2/2

COUNTY OF PEARL RIVER

WAIVER AND AMENDMENT OF RESTRICTIVE COVENANT PROVISION

of Pearl River, County, Mississippi, in Slide No. A-195 McCoy, Robin Jeremy Weir and wife, Tracy M. Weir, Dana E. Smith and wife Vickie L. Smith, Clay Framing Contractors, Inc., by Clay Stockstill, Trenton Brock McCoy and wife, Heather L. Sampson, Thomas S. Teague, Staci R. Lumpkin a/k/a Staci S. Stockstill, Robert C. Piot and wife, Subdivision, which the Official Plat thereof is currently on file in the Office of the Chancery Clerk (66 2/3) percent of the owners of the lots in that certain subdivision known as, Hidden Oaks Pamela D. Piot, Joseph M Duzac, Sr. and wife, Deborah M. Duzac, Gary Petit, Jay F. Harvey, Anthony J. Sghranbrach and wife, Kristy V. Sghranbrach, constituting Sixty Six and Two-Thirds WHEREAS, the undersigned, Rocky N. Lumpkin, Diane B. Lumpkin, James B

by those certain covenants, conditions and restrictions set forth and attached herein as Exhibit "A". WHEREAS, the Hidden Oaks Subdivision is burdened and otherwise encumbered

subdividing of any and all of the lots contained in the Hidden Oaks Subdivision, said provision conditions and restrictions set forth in Exhibit "A" attached hereto specifically prohibits the reading as follows to-wit: WHEREAS, Paragraph Twelve (12) of the hereinbefore described covenants,

"12. No parcel may be divided. Only one living unit shall be allowed on each tract."

conditions and restrictions set for the in Exhibit "A" specifically provides for the modification, by a sixty-six and two-thirds percent (66 2/3%) majority vote of the lot owners of Hidden Oaks amendment and/or termination of the hereinbefore described covenants, conditions and restrictions Subdivision WHEREAS, Paragraph Sixteen (16) of the hereinbefore described covenants.

owners of Hidden Oaks Subdivision and do hereby agree, consent and approve the following of Hidden Oaks Subdivision to read as follows, to-wit: change and/or amendment to Paragraph 12, of the subject covenants, conditions and restrictions WHEREAS, the undersigned constitute the a 66 2/3 percent majority of the lot

"Parcels may be subdivided into lots no less than one (1) acre each. Only one living unit shall be allowed on each tract."

735

conditions and/or restrictions of the Hidden Oaks Subdivision described herein as Exhibit "A" their agreement, consent, approval and/or ratification relative to the alteration of the covenants. WHEREAS, it is the intention of the undersigned hereto to memorialize in writing

are hereby amended, modified and changed accordingly as set forth above and restriction of Hidden Oaks Subdivision, Pearl River County, Mississippi, be, and the same and/or finance of the lots of Hidden Oaks Subdivision, Paragraph 12 of the covenants, conditions WHEREAS, upon reasonable consideration and further, to effect the sale, purchase

currently on file in the Office of the Chancery Clerk of Pearl River County, Mississippi, in Slide conditions and restrictions of the Hidden Oaks Subdivision which is an Official Plat of record by their presents, hereby amend, modify, change and/or alter only Paragraph 12 of the covenants A-195 as follows, to-wit: sufficiency of all of which is hereby acknowledged and confessed, the undersigned have and do AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations, the receipt and NOW, THEREFORE, FOR AND IN CONSIDERATION of the sum of TEN

"Parcels may be subdivided into lots no less than one (1) acre each. Only one living unit shall be allowed on each tract."

WITNESS our signatures on this, the day of A.D., 1999.

Owner Lots 11,13,14,15 &16

Owner Lots 11,13,14,15 &16

-

Owner Lot 17 & part of Lot 16

Owner Lot 17 & part of Lot 16

Owner Lot 12

DIANE B. LUMPKIN

LAMES E SAMPSON

K.

JAMES E. SAMPSON

Thomas S. Teague
THOMAS S. TEAGUE

STACI R. LUMPKIN a/k/a STACI S. STOCKSTILL

Owners of Lot 24

ROBERT C

PIOT

PAMELA D. PIOT

Jasaphine D. Charles 1988PH M. BUZAC, SR.

DEBORAH M. DUZAC

Owners of Lots 11, 18, 19, 25

GARY PETIT

Owner of Lot 27

FRAMING CONTRACTORS, INC.

Owner Lot 22

CLAY STOCKSTILL

TRENTON BROCK McCOY

Owner Lot 10

HEATHER L. McCOY eathers.

ROBIN JEREMY WEIR

TRACY M. WEIR

Owners Lot 5, 6

Owner Lot 3

2/2

DANA E. SMIT

DANA E. SMITH

Owners Lot 21

Madel Klubul

VICKIE L. SMITH

ANTHONY J. SGHERNBRACH

RISTY V. SGHERNBRACH

STATE OF MISSISSIPPI

COUNTY OF PEARL RIVER

jurisdiction aforesaid, the within named ROCKY purposes therein contained. Waiver and Amendment of Restrictive Covenant Provision on the day, in the year, and for the LUMPKIN, who acknowledged to me that they signed, executed and delivered the foregoing PERSONALLY came and appeared before me, the undersigned authority, in and for the LUMPKIN and wife, DIANE

GIVEN under my hand and official seal of office, upon this, the $\stackrel{\textstyle \iota}{\underline{\mathcal{E}}}$

A.D., 1999. 2000

My Commission Expires:

PUBLIC

9

4-12-2002

STATE OF MISSISSIPPI

COUNTY OF PEARL RIVER

jurisdiction aforesaid, the within named JAMES E. SAMPSON, who acknowledged to me that he signed, executed and delivered the foregoing Waiver and Amendment of Restrictive Covenant Provision on the day, in the year, and for the purposes therein contained. PERSONALLY came and appeared before me, the undersigned authority, in and for the

GIVEN under my hand and official seal of office, upon this, the 12 day of

A.D., 1999. 2000

My Commission Expires:

4-12-2002

STATE OF MISSISSIPPI

5/30

COUNTY OF PEARL RIVER

he signed, executed and delivered the foregoing Waiver and Amendment of Restrictive Covenant jurisdiction aforesaid, the within named THOMAS S. TEAGUE, who acknowledged to me that Provision on the day, in the year, and for the purposes therein contained. PERSONALLY came and appeared before me, the undersigned authority, in and for the

A.D., GIVEN under my hand and official seal of office, upon this, the 6 day of $99.2 \circ 0$

SOTARY PUBLIC

My Commission Expires:

STATE OF MISSISSIPPI

COUNTY OF PEARL RIVER

jurisdiction aforesaid, the within named STACI R. LUMPKIN, a/k/a STACI S. STOCKSTILL contained who acknowledged to me that she signed, executed and delivered the foregoing Waiver and Amendment of Restrictive Covenant Provision on the day, in the year, and for the purposes therein PERSONALLY came and appeared before me, the undersigned authority, in and for the

A.D., 1999.2000 GIVEN under my hand and official seal of office, upon this, the day of

NOTARY PUBLIC

My Commission Expires:

STATE OF MISSISSIPPI

COUNTY OF PEARL RIVER

acknowledged to me that they signed, executed and delivered the foregoing Waiver and jurisdiction aforesaid, the within named ROBERT C. PIOT and wife, PAMELAD. PIOT who Amendment of Restrictive Covenant Provision on the day, in the year, and for the purposes therein PERSONALLY came and appeared before me, the undersigned authority, in and for the

GIVEN under my hand and official seal of office, upon this, the 6 _ day of

OTARY PUBLIC

My Commission Expires:

COUNTY OF PEARL RIVER

and Amendment of Restrictive Covenant Provision on the day, in the year, and for the purposes jurisdiction aforesaid, the within named JOSEPH M. DUZAC, SR. and wife, DUZAC, who acknowledged to me that they signed, executed and delivered the foregoing Waiver PERSONALLY came and appeared before me, the undersigned authority, in and for the DEBORAH M.

A.D., therein contained. GIVEN under my hand and official seal of office, upon this, the $\frac{\mathcal{L}}{\mathcal{L}}$ 2000 _ day of

OTARY PUBLIC

My Commission Expires:

4007

STATE OF MISSISSIPPI

COUNTY OF PEARL RIVER

executed and delivered the foregoing Waiver and Amendment of Restrictive Covenant Provision jurisdiction aforesaid, the within named GARY PETIT, who acknowledged to me that he signed, on the day, in the year, and for the purposes therein contained. PERSONALLY came and appeared before me, the undersigned authority;

A.D., 1999 GIVEN under my hand and official seal of office, upon this, the 6 _ day of 😾

My Commission Expires:

STATE OF MISSISSIPPI

COUNTY OF PEARL RIVER

jurisdiction aforesaid, the within named JAY F. HARVEY, who acknowledged to me that he Provision on the day, in the year, and for the purposes therein contained signed, executed and delivered the foregoing Waiver and Amendment of Restrictive Covenant PERSONALLY came and appeared before me, the undersigned authority, in and

A.D., 1999 GIVEN under my hand and official seal of office, upon this, the 2 _ day of

My Commission Expires:

NOTARY

PUBLIC

2002

COUNTY OF PEARL RIVER STATE OF MISSISSIPPI

purposes therein contained STOCKSTILL who acknowledged to me that he signed, executed and delivered the foregoing PERSONALLY came and appeared before me, the undersigned authority, in and for the jurisdiction aforesaid, the within named CLAY FRAMING CONTRACTORS, INC., CLAY Waiver and Amendment of Restrictive Covenant Provision on the day, in the year, and for the

GIVEN under my hand and official seal of office, upon this, the $\frac{\cancel{6}}{\cancel{6}}$ _ day of

A.D., 1999. 2000

My Commission Expires:

STATE OF MISSISSIPPI

COUNTY OF PEARL RIVER

jurisdiction aforesaid, the within named TRENTON BROCK McCOY and wife purposes therein contained Waiver and Amendment of Restrictive Covenant Provision on the day, in the year, and for the McCOY, PERSONALLY came and appeared before me, the undersigned authority, in and for th who acknowledged to me that they signed, executed and delivered the foregoing

A.D., 東東、2000C GIVEN under my hand and official seal of office, upon this, the 6 day of

My Commission Expires:

STATE OF MISSISSIPPI

COUNTY OF PEARL RIVER

jurisdiction aforesaid, the within named ROBIN JEREMY WEIR and wife, TRAC contained. Amendment of Restrictive Covenant Provision on the day, in the year, and for the purposes therein who acknowledged to me that they signed, executed and delivered the foregoing Waiver and PERSONALLY came and appeared before me, the undersigned authority

A.D. ののの形を強 GIVEN under my hand and official seal of office, upon this, the 6 day of Fran

My Commission Expires:

TARY PUBLIC

STATE OF MISSISSIPPI

COUNTY OF PEARL RIVER

125

PERSONALLY came and appeared before me, the undersigned authority, in and for the jurisdiction aforesaid, the within named **DANA E. SMITH and wife, VICKIE L. SMITH,** who contained. Amendment of Restrictive Covenant Provision on the day, in the year, and for the purposes therein acknowledged to me that they signed, executed and delivered the foregoing Waiver

GIVEN under my hand and official seal of office, upon this, the 1999 2000 day of

MOTARY PUBLIC

My Commission Expires:

4-12-2000

STATE OF MISSISSIPPI

COUNTY OF PEARL RIVER

foregoing Waiver and Amendment of Restrictive Covenant Provision on the day, in the year, and for the purposes therein contained. jurisdiction aforesaid, the within named ANTHONY J. SGHERNBRACH and wife, KRISTY SGHERNBRACH who acknowledged to me that they signed, executed and delivered the PERSONALLY came and appeared before me, the undersigned authority, in and for the

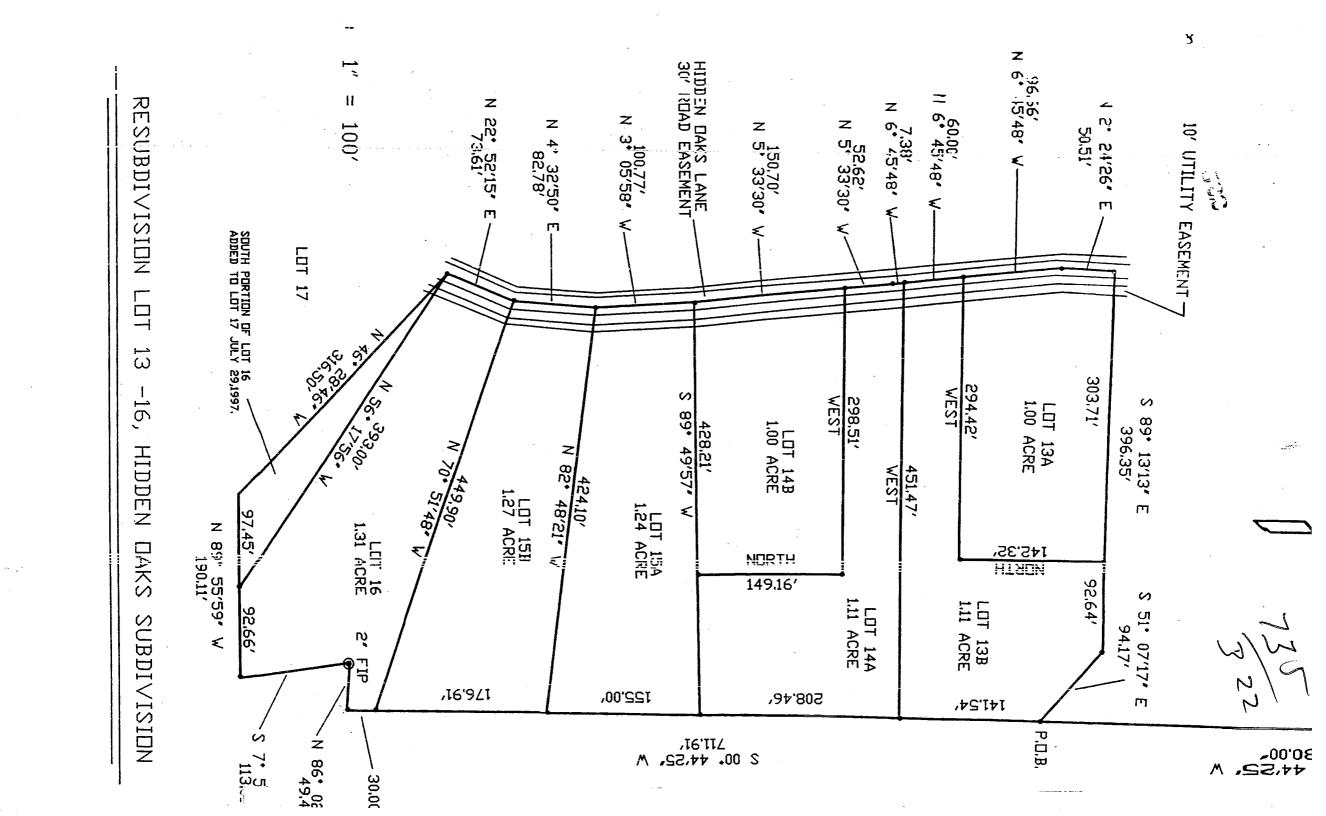
GIVEN under my hand and official seal of office, upon this, the _ day of _

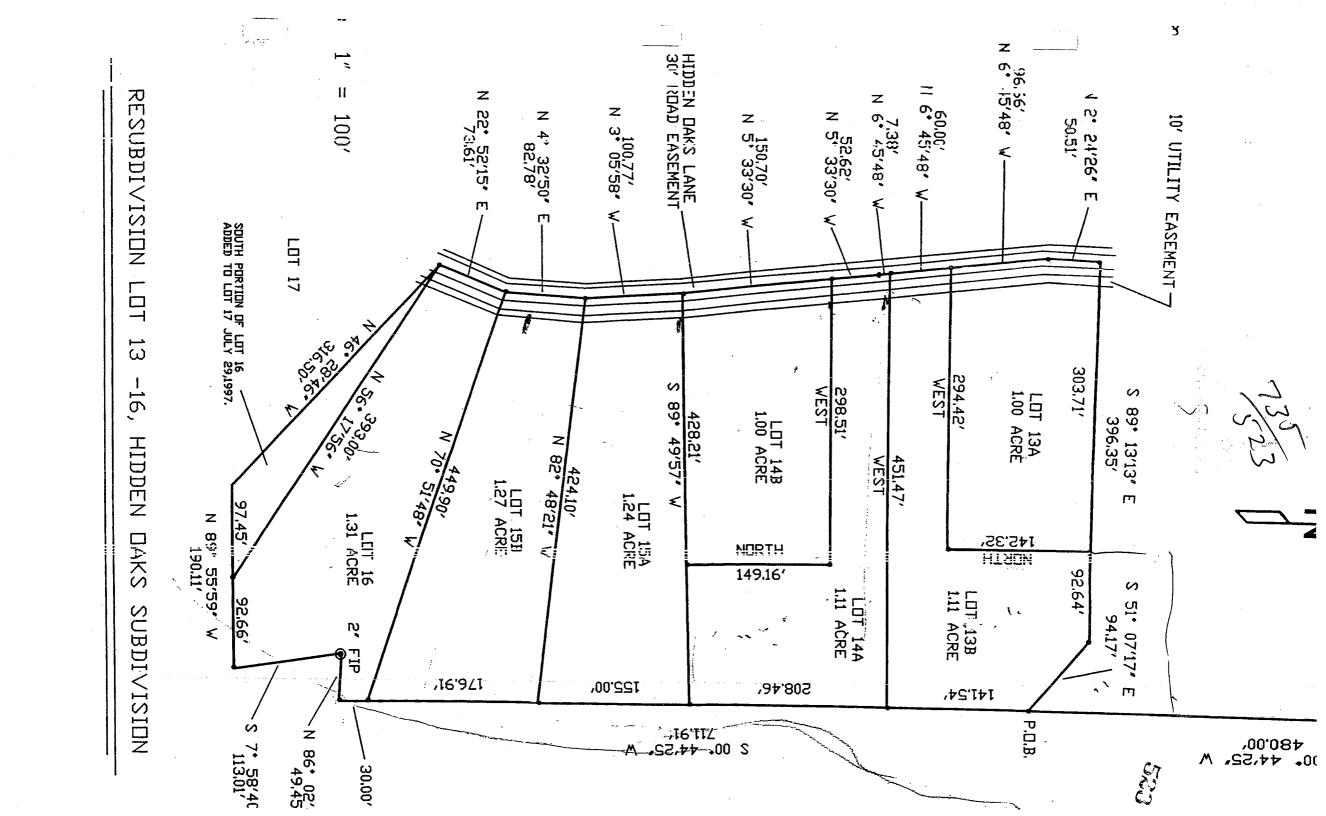
NOTARY PUBLIC

My Commission Expires:

4-12-2002

PLEASE INDEX: Lots 1 through 27 Hidden Oaks Subdivision







same is now dilly recomme my office on the STATE OF MISSISSUPPI Given under my hand and Seal of office thi webs certify the foregoing instrument was filed for record in Part Har M. and that the Chancery Clerk

PROTECTIVE COVENANTS

- I. Lots shall be used for residential purposes only
- 'n finished dwellings of generally accepted building material and constructed according to conventional methods of construction, using conventional materials, and completed All residences constructed on any parcel of the above described property shall be fully within six (6) months from the date construction is conunenced
- سز area, exclusive of basements, porches, and garages All residences must have a minimum of 1400 square feet of heated and cooled floor
- ÷-No mobile homes shall be located on the above described property at any time
- Ş. No travel trailer, basement, tent, shack, garage, barn or any other separate out building shall be used as a residence. Any separate structure such as equipment sheds, animal shelters, barns, green houses, out-buildings or storage buildings must be placed to the rear of the dwelling. Any boats or RV's must also be placed to the rear of the dwelling.
- 9 Commercial or industrial use of any part of this property is prohibited.
- . ~ No structure shall be constructed or placed nearer than seventy-live feet from the front restriction shall not apply to driveways or mailboxes. boundary line or twenty-five feet from the side and rear boundary lines. This
- ≎ the Mississippi State Board of Health Regulations. Individual sewage disposal systems (septic tanks) shall be installed in accordance with
- <u>.</u>و The dumping, storing or accumulation of trash, debris, junk or junk cars on this property is prohibited. Junkyard is defined as two (2) or more inoperative vehicles.
- <u>=</u> No chicken, swine, goals, caltle or horses shall be permitted on this property. to become a nuisance or hazard to other property owners. reasonable number of pets may be kept on each parcel, provided they are not allowed
- Ξ No noxious, immoral, illegal or offensive activity shall be carried on upon any lot nor the public shall anything be done hereon which may be or become an annoyance or nuisance to
- <u>.</u>2 No parcel may be divided. Only one living unit shall be allowed on each tract.
- 13. Each lot shall be kept in a clean and sightly condition

- Developer, or its assigns, shall have the right, but not the obligation, to clean up court, to recover all damages incurred. on the owner's land in the office of the Chancery Clerk and file suit in the appropriate action and incurs expenses therefore, developer shall be entitled to impress a lien enforce these covenants. If developer, or its assigns, is required to take such debris, trash, junk, cut grass or take any other actions as it deems necessary to
- Fires must be enclosed, contained and carefully supervised
- 5 These covenants shall run with and bind the land, and shall insure to the benefit of renewed for successive ten (10) year periods thereafter unless modified, amended, of twenty (20) years from the date of this instrument and shall be automatically and be enforceable by the owner of any part or parcel of the herein above described land, their respective legal representatives, heirs, successors, and assigns for a term or terminated by a 66 2/3 percent majority vote of the lot owners.

_	
7	١
•	
_	
2	
_	
_ ⊆	
≍	
ెద	
'n	
ىد	
7	•
0	
≤ .	
O	
_	
2	
Ξ	
•	
	•
G.	
_	
=	•
≅	
- 2	
Œ.	
=	
- 22	
ಶ	
==	
ૅ	
_	
≅_	
≋	
\sim	
ä	
\ 	
ე 🛱	
≂	
- 2	
≲	
Ħ	
≟	
O	
≍	•
	;
Ć	
≝	
=	
Э	
-	
No tences above four feet in height shall be placed anywhere in front of a dwelling.	
2	
7	•
<u> </u>	
- 3	
Ξ	•
(10	
9-4	

BEFORE ME THIS 11TH DAY OF DECEMBER 1995

Given under

S. S. Williams & A. S.

M. And that the .4 for record in

of Record

Chancery Clerk

200

HIDDEN OAKS

PROTECTIVE COVENANTS

- Lots shall be used for residential purposes only.
- 12 from the date construction is commenced dwellings of generally accepted building material and constructed according to conventional methods of construction, using conventional materials, and completed within six (6) months All residences constructed on any parcel of the above described property shall be fully finished
- ω exclusive of basements, porches, and garages. All residences must have a minimum of 1400 square feet of heated and cooled floor area,
- 4. No mobile homes shall be located on the above described property at any time
- S barns, green houses, out-buildings or storage buildings must be placed to the rear of the be used as a residence. Any separate structure such as equipment sheds, animal shelters, No travel trailer, basement, tent, shack, garage, barn or any other separate out building shall Any boats or RV's must also be placed to the rear of the dwelling.
- 9 Commercial or industrial use of any part of this property is prohibited
- .7 not apply to driveways or mailboxes No structure shall be constructed or placed nearer than seventy-five feet from the front boundary line or twenty-five feet from the side and rear boundary lines. This restriction shall
- ∞ Mississippi State Board of Health Regulations Individual sewage disposal systems (septic tanks) shall be installed in accordance with the
- 9 The dumping, storing or accumulation of trash, debris, junk or junk cars on this property is prohibited. Junkyard is defined as two (2) or more inoperative vehicles.
- 10. nuisance or hazard to other property owners. No chicken, swine, goats, cattle or horses shall be permitted on this property. pets may be kept on each parcel, provided they are not allowed to become A reasonable
- Ξ. anything be cone hereon which may be or become an annoyance or nuisance to the public No noxious, immoral, illegal or offensive activity shall be carried on upon any lot nor shall
- 12. No parcel may be divided. Only one living unit shall be allowed on each tract.
- 13. Each lot shall be kept in a clean and sightly condition.
- 14. junk, cut grass or take any other actions as it deems necessary to enforce these covenants developer shall be entitled to impress a lien on the owner's land in the Office of the Chancery Developer, or its assigns, shall have the right, but not the obligation, Clerk and file suit in the appropriate court, to recover all damages incurred If developer, or its assigns, is required to take such action and incurs expenses therefore, to clean up debris, trash,
- 15 Fires must be enclosed, contained and carefully supervised
- 16. enforceable by the owner of any part or parcel of the herein above described land, their from the date of this instrument and shall be automatically renewed for successive ten (10) respective legal representatives, heirs, successors, and assigns for a term of twenty (20) years These covenants shall run with and bind the land, and shall insure to the benefit of and be

year periods thereafter unless modified, amended, or terminated by a 66 2/3 percent majority vote of the lot owners.

17. No fences above four feet in height shall be placed anywhere in front of a dwelling WITNESS my signature, upon this, the √w 20 day of February, A.D., 1997

Luptpkin

STATE OF MISSISSIPPI COUNTY OF PEARL RIVER

therein contained. and delivered the Hidden Oaks, Protective Covenants on the day, in the year, and for the purposes aforesaid, the within named Rocky N. Lumpkin, who acknowledged to me that he signed, executed, PERSONALLY appeared before me, the undersigned authority in and for the jurisdiction

GIVEN under my hand and official seal of office, the 20 day of February, A.D., 1997.

mission Expires:

Notary Rub

my office on the ない matesissim do mata Given under my hand and Earl of chico this MELLINITED SOUTH A BEEN at was filed for record in And that the hcery Clerk 797

was berevocen in her saw anakiom framoning This survey confronts to the attackoids of a State and Masterippi Minimum Statebards. Bearings are according to a file in the Office of the Charactery Clerk feet and 25 feet from the side and rear boundary lines of each lot. NOJE: The building set back lines are 25 feet from the front boundary line (hence N 89.22/2014) Se 71 feet to the Point of Segment the MOSTH margin of Burgetoen Roods thence was a second courses. N 49:00/55"E. 20.20 feet thence it as a second courses. New Margin 100.39 feet, thence it as a second course in the second course in 54 MULTIN TOWN acelli. ACTEL! 212.00 100,081 2.425 Acres 9 The of less, Helicen 89 55.58 (200 199), there is a considerate of less, Helicen 89 55.58 (200 199), the fact that the considerate of the consider TO UNILITY 1.813 Acres mover. At liabilized to \$\frac{1}{1}\$ and \$\frac{1}\$ and \$\frac{1}{1}\$ and \$\frac{1}{1}\$ and \$\frac{1} 1.023 Acres (2d) - 1015 Acres (8) 1.019 Acres TICHTU '01 TICHTICANA **(6)** 208 YOUR (21) 100.00° 44'25° E (-+) ,21°98 M ,82,22,59 2.218 Across 121.03 (+-) 8 08,21,33" M (+1)

MINUTES BOARD OF SUPERVISORS JULY TERM, PEARL RIVER COUNTY, MISSISSIPPI 2003

ORDER TO OF HIDDEN HIDDEN APPROVE APPLICATION 02S-05 OAKS SUBDIVISION FOR RESUBDIVISION OF LOTS 16-17

Hidden to approve application 028-05 Supervisors There Oaks came of Pearl Subdivision. on this day to be River County, 보 o 타 considered by resubdivision Mississippi, the the of lots matter of Board of 16-17 О Н

Thigpen, Upon motion made by Troy Stockstill and seconded by Robert the following order was adopted, to-wit

17 t 0 O Fi approve Вe Hidden H Ordered by the the Oaks application 02S-05 Subdivision Pearl River from for property the County Board resubdivision owner Rocky N. О Н Supervisors O Fi Lumpkin. 16-

Ordered and adopted, this the 28th day O.fr July, 2003

Voting AYE: Anthony Hales, Robert Thigpen and Troy Charles Ray Perry, Larry Davis, y Stockstill.

Voting NAY: None.

: ·,·

7.7

ORDER APPROVING APPLICATION FOR RESUBDIVISION OF HIDDEN OAKS SUBDIVISION LOTS 13-15 NI

Supervisors of approving application There came Pearl River County, Mississippi, the on this day to be considered by the for Hidden Oaks Subdivision. Board of matter O Ffi

Upon motion made by Charles Ray Perry the following order was adopted, and seconded to-wit: by Robert

Oaks that Subdivision the application for resubdivision for lots 13-15 O D It Ordered by the Pearl River County Board be approved. 0 in the Hidden Supervisors

and adopted, this the 26th day О Н June, 2000

Voting AYE: Charles Ray Perry, Troy Stockstill. Larry Davis, Robert Thigpen and

Voting NAY: None

Absent: Anthony Hales.

ORDER APPROVING HIDDEN OAKS SUBDIVISION

approving Supervisors There Hidden came on of Pearl Oaks this day River County, Subdivision to be considered by the Mississippi, the matter of Board of

Thomas F. Upon motion made Spiers, the by Charles Ray following order Stockstill was adopted, and to-wit: seconded by

this that Clerk's Office. Board and the plat Вe H Ordered by of Hidden Oaks that said plat the Pearl River Subdivision be shall be recorded with the Chancery County Board approved 0 and accepted Supervisors Уď

the accepted by County Road В е Ηt Further this Board Department Ordered that as public the roads and shall be maintained roads in said subdivision be Уď

Ordered and adopted, this the 20th day O Hi November, 1997.

Voting AYE: Anthony Hales, Perry, Luther , Charles Ladner, a s Ray and ' Thomas F. Spiers. Ray

Voting NAY: None.

Hidden Amend Coveran Lovenants axs

2006