

STATE OF GEORGIA  
COUNTY OF UNION

DECLARATION OF RESTRICTIONS

The undersigned Owners, HOMESTEAD AT SHARPTOP, by these presence hereby make, declare and impose upon referenced parts of described property the following conditions, restrictions and limitations which shall be and constitute running with the land and shall be binding under it, and each and all subsequent purchasers, their heirs, personal representatives, successors and assigns of said property or any part, parcel or portion thereof, described as follows:

All that tract or parcel of land lying and being in the 9<sup>th</sup> District, 1<sup>st</sup> Section, Land Lots 288 & 289 of Union County, Georgia, containing 31.93 acres, more or less and being shown as Lot 1-33 on a plat of survey by Blairsville Surveying, RS #2228, dated 4/1/95, revised 11/30/95 and 11/22/00, recorded in Plat Book 46 page 225 Union County records, which description on said plat is hereby incorporated by reference and made a part hereof.

NOW THEREFORE, Owners hereby declare that all the above-described property is hereby subjected to this Declaration and shall be held, transferred, sold, conveyed, used, occupied and mortgaged or otherwise encumbered subject to this Declaration, and to the covenants, restrictions, easements (sometimes referred to as the "covenants and restrictions") hereinafter set forth. Every grantee of any interest in any property now or hereafter made subject to this Declaration, by acceptance of a Deed or other conveyance, whether or not such deed or other conveyance shall be signed by such person and whether or not such person shall otherwise consent in writing, shall take subject to this Declaration and to the terms and conditions hereof and shall be deemed to have assented to said terms and conditions.

1. LAND USE: All lots or tracts shall be used for single family residential purposes only.
2. SUBDIVISION: No lot shall be re-subdivided in lots or tracts, which are less than one (1) acre in size.
3. TEMPORARY STRUCTURE: No structure of a temporary character shall be placed upon any portion of the property at any time, provided however, that this prohibition shall not apply to shelters used by contractors during the construction of any dwelling.
4. DWELLING TYPE: No mobile home, outbuildings, trailers, motor homes, double wide trailers, concrete block houses or relocated older homes or any other similar structure shall be used on any tract during construction of a permanent home as set out in 3 above.
5. DUMPS: No part of said land shall at any time be used as a garbage or trash dump. No unused or junked cars can be stored openly on premises. All vehicles shall have a current license plate. No boats are to be exposed.
6. DWELLING SIZE: All residences of any type constructed on any lot shall have at least 1,400 square feet of heated space and be single family residences only.
7. EASEMENTS: All owners shall allow extension of utility easements as such become necessary for water, sewage, electricity and telephone to adjacent lots, provided all grounds are returned to their original condition. All lots subject to subdivision easements.
8. ANIMALS: No animals, other than common house pets, shall be allowed on property. Pets shall not cause a nuisance, hazardous or otherwise to any other lot owners. No lots shall be used to raise or keep commercial livestock.
9. DRIVE-THROUGH: On all lots which have a common boundary with property which is not a portion of HOMESTEAD AT SHARPTOP, as shown above, no roadways, or drives of any nature can be placed on the property which would connect with any property which is not a part of HOMESTEAD AT SHARPTOP, except Lot 20.
10. EXTERIOR FINISH: The exterior of all houses and other structures must be completed by one (1) year from beginning of construction.
11. FUTURE EASEMENTS: Additional easements along roads shall be granted as necessary for future utility service, road maintenance, paving, etc.
12. MAINTENANCE OF LOTS: The grounds of each lot (whether vacant or occupied) shall be maintained in a neat and attractive condition.
13. RECREATIONAL VEHICLES: Recreational vehicles, utility trailers or boats must be currently licensed and will be limited to one (1) per lot.
14. MOTORCYCLES: No motorcycles or other vehicle with external engine shall be permitted to ride along the streets of said subdivision except for the entry and exit from the area. All such vehicles shall be properly muffled so as not to disturb the neighborhood.
15. ROAD MAINTENANCE DURING CONSTRUCTION: It is explicitly understood by the lot owners that damage to the subdivision roads caused directly by ongoing construction of a particular owner shall be the responsibility of said owner to repair.
16. CONSTRUCTION SITE: No building or structure shall be constructed within thirty (30) feet of a subdivision road nor any nearer than ten (10) feet of any side or near property line.

17. ENFORCEMENT: Enforcement of the covenants and restrictions contained herein and of any other provisions hereof shall be by any appropriate proceedings at law or in equity against any person or persons violating or attempting to violate said covenants and restrictions or provisions, either to restrain violation, to enforce personal liability, or to recover damages, or by any appropriate proceeding at law or in equity against the land to enforce any lien or change arising by virtue thereof. The failure of developer, or any lot owner to enforce any of said covenants and restrictions or other provisions shall in no event be deemed a waive of the right to do so thereafter.

18. SEVERABILITY: Whenever possible, each provision of this declaration shall be interpreted in such manner as to be effective and valid, but if any provision of this declaration or the application thereof to any person or to any property shall be prohibited or held invalid, such prohibition or invalidity shall not affect any other provisions of the application of any provision which can be given effect without the invalid provision or application, and to this end, the provisions of this declaration are declared to be severable.

19. FOUNDATION AND/OR EXTERIOR BASEMENT WALLS: Must have either a stone veneer or bricked or be a stucco finish. No concrete poured walls or block work may remain exposed.

20. SATELLITE SYSTEM: No large satellite dish system may be installed. All satellite systems must be Primestar size or smaller.

21. FENCES: No chain link, wire or metal fencing is permitted.

22. CLOTHESLINES: No clotheslines will be put anywhere on the premises.

23. DOG LOTS: No dog lots will be permitted on the premises. Dogs taken off of their owner's property must be kept on a leash at all times. Commercial production not permitted.

24. COMMERCIAL BUSINESSES: No commercial business will be allowed in the subdivision with the exception of an office within the home.

25. ROOFING: No roof pitch shall be less than 6/12 on any buildings or houses in the subdivision.

UNION COUNTY, GEORGIA	
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at	10:45 A. M.
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<i>Allen Corley</i>	C.S.C.

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*Allen Corley* S.C.C.