

196/57

9913/2123

CARRINGTON VALLEY SECOND SECTOR PHASE TWO

CARRINGTON VALLEY SECOND SECTOR PHASE ONE

BEING A SUBDIVISION OF ACHIEVE AND A RESURVEY OF
 LOT "C" OF THE "CARRINGTON VALLEY SECOND SECTOR PHASE ONE"
 AS RECORDED IN MAP BOOK 180, PAGE 11 IN THE PROBATE
 OFFICE OF JEFFERSON COUNTY, ALABAMA.
 SITUATED IN THE NE 1/4 OF THE NW 1/4 OF
 SECTION 10, TOWNSHIP 10 SOUTH, RANGE 1 EAST,
 CITY OF HOSSVILLE, ALABAMA

SCALE: 1" = 60'
 1" = 60'
 DATE: JUNE 2, 1993
 DON HADDEN AND ASSOCIATES, INC.
 CIVIL ENGINEERS & LAND SURVEYORS
 9430 Parkway East
 Birmingham, Alabama 35215
 Phone: (205) 836-9585

STATE OF ALABAMA
 DON HADDEN AND ASSOCIATES, INC.
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 9430 Parkway East
 Birmingham, Alabama 35215
 Phone: (205) 836-9585

STATE OF ALABAMA
 JEFFERSON COUNTY
 BY: [Signature]
 JUDGE

STATE OF ALABAMA
 JEFFERSON COUNTY
 BY: [Signature]
 CLERK

STATE OF ALABAMA
 JEFFERSON COUNTY
 BY: [Signature]
 CLERK

STATE OF ALABAMA
 JEFFERSON COUNTY
 BY: [Signature]
 CLERK

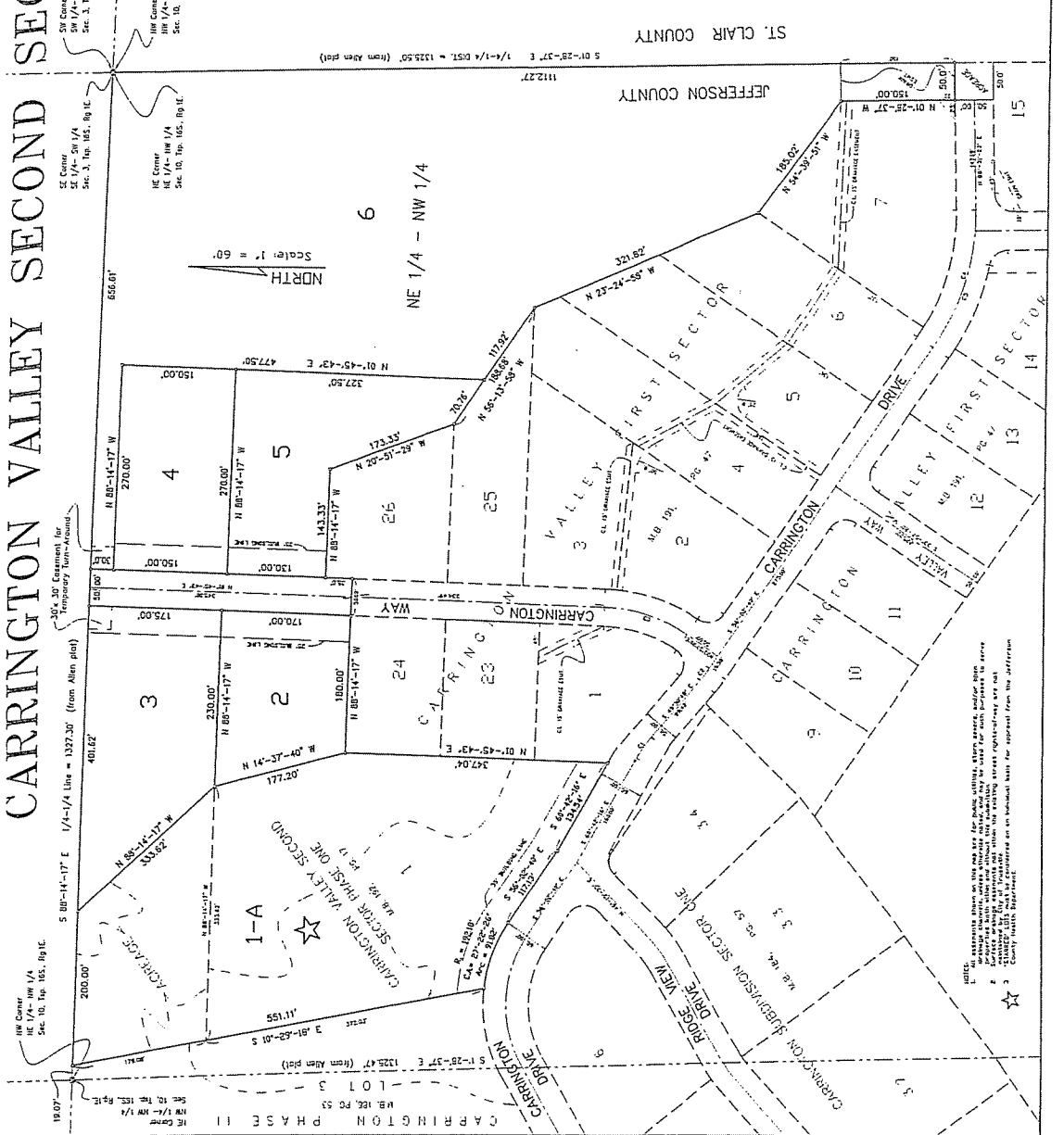
STATE OF ALABAMA
 JEFFERSON COUNTY
 BY: [Signature]
 CLERK

STATE OF ALABAMA
 JEFFERSON COUNTY
 BY: [Signature]
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STATE OF ALABAMA
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 BY: [Signature]
 CLERK

STATE OF ALABAMA
 JEFFERSON COUNTY
 BY: [Signature]
 CLERK

RECORDED IN MAP BOOK 180, PAGE 11
 DATE: JUN 2, 1993



NE Corner of NW 1/4, Sec. 10, Twp. 10S., Rng. 1E.
 NE Corner of NW 1/4, Sec. 10, Twp. 10S., Rng. 1E.
 NE Corner of NW 1/4, Sec. 10, Twp. 10S., Rng. 1E.
 NE Corner of NW 1/4, Sec. 10, Twp. 10S., Rng. 1E.

NOTES:
 1. ALL DISTANCES SHOWN ON THIS PLAT ARE TO BE CONSIDERED AS DISTANCES TO THE CORNER UNLESS OTHERWISE SPECIFIED.
 2. ALL DISTANCES SHOWN ON THIS PLAT ARE TO BE CONSIDERED AS DISTANCES TO THE CORNER UNLESS OTHERWISE SPECIFIED.
 3. DISTANCE TO CORNER SHALL BE CONSIDERED AS A MEASURE ON A HORIZONTAL PLANE, NOT A CURVED SURFACE.
 4. COUNTY RECORDS DEPARTMENT

57

STATE OF ALABAMA
JEFFERSON COUNTY

Carr. Valley
2nd sector
Phase II

9 9 1 3 / 2 1 2 3

DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS

This Declaration of Covenants, Conditions and Restrictions is made as of the 20th day of September, 1999 by Carrington Partners, an Alabama Joint Venture, hereinafter referred to as the "Declarant".

WITNESSETH

WHEREAS, the Declarant is the owner of certain real property (hereinafter referred to as the "Property") as evidenced by the map or plat of said Property as recorded in the Probate Records of Jefferson County, Alabama and is described as Lot 6, according to the survey of Carrington Valley, Second Sector, Phase II, in Map Book 196, page 57.

NOW THEREFORE, Declarant hereby declares that all of the Property described herein, shall be held, sold, and conveyed subject to the following restrictions, covenants, and conditions, which are for the purpose of protecting value and desirability of, and which shall run with, the Property and be binding on all parties having any right, title, or interest in said Property or any part thereof, and their heirs, administrators, successors, and assigns, and shall inure to the benefit of each owner thereof.

ARTICLE I
USE RESTRICTIONS

Section 1.1. Dwelling Size. This Property shall be subject to those certain Declaration of Covenants, Conditions and Restrictions for Carrington Valley First Sector, a Residential Development which said Declaration was recorded in the Probate Records of Jefferson County in Instrument No. 9803/9215. The size of the dwelling is limited in this said Declaration dated March 18, 1998 to certain square footage requirements as a minimum. This Property shall be subject to the terms and conditions of the original Declaration recorded in Instrument No. 9803/9215 unless modified herein. The property shall be subject to the "Declaration" as to all restrictions except as noted herein and below.

Section 1.2. Re-subdividing. Re-surveying or re-subdividing of a lot in the Property shall be allowed. However, under no circumstances shall any lot in the Property be re-surveyed or re-subdivided to a lot containing less than three (3) acres of land area.

ARTICLE II
HOMEOWNERS ASSOCIATION

Section 2.1. Each and every owner of a lot contained within the Property (hereinafter "Owner"), by accepting a deed or contract for any lot contained within the Property, agrees to and shall be a member of the Carrington Homeowners Association, Inc. (hereinafter "Association") as set forth in the "Declaration". Each Owner may be required to pay an annual assessment to the Association. The annual assessment shall be established by the Association according to its Bylaws. Every current Owner of a lot contained within the Property shall be a member of the Association. Membership shall be appurtenant to and may not be separated from ownership of a lot contained within the Property. Membership of any Owner shall terminate immediately upon conveyance by said Owner of his or her Lot to a new Owner.

ARTICLE III
CURRENT ZONING

Section 3.1. The Property is currently zoned pursuant to the City of Trussville's letter dated September 9, 1999 as A-1 (agricultural). A copy of the said Zoning Letter from the City of Trussville is attached hereto as Exhibit "A".

ARTICLE IV
AGRICULTURAL USE

Section 4.1. Any purchaser of the Property acknowledges receipt of City of Trussville requirements in regard to agricultural use which under Section 15.0 in the City of Trussville Zoning Ordinance allow Farm and Hobby Farm which authorizes barns and horses subject to the requirements therein. Therefore, this Property shall be subject to City of Trussville Zoning Ordinances in regard to same. Therefore, Article III and IV supersedes the "Declaration".

IN WITNESS WHEREOF, the Declarant has executed this instrument on the 20th day of September, 1999.

DECLARANT:

CARRINGTON PARTNERS, an Alabama Joint Venture

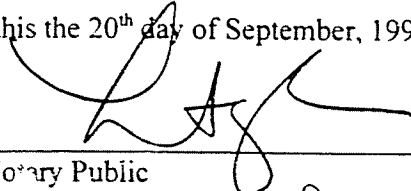
By: 

Clyde C. Turner
Managing Partner


STATE OF ALABAMA
JEFFERSON COUNTY

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Clyde C. Turner whose name is signed to the foregoing document as the Managing Partner of Carrington Partners, an Alabama Joint Venture, and who is known to me, acknowledged before me on this day that, being informed of the contents of same, he, with full authority, executed the same voluntarily.

Given under my hand and seal this the 20th day of September, 1999.



Notary Public
My Commission Expires 9.13.03

State of Alabama - Jefferson County
I certify this instrument filed on:
1999 SEP 30 A.M. 10:34
Recorded and \$ _____ Mtg. Tax
and \$ 9.50 Deed Tax and Fee Amt. 9.50
Total \$ 19.00
GEORGE R. REYNOLDS, Judge of Probate

9913/2123

Recorder's Note:
Instrument not attached
GR

950