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RESTRICTIVE COVENANTS

STATE OF FLORIDA  
COUNTY OF WAKULLA

THIS DECLARATION OF RESTRICTIVE COVENANTS, made and published this 3 day of July, 1973, by GEORGE WILLIAM KOUCKY, MYRTICE S. KOUCKY, IRIS J. DONALDSON, R. F. DONALDSON, LILLIE S. BENNETT, H. O. BENNETT partnership, a partnership not incorporated existing under the laws of the State of Florida (hereinafter referred to as OWNERS), and having its principal office in Tallahassee, Leon County, Florida.

WITNESSETH:

THAT WHEREAS, the OWNERS are the owners of the subdivision known as MYSTERIOUS WATERS, an unrecorded subdivision in Wakulla County, Florida, which property is more particularly described in that certain deed recorded in Official Records Book 34, Page 227, of the Public Records of Wakulla County, Florida.

WHEREAS, it is to the interest, benefit and advantage of the OWNERS 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 the OWNERS and each and every subsequent owner of any of the lots in said subdivision, said partnership does set up, establish, promulgate and declare the following protective covenants to apply to all of said lots and to all persons owning said lots, or any of them, hereafter; these protective covenants shall become effective immediately and run with the land and shall be binding upon all persons claiming under and through the OWNERS.

PREPARED BY: JAMES C. TRUETT,  
MADIGAN, PARKER, GATLIN, TRUETT  
& SWEDMARK — P. O. BOX 669  
TALLAHASSEE, FLORIDA 32302

MADIGAN, PARKER, GATLIN, TRUETT & SWEDMARK

1. Said property shall be used solely and only for residential purposes and no business, trade or manufacture shall be carried on upon any part of same, nor shall any commercial use be permitted on any part thereof. No residential structure other than one detached single family dwelling shall be erected on any lot and shall not exceed two stories in height; provided, however, that this restriction shall not prevent the erection of a private garage or one garage apartment for use in connection with the residence dwelling on said property, nor prevent the construction of basements under dwellings.

2. No house trailer, tent, barn, tourist cottage, apartment, duplex apartment or tenement house shall be erected or placed upon said property.

3. No barbed wire fence shall be erected or maintained on or enclosing any of said property and no fence whatsoever shall be erected thereon that is over 4 feet in height, except that ornamental trellises may be erected and maintained.

4. No residence shall be erected nearer than 40 feet from the street which said residence faces, nor nearer than 10 feet from any side lot line.

5. The ground floor area of the main structure, exclusive of one-story open porches and garages, shall not be less than 800 square feet.

6. No residence shall be erected on any of said lots until the plans and specifications of said residence have been approved in writing by George William Koucky, R. Frank Donaldson and H. O. Bennett or a person appointed by them, which said approval shall not, however, be unreasonably withheld.

7. No individual wells may be drilled.

8. Septic tank installation will be in accordance with Department of Pollution Control specifications.

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9. The use of the recreational facilities will be limited to property owners and their guests.

10. No hunting will be permitted on the Mysterious Waters property.

11. No swine, goats, clove-footed animals, hooved animals (riding horses excepted) will be allowed to be kept on the property. Fowl shall be limited to five hens and one rooster.

12. Garbage and litter will be placed in covered containers.

13. Double-wide mobile homes and modular homes will be allowed to be placed on the property provided they contain at least 800 square feet of heated living area.

14. Mobile homes will not be allowed to be placed on the property except during the period of construction of a dwelling and then for no more than 12 months. Motor homes may be utilized on the property but may not be permanently set up on a lot.

15. When construction is started on a conventionally built home, construction must be completed within 12 months.

16. These restrictions shall run with the land and will be enforceable by any of the owners of property in Mysterious Waters Subdivision. The invalidity of any restriction by judgment of any court shall not effect any other restrictions.

Witnesses:

Caul Shaw

Lynnda L. Hodfrey

Caul Shaw

Lynnda L. Hodfrey

George William Koucky (SEAL)  
GEORGE WILLIAM KOUCKY

Myrtice S. Koucky (SEAL)  
MYRTICE S. KOUCKY, by George William Koucky, as Attorney in Fact

Irish J. Donaldson (SEAL)  
IRIS J. DONALDSON, by George William Koucky, as Attorney in Fact

R. F. Donaldson (SEAL)  
R. F. DONALDSON, by George William Koucky, as Attorney in Fact

