

Deed Doc: COVE
 Recorded 10/06/2006 08:12AM

Treva W. Shelton
 Clerk Superior Court, Paulding County, Ga.
 BK 02239 Pg 0560-0562

DECLARATION OF PROTECTIVE COVENANTS
 CUMBERLAND FALLS

STATE OF GEORGIA
 COUNTY OF PAULDING

 THIS DECLARATION OF PROTECTIVE COVENANTS is made and published this day of September, 2006 by HOMETOWNE RESIDENTIAL, LLC.

The following restrictions shall apply until December 31, 2026, to the property known as Cumberland Falls Subdivision, and being all that tract or parcel of land described as follows:

All that tract or parcel of land lying and being in the 3rd District, 3rd Section, Paulding County, Georgia, and being a part of original Land Lot 1098, more particularly described as follows:

BEING Lots 1 through 23 of Cumberland Falls Subdivision, as shown on the plat of survey prepared by Carlton Rakestaw & Associates, dated January 3, 2006, and recorded in Plat Book 48, Page 20, Paulding County Plat Records. Said plat is incorporated herein by reference thereto for a metes and bounds of subject property.

1. ARCHITECTURAL CONTROL. All plans, specifications, and exterior colors must be approved by HOMETOWNE RESIDENTIAL, LLC or its designee.
2. MASONRY. Any masonry construction used above ground level shall be either brick or painted and/or dyed stucco. There shall be no exposed concrete block.
3. LIVESTOCK AND POULTRY. No animals, livestock or poultry of any kind shall be 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 purposes.
4. NUISANCES. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.
5. MAINTENANCE OF RIGHT-OF-WAY. Declarant or its designee shall have the right to cut grass on street rights-of-way, at Declarant's discretion.
6. SIGNS. No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.
7. VEHICLES. No vehicles shall be parked, stored or operated on any lot or residence not having a current license plate. All vehicles parked and/or stored on any lot or residence must be operational and capable of being operated on public roads according to the laws of the State of Georgia. No material, equipment, or business vehicles may be stored or parked on the premises of any lot or residence except that one business vehicle (the carrying capacity of which shall not exceed one ton) used exclusively by the resident may be parked in the carport, garage, or rear or side yard except vehicles used during the construction and sales period of the lots and residences. No resident or member of the household shall regularly park a vehicle on the street right-of-way.
8. FENCES. No fences of plywood or other materials not suitable for exterior permanent fencing shall be erected. No barbed wire fences, electric fences or other fences dangerous to children shall be erected or maintained. Chain link fences shall not extend to a point closer to a

street than the corner of the house farthest from that street, shall be black PVC coated, and shall not be visible from street. Any fence visible from street must be six foot privacy fence.

9. CURTAINS. No windows visible to any street shall have sheets, flags or other materials not originally constructed for use as curtains.

10. UNSIGHTLY ACTIVITIES. The pursuit of hobbies or other activities, including specifically, without limiting the generality of the foregoing, the assembly and disassembly of motor vehicles and other mechanical devices, which might tend to cause disorderly, unsightly or unkept conditions, shall not be pursued or undertaken in the front yard of any lot, or in any driveway, garage, carport or other place where such condition is visible from any street.

11. SATELLITE DISHES AND ANTENNAS. No satellite dishes or antennas shall be maintained outside the residence, except DSS or smaller.

12. RECREATIONAL EQUIPMENT. Recreational and playground equipment shall be placed or installed only upon the rear of a Lot.

13. FUEL OR FUEL TANKS. No exposed above-ground tanks will be permitted for the storage of fuel or water or any other substance.

14. STORAGE OF BUILDING MATERIALS. No lumber, brick, stone, cinder block, or other fabricated masonry block units, concrete, or any other building materials, scaffolding, mechanical devices or any other thing used for building purposes shall be stored on any lot except for purposes of construction on such lot and shall not be stored on such lot for longer than that length of time reasonably necessary for the construction.

15. RENTING OR LEASING. With respect to any leases by an individual homeowner of a dwelling, the following shall apply;

- (1) All leases shall be twelve (12) month minimum.
 - (2) All lessees shall be given a copy of the covenants and restrictions by the homeowner.
- All leases shall contain a clause to cancel the lease should the lessee not abide by the covenants and restrictions and that enforcement may also be by the homeowner association.

16. CLOTHESLINES. No clotheslines shall be maintained on any lot where same is visible to the street or other property owners.

17. MAILBOX POSTS. All mail box posts will be white vinyl. No mail box post will be painted or stained a different color from that on the house, or approved by HOMETOWNE RESIDENTIAL, LLC.

18. DRAINAGE EASEMENTS. Declarant anticipates that some changes to the drainage plan contained in the subdivision plat approved by the Paulding County Board of Commissioners may be required by actual drainage conditions created by development. Declarant shall make such changes as are required by the County Engineer, provided such changes are within the street right-of-way. Any drainage requirements or improvements on individual lots shall be the responsibility of the builder or homeowner. Each lot shall be subject to such drainage easements as may be necessitated by additional requirements of the County Engineer after subdivision approval.

19. ENLARGEMENTS AND DETACHED STRUCTURES. No enlargement or detached structures shall be erected that are not first approved through the Paulding County Permit Office and erected in accordance with all Paulding County Building Code requirements. All enlargements and detached structures shall be built on a permanent foundation and shall have a shingle roof and siding of the type and color of the dwelling.

Bk 02259 Pg 0562

20. TEMPORARY STRUCTURES. No temporary house or shack, house trailer, mobile home, tent, barn or other outbuilding shall be permitted on any lot at any time.

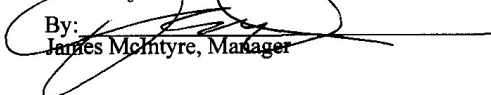
21. CONSTRUCTION ACTIVITY. All builders shall be responsible for any damage to the streets, curbing, culverts, grass or utilities done by them or their sub-contractors. Builders and their sub-contractors shall be responsible for any excess silt leaving their building site.

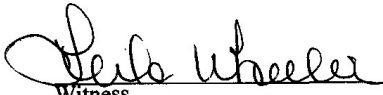
22. ENFORCEMENT. Any person who violates, attempts to violate or threatens to violate any of the terms hereof shall be subject to such equitable relief as may be deemed appropriate by a court of competent jurisdiction and any person who willfully violates the terms hereof after receiving notice from an interested person of his opposition to such violation shall be liable to pay the reasonable attorney's fees of any person or firm having legal standing who obtains equitable relief against such violator.

IN WITNESS WHEREOF, we have set our hands and seals on the date aforesaid.

HOMETOWNE RESIDENTIAL, LLC

By: 
James Steel, Manager

By: 
James McIntyre, Manager


Paula Wheeler
Witness


Notary Public

