



NOTICE REGARDING COVENANTS AND/OR RESTRICTIONS

The following Covenants and/or Restrictions are added as a courtesy only and are NOT WARRANTED by the property owner, their broker or agent as to completeness, accuracy, currency, or enforceability. Any interested buyer prospect is urged as part of their due diligence to contact the relevant Community Association or developer to determine for themselves what covenants and/or restrictions currently apply, how long they may remain in force, and if any changes or amendments may be currently under consideration. Additionally, or alternatively, one may wish to consider hiring an attorney to conduct this search for them and provide advice as needed.

829

GEORGIA, FANNIN COUNTY
CLERK'S OFFICE SUPERIOR COURT
FILED FOR RECORD 8/17/99
AT 9A M RECORDED 8/17/99
BOOK 332 PAGE 829-31
John W. Blunt
CLERK OF SUPERIOR COURT

Return recorded document to:
CARY D. COX, P.C., P. O. Box 748, Blairsville, GA 30514

STATE OF GEORGIA
COUNTY OF FANNIN

06939

PROTECTIVE COVENANTS

THIS DECLARATION OF PROTECTIVE COVENANTS, made and published this the 14th day of August, 1999, by Truman Tipton of the County of Fannin and the State of Georgia.

WITNESSETH

THAT WHEREAS, said individual is the Owner of the property described on the attached Exhibit "A" which is incorporated herein by reference and made a part hereof; and

WHEREAS, it is to the interest, benefit and advantage of Truman Tipton, and to each and every person who shall hereafter purchase said property or any portion thereof, 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.

NOW THEREFORE, for and in consideration of the premises and of the benefits to be derived by Truman Tipton to hereby set up, establish, promulgate and declare the following protective covenants shall become effective immediately and run with the land and shall be binding on all persons claiming under and through Truman Tipton, to wit:

1. No trailers or mobile homes shall be permitted upon any described and deeded property.
2. No brick, block or metal exterior walls shall be permitted.
3. Only one dwelling house shall be permitted on any described and deeded property.
4. No mini-bikes, no four-wheelers, no three wheelers or any other off-road vehicles shall be permitted to travel upon the roads running across and through said property.
5. Any dwelling constructed on said property shall have a minimum of 900 square feet of heated space per floor.
6. There shall be no commercial business enterprises located in said property, including commercial farming operations or poultry farming.
7. The property shall not be subdivided into lots of less than two or less acres.

These covenants are to run with the land and shall be binding on all parties and all

persons claiming under them and cannot be amended or changed in any way unless an instrument is signed by all of the property owners in said development.

Enforcement shall be by proceedings at law or in equity against any person or persons violating or attempting to violate and covenants either to restraining violation or to recover damages.

Invalidation of any one of these covenants by judgment or court order shall in no wise effect any of the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, the said Truman Tipton has hereunto set his hand and affixed his seal, this the day and year above first written.

Truman Tipton
TRUMAN TIPTON

Signed, sealed and delivered in the presence of:

[Signature]

Witness

Melanie D. Smoche

Notary public

My commission expires:

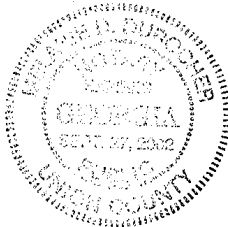


EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lots 301 & 312, 8th District, 1st Section, Fannin County, Georgia, containing 81.9 acres as shown on a plat of survey by Lane S. Bishop & Associates, RS #1575, dated 7/13/99 and recorded in Plat Hanger A-525 page 1 Fannin County records which description on said plat is hereby incorporated by reference and made a part hereof.

Also included in this conveyance is the right of way easement dated 3/13/90 and recorded in Deed Book 158 pages 12-14 Fannin County records.

The property is subject to the road easement as shown on said plat.

Grantor grants to grantee a perpetual non-exclusive easement for the use of the subdivision roads for ingress and egress to the above property.