

REVISED

DEED RESTRICTIONS

FOR

SOUTHSIDE SUBDIVISION

FILED IN TOOMBS COUNTY  
2005 JAN 27 PM 3:14

STATE OF GEORGIA

COUNTY OF TOOMBS

KNOWN BY ALL MEN BY THESE PRESENTS:

That We, Edward Herndon and William Herndon, being the owners and developers of Southside Subdivision, Toombs County, Georgia, more particularly described on a plat of survey recorded in Plat Book 29, Page 203, and including any other lots identified by developers by later survey as Southside Subdivision, and hereby places the following restrictions on said property.

1. Whereas, it is to the best interest and advantage of the Undersigned Owners of the Subdivision and to each and every person who shall hereafter purchase any lot in said Subdivision that certain Protective Covenants governing and regulating the use and occupancy of the same be established, set forth and declared to be Covenants running with the land; and

Whereas, it is the intention of the Undersigned Owners to protect the owners of this Subdivision; and

Whereas, the said Covenants are for the purpose of protecting and preserving the value, desirability, peace, tranquillity and beauty of the subdivision.

2. All the lots described hereinabove shall be known and described as Residential Lots. All lots shall be used for residential purposes only, and may not be used for the purpose of operating a business or trade. No structures shall be erected on any Residential Lot, other than one detached single family dwelling, not to exceed three stories in height, a private garage or carport for more than three cars and servants house for the use of Bona Fide servants, and one utility or storage house of size and design in keeping with the dwelling house. No building shall be erected altered, placed or permitted to remain on any Lot other than for the purpose set out in this paragraph, nor shall any building have a galvanized metal roof not approved by developers.

3. All lots shall be maintained and upkept, neat and free and clear of any debris and/or excessive underbrush, and all grass and/or

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underbrush shall be regularly cut.

4. Any fence or wall erected shall be approved by developers.

5. No dwelling shall be permitted on any Lot described herein which contain a minimum of 1,800 square feet of heated space, exclusive of all porches, garages, terraces, outhouses, or unfinished rooms, whether same are attached or built-ins. The exterior of the dwelling erected on any Lot described herein shall be brick, brick veneer, stone, stone veneer, stucco or wood siding (excluding any and all types of particle or composite boards). No vinyl siding shall be used except as approved by Developers.

6. No dwelling shall be erected or placed on any Lot described herein less than 50 feet from road frontage on any Lot with an area of one (1) acre.

7. No sign of any kind shall be displayed to the public view on any Lot except one sign of not more than five square feet to advertise the property during the construction and sale period.

8. No animals, livestock or poultry of any kind shall 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.

9. No lot shall be subdivided without the express written consent of the Undersigned Developers.

10. No Lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage and disposal for such material shall be kept in clean and sanitary condition.

11. No lot may be maintained in any manner so that the same detracts from the appearance of the neighborhood.

12. All deep well holding tanks shall be contained inside the main dwelling or in a utility building.

13. No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between two and six 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 from the street lines, or in the case of a rounded property corner from the line limitations shall apply to any Lot within ten feet from the intersection of street property line within the edge of a driveway. No tree shall be permitted to remain within such distances of such intersections unless the foliage line is maintained at the sufficient

height to prevent obstruction of such sightlines. Further for the first five years of these covenants removal of any tree or clearing of any lot must be approved by the developers.

14. Owners hereby reserve all necessary easements for the installations and maintenance of Utilities and Drainage Facilities for the entire subdivision. The necessity of any easement to the service provider. Any subsequent property owner shall cooperate in providing all necessary easements, and shall convey said easements to the service provider. All Utilities connections or lines from road right of way shall be underground.

15. No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or any other out-building shall be used on any Lot at any time as a residence, either temporary or permanent.

16. No obnoxious or offensive activity shall be carried on upon any Lot or anything done thereon which may be or may become an annoyance or nuisance to the neighborhood.

17. The owners of each lot must keep their lot and the road right of way bordering their lot in a neat and orderly condition, free of liter, junk, debris, rubbish, and scrap at all times.

18. There shall be no exterior clothes lines kept or maintained on any lot.

19. Any resident shall not park or keep any more than two (2) cars outside any garage or carport at any one time. There shall not be any commercial vehicles parked or kept on any lot, except for overnight parking of a commercial vehicle used in connection with a resident's employment, or vehicles for temporary construction. Any vehicle other than a passenger car, pickup truck or private passenger van shall not be allowed. This paragraph shall not be construed as to apply to guest's cars, but is intended to prevent an excessive number of vehicles to be displayed to the public on any particular lot. No cars that do not operate may be kept or placed on any lot.

20. All boats, lawn mowers, motorcycles, recreational vehicles, etc. must be located within the garage when not in use, or in such other places on said lot as not to be readily visible from the streets when not in use.

21. No vehicles on the lot premises shall be for storage or junk purposes. There shall be no vehicles or other objects, whole or partial, deemed unsightly to the neighborhood, kept on the lot premises.

23. All property owners shall maintain their property so as to be attractive.