

After recording, return to:
Carrie P. Trotter
Tilley Deems & Trotter, LLC
P.O. Box 2943
Cartersville, GA 30120

STATE OF GEORGIA
POLK COUNTY

DECLARATION OF PROTECTIVE COVENANTS

This Declaration, made and published this ____ day of _____, 2019, by **JERRY BARNETTE**, (“Declarant”).

WITNESSETH:

WHEREAS, Declarants are the owners of that certain parcels of land lying and being in Land Lots 11, 12, 61 and 62 of the 18th District and 3rd Section of Polk County, Georgia, as shown on a plat thereof being recorded in Plat Book EE at Page 274 of the records of Polk County, Georgia, for which specific reference is hereby made for a more definite and complete description of the herein property; and

WHEREAS, it is in the best interest, benefit and advantage of the Declarants and their successors in ownership of said lots or parcels that certain protective covenants governing and regulating the use and occupancy of same be established, set forth and declared to be covenants running with the above described land.

NOW THEREFORE, in consideration of the said benefits, the undersigned do hereby proclaim, publish, and declare the following protective covenants to apply to said lots or parcels and to all persons owning said lots or parcels, 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 Declarants until terminated by operation of law, or twenty-five (25) years, whichever shall first occur:

1. Each lot shall be used for residential purposes, and shall not be subdivided, and shall not have more than one single family dwelling erected on it.
2. Each single family dwelling shall have not less than 1,700 square feet of heated, enclosed area, excluding the carport, garage, open porches and basement.

3. All carports must be double carports, with any carport opening toward a street containing a carport door. If the carport does not open toward a street, the wall facing the street must be solid. If a house is located on a corner lot, the walls facing both streets must be solid or have a carport door.
4. All driveways must have a concrete entrance transition of twenty (20) feet, beginning at the public road.
5. All foundations must have a finish of brick, stone or stucco. No concrete blocks will be exposed at any level.
6. No junk cars, or cars without a current year tag, will be placed or put upon any lot at any time.
7. No garbage, household nature or otherwise, will be burned on any lot or in any type of container on any lot.
8. No rubbish or debris of any kind shall be dumped, placed, or permitted to accumulate upon any portion of any owner's lot so as to render the same unsanitary, unsightly, or offensive. No nuisance shall be permitted to exist upon any portion of the property.
9. All yards must be grassed and properly maintained as to give cover of soil to eliminate erosion.
10. No commercial trucks or buses (including school buses) will be stored or parked on the property except while engaged in transporting to and from property.
11. No recreational vehicles or campers will be located closer to any street than the rear of the house. All recreational vehicles or campers must be parked on the rear of the house so as not to be a nuisance to the neighborhood.
12. There shall be no exterior clothes lines.
13. All drainage areas must be maintained, mowed, and generally well-kept at all times.
14. No mobile homes, moveable homes, modular homes, trailers, moved-in houses, or prefabricated houses shall be placed upon any lot.
15. No temporary house, camper, trailer, or tent shall be placed or put upon any lot for use as a residence.
16. No duplex or other multi-family residences shall be constructed on any lot.
17. No business, commercial, trade or manufacturing activity shall be conducted on any lot.
18. No signs or advertising shall be displayed on property except for purpose of the sale of the subject property.
19. Structures shall be set back at least 50 feet from the right-of-way of the street and at least 15 feet from the side or rear lines of any lot.

20. All outbuildings shall be of the same quality (siding or material and color) as the house erected on the lot and no used outbuildings shall be allowed. Wood sided barns are acceptable.
21. No outside TV dish or satellite dish or antenna with the size of three (3) feet or more in diameter shall be permitted or erected on any lot. A TV Dish or satellite dish or antenna smaller than three (3) feet must be installed at the rear of the house.
22. Utilities to the property will be installed underground.
23. The Declarant, while he owns one or more parcels included in this Declaration, may waive or amend any item in this Declaration. At such time as Declarant no longer owns at least one parcel subject to this Declaration, a majority of the property owners, with one vote per parcel owned, may by vote elect to waive or amend any item in this Declaration.

IN WITNESS WHEREOF, the undersigned have caused this Declaration to be executed on the day and year first above written.

Signed, sealed and delivered in the
Presence of the undersigned:

Witness

By: **JERRY BARNETTE**

Notary Public