

KNOW ALL MEN BY THESE PRESENT that, I, Ada Belle Winthrop, a widow, of the County of Leon and State of Florida, individually and as executrix, under the last will and testament of Guy L. Winthrop, late of the same County and State, deceased, and owner in fee simple of Betton Hill Ninth Addition according to map and plat thereof appearing of record in Plat Book at page of the public records of Leon County, Florida, do hereby impose upon the said lands included in said map or plat of subdivision and upon each and every part of said land so included, the following covenants and restrictions to run with the land and which shall be binding on and upon all parties and all persons claiming, through or under us, or any of us, until the first day of January, A. D. 2000, 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 in said subdivision it is agreed to change said covenants in whole or in part, in any such vote the then property holders to be entitled to one vote for each lot or major portion thereof.

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

INVALIDATION of any of these covenants by judgement, court order or otherwise shall in no wise affect any of the other provisions, all of which not so invalidated shall remain in full force and effect.

The covenants and restrictions hereby imposed upon the land in said subdivision are as follows, to-wit:

- A. All lots in the tract shall be known and described as residential lots. No structure shall be erected, altered, placed or permitted to remain on any residential plot other than one detached single-family dwelling not to exceed two stories in height and a private garage for not more than three cars, and a laundry or tool room attached to a garage on the ground floor.
- B. No building shall be erected, placed or altered on any building plot in this subdivision until the building plans, specifications and plat plan showing the location of such building have been approved in writing as to conformity and harmony of external design with existing structure in the subdivision and as to location of the building with respect to topography and finished ground elevation by a committee composed of Ada Belle Winthrop, A. J. Livingston, Grady W. Hartley, Julian Alford, Mrs. Gertrude Allen, and such other persons as they, or the survivors of them, may add to said committee, or by a representative designated by a majority of the members of said committee. In the event of death or resignation of any member of said committee the remaining member, or members, shall have full authority to elect successors and to approve or disapprove such design and location, or to designate a representative with like authority. In the event said committee, or its designated representative, fails to approve or disapprove such design and location within thirty (30) days after said plans and specifications have submitted to it, or, in any event if no suit to enjoin the erection of such building or the making of such alterations has been commenced prior to the completion thereof, such approval will not be required and this covenant will be deemed to have been fully complied with. Neither the members of such committee, nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant. The powers and duties of such committee, and its designated representative shall cease on and after January 1st, 2000. Thereafter the approval described in this covenant shall not be required unless prior to said date and effective thereon, a written instrument shall be executed by the then record owners of a majority of the lots in this subdivision and duly recorded appointing a representative, or representatives who shall thereafter exercise the same powers previously exercised by said committee.
- C. No building shall be located nearer the front lot line or nearer the side street line than forty (40) feet or farther from the front lot line or side street line than sixty (60) feet. No building except a detached garage or other outbuilding located eighty (80) feet or more, from the front lot line, shall be located nearer than twelve (12) feet to any side.
- D. No residential structure shall be erected, placed, or maintained on any plot unless the same contains at least one entire lot according to the plat of Betton Hill Subdivision Ninth Addition.
- E. No noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be done or kept thereon which may be or become an annoyance or nuisance to the neighborhood.
- F. No trailer, basement, tent, shack, garage, barn or other outbuilding 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.
- G. The ground floor area of the main building, exclusive of one-story open porches and garages, shall be not less than sixteen hundred and fifty (1650) square feet in the case of a one-story structure nor less than fourteen hundred (1400) square feet in the case of a one and one-half story structure.

IN TESTIMONY WHEREOF Ada Belle Winthrop, individually and as executrix under the last will and testament of Guy L. Winthrop, deceased, has hereunto set her hand and seal this day and year first above written.

Signed, sealed and delivered in the presence of:

C. A. Turner

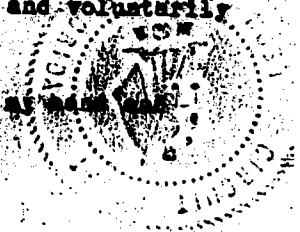
Ada Belle Winthrop (SEAL)
Ada Belle Winthrop, individual
and as executrix U/W
Guy L. Winthrop, deceased.

Lou E. Scott

STATE OF FLORIDA
COUNTY OF LEON:

Before me, the undersigned authority, this day personally appeared Ada Belle Winthrop, a widow, to me well known and known to me to be the person described in and who executed the above and foregoing instrument of writing and acknowledged before me that she executed the same individually and as executrix under the last will and testament of Guy L. Winthrop, deceased, freely and voluntarily for the uses and purposes therein set forth.

IN TESTIMONY WHEREOF I have hereunto set my hand and official seal this the 3 day of January, 1965.



Paul E. Hartsfield Clerk Circuit Court
By Lou E. Scott D.C.