

EXHIBIT "B"
PROTECTIVE COVENANTS
COUNTY DOWNS PLAT # 19

BY ADOPTION OF THE PLAT, THE OWNERS OF ALL THE LOTS EMBRACED THEREIN, HEREBY ADOPT THE FOLLOWING PROTECTIVE COVENANTS AND IMPOSES THEM UPON THE PROPERTY COMPRISING THE SAID PLAT AND UPON EACH LOT THEREIN

THESE COVENANTS ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERIODS CLAIMING UNDER THEM FOR A PERIOD OF 30 YEARS FROM THE DATE OF THE RECORDING OF THE PLAT, AFTER WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN YEARS UNLESS AN INSTRUMENT SIGNED BY A MAJORITY OF THE THEN OWNERS OF THE LOTS HAS BEEN RECORDED AGREEING TO CHANGE SAID COVENANTS WHOLE OR IN PART. ENFORCEMENT SHALL BE BY PROCEEDINGS AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANT, EITHER TO RESTRAIN VIOLATION OR TO RECOVER DAMAGES. INVALIDATION OF ANY ONE OF THE COVENANTS BY JUDGEMENT OR COURT ORDER SHALL IN NO WAY AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

ARCHITECTURAL CONTROL COMMITTEE

1. MEMBERSHIP, THE ARCHITECTURAL CONTROL COMMITTEE IS COMPOSED OF JOHN R. MARSHALL, JR., NAN M. SIMS, AND AN ARCHITECT REGISTERED IN THE STATE OF ALABAMA, MAJORITY OF THE COMMITTEE MAY DESIGNATE A SUCCESSOR, NEITHER THE MEMBERS OF THE COMMITTEE, NOR ITS DESIGNATED REPRESENTATIVE SHALL BE ENTITLED TO ANY COMPENSATION FOR SERVICES PERFORMED PURSUANT TO THIS COVENANT. ANY TIME THE MAJORITY OF THE COMMITTEE SHALL HAVE THE POWER THROUGH A DULY RECORDED WRITTEN INSTRUMENT TO CHANGE THE MEMBERSHIP OF THE COMMITTEE OR TO WITHDRAW FROM THE COMMITTEE OR RESTORE TO IT ANY OF ITS POWERS AND DUTIES, THE COMMITTEE SHALL HAVE NO PERSONAL LIABILITY WITH RESPECT TO ANY CONTRACT OR DECISION MADE IN GOOD FAITH WHILE PERFORMING THEIR DUTIES.
2. PROCEDURE. THE BUILDER SHALL SUBMIT TO THE COMMITTEE A PLAN REVIEW FEE OF \$ 100 AND TWO SETS OF BUILDING PLANS AND SPECIFICATIONS READY FOR SUBMITTAL TO THE BUILDING DEPARTMENT, WHICH SHALL INCLUDE A SITE PLAN, DIMENSIONAL FLOOR PLAN, BUILDING ELEVATION, FINISHES AND DETAILS. THE COMMITTEE'S APPROVAL OR DISAPPROVAL AS REQUIRES 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 PLANS AND SPECIFICATIONS HAVE BEEN SUBMITTED TO IT, OR IN ANY EVENT, IF NO SUIT TO ENJOIN THE CONSTRUCTION HAS BEEN COMMENCED PRIOR TO COMPLETION THEREOF APPROVAL WILL NOT BE REQUIRED AND THE RELATED COVENANTS SHALL BE DEEMED TO HAVE BEEN FULLY COMPLIED WITH.
3. SITE PLAN. THE BUILDING PLANS SHALL INCLUDE A COMPLETE SITE PLAN WITH EXISTING AND FINISHED CONTOURS, FINISH FLOOR ELEVATION, FINISH SHOP ELEVATIONS, AND A BENCHMARK. ALL RUNOFF SHALL BE DIRECTED TOWARD THE STREET OR DRAINAGE EASEMENTS. NO RUNOFF SHALL BE ALLOWED TO CROSS ONTO AN ADJACENT LOT EXCEPT IN APPROPRIATE EASEMENTS, AND WHEN CONSIDERED NOMINAL BY THE APPROVAL AUTHORITY.
4. ARCHITECTURAL CONTROL. NO BUILDING SHALL BE ERECTED, PLACED, OR ALTERED ON ANY LOT UNLESS THE QUALITY, WORKMANSHIP AND

MATERIAL ARE IN HARMONY WITH THE DESIGN OF THE EXISTING STRUCTURES, AND IS LOCATED CORRECTLY WITH RESPECT TO THE TOPOGRAPHY AND FINISH GRADE ELEVATION. NO BUILDING SHALL BE ERECTED OR PLACED ON ANY LOT UNTIL THE CONSTRUCTION PLANS AND SPECIFICATIONS HAVE BEEN APPROVED BY THE COMMITTEE.

BUILDING AND LOT RESTRICTIONS

1. NO LOT SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES.
2. 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. THIRD STORIES WILL BE PERMITTED IF IT IS DESIGNED IN SUCH A FASHION AS TO FIT WITHIN THE NORMAL ROOF LINE OF A TWO STORY STRUCTURE IN THAT AREA NORMALLY CONSIDERED ATTIC AREA.
3. NO RESIDENCE SHALL BE ERECTED UPON OR ALLOWED TO OCCUPY ANY LOT UNLESS THE GROUND FLOOR AREA OF THE MAIN STRUCTURE, EXCLUSIVE OF OPEN PORCHES, ATTACHED GARAGES OR CARPORTS, BE NOT LESS THAN 2,400 SQUARE FEET IN THE CASE OF A ONE-STORY DWELLING, NOT LESS THAN 1,700 SQUARE FEET ON THE GROUND FLOOR AND NOT LESS THAN 800 SQUARE FEET ON THE SECOND-FLOOR IN THE CASE OF A DWELLING MORE THAN ONE STORY.
4. NO BUILDING SHALL BE LOCATED ON ANY LOT NEARER TO THE FRONT LOT LINE OR NEARER TO THE SIDE STREET LINE THAN THE MINIMUM BUILDING SETBACK LINES SHOWN ON THE RECORDED PLAT. NO BUILDING SHALL BE LOCATED NEARER THAN 10 FEET TO AN INTERIOR LOT LINE, EXCEPT THAT A FIVE-FOOT MINIMUM SIDE YARD SHALL BE PERMITTED FOR A GARAGE OR OTHER PERMITTED ACCESSORY BUILDING LOCATED ON THE REAR ONE-QUARTER OF THE LOT. FOR THE PURPOSES OF THIS COVENANT, EAVES CAN NOT ENCROACH MORE THAN 30" ACROSS A BUILDING LINE, STEPS, OPEN PORCHES, AND ORNAMENTAL PLANTING BOXES SHALL 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. EASEMENTS FOR INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES ARE RESERVED AS SHOWN ON THE PLAT.
6. THE OWNER OF THE LOTS WITHIN THIS SUBDIVISION WILL NOT ERECT OR GRANT TO ANY PERSON, FIRM, OR CORPORATION, THE RIGHT, LICENSE, OR PRIVILEGE TO ERECT OR USE, OR PERMIT THE USE OF OVERHEAD WIRES, POLES, OR OVERHEAD FACILITIES AS MAY BE REQUIRED AT THOSE PLACES WHERE DISTRIBUTION FACILITIES ENTER AND LEAVE SAID LIGHTING FIXTURES, OR ORNAMENTAL YARD LIGHTING WHERE SUCH IS SERVICED BY UNDERGROUND WIRES OR CABLE.
7. EASEMENTS IN FAVOR OF THE SOUTH CENTRAL BELL TELEPHONE FOR UNDERGROUND SERVICE LINES ARE RESERVED AS SHOWN ON THE PLAT. EASEMENTS INCLUDE THE RIGHT OF INGRESS AND EGRESS BY EMPLOYEES OF SAID COMPANY FOR MAINTENANCE OF THE PROPERTY INCLUDED IN THE EASEMENTS.
8. NO SEPARATE GARAGES, OR OUTBUILDING OF ANY KIND OR NATURE, EXCEPT GARDEN OR ORNAMENTAL LANDSCAPE STRUCTURES, SHALL BE ERECTED ON OR ALLOWED TO OCCUPY ANY LOT EXCEPT ON THAT PORTION OF THE LOT IN THE REAR OF THE RESIDENCE, AND NO SUCH BUILDING SHALL BE CONSTRUCTED OR OCCUPIED PRIOR TO THE CONSTRUCTION OF THE MAIN HOUSE, EXCEPT SUCH AS

MAY BE USED IN STORING TOOLS AND EQUIPMENT OR MATERIALS FOR THE CONSTRUCTION OF THE MAIN HOUSE. NO METAL STORAGE BUILDING SHALL BE ALLOWED.

9. NO OBNOXIOUS OFFENSIVE TRADE OR ACTIVITY SHALL BE CARRIED ON UPON ANY LOT, NOR SHALL ANYTHING BE DONE THEREON, WHICH MAY BE OR MAY BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.

10. NO STRUCTURE OF A TEMPORARY CHARACTER, TRAILER, BASEMENT, CAMPER, TENT, SHACK, GARAGE, BARN, OR OTHER OUTBUILDING SHALL BE USED AT ANY TIME AS A RESIDENCE EITHER TEMPORARILY OR PERMANENTLY.

11. 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 FOR SALE OR RENT, OR SIGNS USED BY A BUILDER TO ADVERTISE THE PROPERTY DURING THE CONSTRUCTION AND SALES PERIOD.

12. 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 WELLS, TANKS, TUNNELS, MINERAL EXCAVATIONS OR SHAFTS BE PERMITTED UPON OR IN ANY LOT. NO DERRICK OR OTHER STRUCTURE DESIGNED FOR USE IN BORING OIL OR NATURAL GAS SHALL BE ERECTED; MAINTAINED OR PERMITTED UPON ANY LOT.

13. 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 THAT THEY ARE NOT KEPT, BRED, OR MAINTAINED FOR ANY COMMERCIAL PURPOSE, THAT THEY ARE KEPT IN REASONABLE NUMBERS AND UNDER REASONABLE CONDITIONS SO AS NOT TO CREATE A NUISANCE AND NOT TO OTHERWISE UNREASONABLE DISTURB THE NEIGHBORS OR THE NEIGHBORHOOD.

14. NO LOT SHALL BE USED OR MAINTAINED AS DUMPING GROUND FOR RUBBISH TRASH, GARBAGE OR OTHER WASTE SHALL BE KEPT IN SANITARY CONTAINERS. ALL INCINERATORS OR EQUIPMENT FOR THE STORAGE OR DISPOSAL OF SUCH MATERIALS SHALL BE KEPT IN A CLEAN AND SANITARY CONDITION.

15. 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, THE SAME SIGHT-LINE LIMITATIONS SHALL APPLY ON ANY LOT WITHIN 10 FEET FROM THE INTERSECTION OF A STREET PROPERTY LINE AND THE EDGE OF A DRIVEWAY 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 EXTEND NEARER TO THE STREET THAN THE BUILDING SET BACK LINE.

16. EASEMENTS FOR INSTALLATION AND MAINTENANCE OF DRAINAGE FACILITIES ARE RESERVED AS SHOWN ON THE PLAT AND OVER THE REAR TEN FEET OF EACH LOT THEREIN, WITHIN THESE EASEMENTS, NO STRUCTURE, PLANTING OR OTHER MATERIAL SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY DAMAGE OR INTERFERE WITH THE INSTALLATION AND MAINTENANCE OF UTILITIES, OR WHICH MAY CHANGE THE DIRECTION OF FLOW OR WATER THROUGH CHANNELS IN THE EASEMENTS. THE EASEMENT AREA OF EACH LOT AND ALL IMPROVEMENTS IN IT

SHALL BE MAINTAINED CONTINUOUSLY BY THE OWNER OF THE LOT, EXCEPT FOR THOSE IMPROVEMENTS FOR WHICH A PUBLIC AUTHORITY OR UTILITY COMPANY IS RESPONSIBLE.

17. ONE DWELLING MAY BE ERECTED ON TWO OR MORE ADJOINING LOTS AND THE TRACT SO USED SHALL BE CONSIDERED AND REFERRED TO AS ONE LOT FOR THE PURPOSE OF THESE RESTRICTIONS AND THE RESTRICTIONS SHALL APPLY THE SAME AS IF SAID TRACT HAD BEEN ORIGINALLY PLATTED AND SHOWN AS ONE LOT ON THE PLAT.

18. NO BOAT, BOAT TRAILER, HOUSE TRAILER, HORSE TRAILER, TRAILER, CAMPER, MOTOR HOME OR ANY SIMILAR ITEMS SHALL BE STORED ON OR AT ANY LOT FOR A PERIOD OF TIME IN EXCESS OF FORTY-EIGHT (48) HOURS. UNLESS THE SAME ARE HOUSED IN A CARPORT OR GARAGE, OR PARKED BEYOND THE REAR LINE OF HOME CONSTRUCTED ON SUBJECT LOT AND OTHERWISE SCREENED SO THAT SAID ITEM CANNOT BE READILY SEEN FROM ANY ADJOINING STREET OR THE ADJACENT AND SURROUNDING PROPERTY.

19. ALL LOTS MUST BE MAINTAINED IN ACCORDANCE WITH CITY OF MONTGOMERY WEED CONTROL GUIDELINES AND NEIGHBORHOOD STANDARDS.

20. NO LUMBER, METALS, BUILD MATERIAL, REFUSE OF TRASH SHALL BE KEPT, STORED OR ALLOWED TO ACCUMULATE ON ANY PART OF THE PROPERTY, EXCEPT BUILDING MATERIALS USED DURING THE COURSE OF ORIGINAL CONSTRUCTION OF ANY APPROVED STRUCTURE, OR ANY APPROVED RENOVATION, REPAIR OF RECONSTRUCTION. IF TRASH OR OTHER REFUSE IS TO BE DISPOSED OF BY BEING PICKED UP AND CARRIED AWAY ON A REGULAR AND RECURRING BASIS, CONTAINERS MUST ONLY BE PLACED ON THE PROPERTY TO PROVIDE ACCESS TO PERSONS MAKING SUCH PICK-UP. AT ALL OTHER TIMES SUCH CONTAINERS SHALL BE STORED IN SUCH MANNER SO THAT THEY CANNOT BE SEEN FROM ADJACENT AND SURROUNDING PROPERTY.

21. VEHICLE PARKING ON THE STREET IN FRONT OF HOUSE SHALL BE LIMITED TO TEMPORARY PARKING OF GUESTS OF RESIDENT VEHICLES IN CURRENT USE AND CURRENTLY LICENSED. STORING AUTOMOBILES, TRUCKS, CAMPERS, BOATS, SNOWMOBILES, MOTORCYCLES, MOTOR BIKES OR ANY OTHER VEHICLE OF ANY OTHER DESCRIPTION IN THE STREET, DRIVEWAY, YARDS OF RESIDENCES, IN FRONT OF THE PRINCIPLE BUILDING SETBACK, LINES, IS SPECIFICALLY PROHIBITED. SUCH VEHICLES MUST BE STORED IN GARAGES, VEHICLE PARKING IN GRASS SHALL NOT BE PERMITTED.

22. NO COMMERCIAL PANEL TRUCK OR EQUIPMENT SHALL BE PERMITTED TO BE PARKED OR TO BE STORED AT ANY PLACE ON SUBJECT PROPERTY. THIS PROHIBITION ON PARKING AND STORAGE SHALL NOT APPLY TO TEMPORARY PARKING OF TRUCK AND/OR COMMERCIAL VEHICLES USED FOR PICK-UP AND DELIVERY.

23. ANY SUCH VEHICLE OR RECREATIONAL EQUIPMENT PARKED IN VIOLATION OF THESE REGULATIONS CONTAINED HEREIN OR IN VIOLATION OF THE RULES AND REGULATIONS NOW OR HEREAFTER ADOPTED BY THE HOMEOWNER ASSOCIATION, AT THE SOLE EXPENSE OF THE OWNER OF SUCH VEHICLE OR RECREATIONAL EQUIPMENT, IF THE VIOLATION OF SAID RESTRICTIONS REMAINS FOR A PERIOD OF MORE THAN FORTY-EIGHT (48) HOURS. THE HOMEOWNERS ASSOCIATION SHALL NOT BE LIABLE TO THE OWNER OF SUCH VEHICLE OR RECREATIONAL EQUIPMENT, NOR TO THE RESPECTIVE LOT OWNERS, FOR TRESPASS, CONVERSION OF OTHERWISE, NOR GUILTY OF ANY CRIMINAL OR QUASI CRIMINAL ACT

BY REASON OF SUCH TOWING, AND NEITHER ITS REMOVAL OR FAILURE OF TH OWNER TO RECEIVE ANY NOTICE OF SAID VIOLATION SHALL BE GROUNDS FOR RELIEF OR ANY TYPE. THE FOREGOING REMEDY IS IN ADDITION TO ANY OTHER REMEDY WHICH MAY EXIST WHETHER AT LAW OR IN EQUITY.

24. NO VEHICLE MAINTENANCE OR REPAIR SHALL BE PERFORMED ON ANY VEHICLE UPON ANY PORTIONS OF THE SUBJECT PROPERTY, UNLESS PERFORMED IN A GARAGE, EXCEPT IN AN EMERGENCY SITUATION, NOTWITHSTANDING THE FOREGOING, ALL REPAIRS TO DISABLE VEHICLES WITHIN THE PROPERTY MUST BE COMPLETED WITHIN FORTY-EIGHT (48) HOURS FROM ITS IMMOBILIZATION OR THE VEHICLE MUST BE REMOVED. THE HOMEOWNERS ASSOCIATION SHALL BE ALLOWED TO MAINTAIN AND STORE ITS MAINTENANCE VEHICLES, IT APPLICABLE, ON SPECIFIC AREAS OF THE PROPERTY AS NECESSARY FOR THE OPERATION AND MAINTENANCE OF THE COMMON AREAS OF THE SUBDIVISION.

25. NO WALL OR WINDOW AIR-CONDITIONING UNITS NOR SOLAR COLLECTORS SHALL BE PERMITTED IF VISIBLE FORM THE STREET.

26. ALL MAILBOXES SHALL BE WROUGHT IRON DESIGNS WITH HOUSE NUMBERS PROMINENTLY DISPLAYED.

27. ONLY SODDED YARDS WILL BE ALLOWED WITH ROCK GARDEN OR NATURAL AREAS COMPRISING NO MORE THAN 25% OF THE FRONT PLANTING AREA.

28. TREE HOUSES, ATHLETIC EQUIPMENT, PLAYGROUND EQUIPMENT AND SIMILAR STRUCTURES ARE NOT PERMITTED IN THE FRONT YARD. ANY FIXED SPORTING EQUIPMENT MUST BE PLACED BEHIND THE BUILDING LINE AND SHALL NOT BE EASILY VISIBLE FROM THE STREET.

29. NO GARAGES OR CARPORTS WILL BE ALLOWED FACING THE STREET. GARAGES, NOT CARPORTS, MAY BE ON FRONT OF DWELLING IF DOORS OPEN TO THE SIDE. ALL GARAGE DOORS MUST BE KEPT OPERABLE AND CLOSED WHEN NOT IN USE. INTERPRETATION OF GARAGE STRUCTURES WILL BE AT THE DISCRETION OF THE ARCHITECTURAL COMMITTEE. ONE SET OF PRELIMINARY PLANS MAY BE SUBMITTED FOR REVIEW IF PURCHASER IS UNSURE OF COMPLIANCE.

30. ALL FENCES WILL BE INSTALLED WITH THE FINISHED SIDE FACING OUT ON THE FRONT, SIDE FACING A STREET AND MUST BE BEHIND ALL BUILDING LINES FACING THE STREET.