon, State of Florida, are the owners in fee simple of a subdivision located in Leon County, Florida, known as Forest Heights Unit No. 6 according to that certain plat thereof recorded in Plat Book 3, Page 210 of the Public Records of Leon County, Florida, and

WHEREAS the owners are now in the process of developing such property into a residential area in or near the city of Tallahassee, Leon County, Florida, and

WHEREAS the said owners desire to create certain restrictive covenants to run with the lots situated in said subdivision so that said lots shall be secured for the period hereinafter specified, and such covenants are solely for the purpose of establishing a permanent and substantial community within said subdivision.

NOW THEREFORE, THIS INDENTURE WITNESSETH:

1. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them until January 1, 1988, at which time said covenants shall be automatically extended for successive periods of ten years unless by vote of a majority of the then owners of the lots it is agreed to change said covenants in whole or in part.

2. If the parties hereto, or any of them or their heirs, or assigns, shall violate or attempt to violate any part of the covenants herein it shall be lawful for any other person or persons owning any real property situated in said development or subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant and either to prevent him or them from so doing or to recover damages or other dues for such violation.

3. Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

4. All lots in the tract shall be known, designated and used as residential lots. No structures shall be erected, altered, placed or permitted to remain on an residential building plot other than one detached single-family dwelling not to exceed two stories in height and a private garage for not more than two cars and a servant's room, tool room or storage room attached to the ground floor of the garage.

5. No building shall be located on any residential building plot nearer than 30 feet to the front lot line, nor nearer than 15 feet to any side street line. No building except a detached garage or other outbuilding located 75 feet or more from the front lot line shall be located nearer than 10 feet to any interior side lot line.

6. No residential structure shall be placed on any building plot unless the same contains at least one entire lot according to the recorded plat of Forest Heights Unit No. 6.

7. No horses, sheep, cows, goats, swine, or poultry shall be kept, raised, or maintained on the hereinabove described area.

8. No trade or commercial activity shall be carried on upon any lot or plot within the above described area and no commercial, advertising or display signs and no large or unsightly signs shall be permitted on said land, provided, however, nothing herein contained shall be construed to prevent the developers or their agents from erecting or maintaining on any part of said land owned by them such commercial and display signs or such temporary structure as may be reasonably required by them, for development and sale purposes.

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

10. No trailer, basement, tent, shack, garage, barn or other outbuildings erected in the tract shall at any time be used as a residence temporarily or permanently, nor shall any structure of a temporary character be used as a residence.

11. No dwelling shall be less than 1200 square feet in the body of the main structure exclusive of any open porches, garage, car-ports, and other appurtenances.

12. All residential structures shall be in harmony with existing homes in the neighborhood and all dwellings must have a solid front foundation, sub-flooring for a frame house and furred-out inside walls for masonry construction. No residence or outbuildings shall be constructed with a metal roof or composition roof other than shingles.

13. M. W. Green and Frances B. Green, his wife; George P. Croy and Minnie Lee Croy, his wife; and Bertel N. Raa, owners, reserve the right to waive minor violations of restrictions until such time as the hereinabove described property has been developed and sold in its entirety.

IN WITNESS WHEREOF, the said parties have hereunto set their hands and seals this 28th day of April, A. D. 1958.

M. W. Green (SEAL)
M. W. GREEN

Frances B. Green (SEAL)
FRANCES B. GREEN

Signed, sealed and delivered in the presence of:

George P. Croy (SEAL)
GEORGE P. CROY

Alvin Rattman

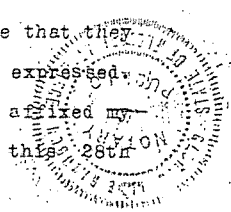
Minnie Lee Croy (SEAL)
MINNIE LEE CROY

Tom Green

Bertel N. Raa (SEAL)
BERTEL N. RAA

STATE OF FLORIDA)
COUNTY OF LEON)

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, M. W. Green and Frances B. Green, his wife; George P. Croy and Minnie Lee Croy, his wife; and Bertel M. Raa, to me well known to be the persons described in and who executed the foregoing instrument and duly acknowledged before me that they executed the same for the uses and purposes therein expressed. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at Tallahassee, Leon County, Florida, this 28th day of April, A. D., 1958.



Gloria James Rathbun
Notary Public, State of Florida at Large
My Commission Expires Oct. 23, 1961
Bonded by American Surety Co. of N.Y.

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RECORDED IN THE PUBLIC
RECORDS OF LEON CO. FLA.
IN THE BOOK & PAGE IND.

APR 29 9 07 AM '58

AT THE TIME AND DATE NOTED
GEO. G. CRAWFORD
CLERK OF CIRCUIT COURT



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