

The Heritage at Jefferson
Protective Covenants and Restrictions

1. Lots must be used for single-family residences only. No lot can be used for access to adjoining property without the written consent of the Architectural Control Committee ("ACC").
2. No lot shall be subdivided, nor shall there be more than one house per lot.
3. All buildings shall have a minimum of two-car garage. Carports are not permitted.
4. No house or modular home shall be moved onto the lot.
5. All driveways will be constructed of concrete from the street to the garage.
6. All yards must be sought it to the rear corners of the house.
7. No house or additional structure shall exhibit masonry foundations. Foundations must be painted, stuccoed, or otherwise covered with brick or stone. The portion of the home facing front shall be landscaped appropriately.
8. Houses must be constructed of quality "stick built" variety. No modular unit permitted. Quality factory constructed components may be used, i.e. roof, floor, or wall units.
9. New advertising sign, billboards, or high and unsightly structure shall be erected on any lot or displayed to the public on any lot except a standard 24" x 18" real estate sign used to advertise the property for sale. Any party wishing to place such a sign must first obtain written consent from the ACC. The ACC shall withhold its approval or consent until being furnished information as to the size, style, and color of any proposed sign. Entry signs, fences, and sales information signs erected for the purpose of advertising new homes for sale are hereby accepted provided they comply with the foregoing size limitations.
10. The term "vehicles", as used in the provision, shall include without limitation, motor homes, boats, trailers, motorcycles, mini-bikes, scooters, go-carts, trucks, campers, buses, vans, any item mounted on a trailer for attachment to a vehicle, and automobiles. All vehicles, including boats, trailers of any kind, and motor coaches, shall be parked within garages, driveways or other paved parking area located on a lot. Parking in yards or on streets within the Community is prohibited. Vehicles for recreational use (motor homes, boats, boat trailers, campers, etc.) shall be concealed from the public view per review of ACC.
No vehicle may be left upon any portion of the Community, except in a garage or other area designated by the Board, for a period longer than five days if it is unlicensed or if it is in a condition so that it cannot operate on public streets. After the five (5) day period, the inoperable vehicle shall be considered a nuisance and may be removed for the Community. No recreational vehicle, motor home, mobile home, towed vehicle, commercial vehicle with commercial writing on its exterior shall be temporarily kept or stored in the Community for any period in excess of (12) hours unless kept in a garage or other area designated by the Board; vehicles parked in violation of this provision shall be considered a nuisance and may be removed from the Community. Trucks with mounted campers, which are on owners or occupants' primary means of transportation shall not be considered recreational vehicle, provided they are used on a regular basis for transportation and the camper is stored out of public view upon removal. No eighteen (18) wheel trucks or the cabs of these trucks or trucks with a load capacity in excess of three-quarters of a ton shall be parked, kept or stored within the Community, and if so parked, kept or stored shall be considered a nuisance and may be removed from the Community. However, moving vans, service or delivery vehicles may be parked in the Community. However, moving vans, service or delivery vehicles may be parked in the Community for such period of the time as is reasonable necessary to provide each service to Lots in the Community.

No motorized vehicles shall be permitted on pathways or unpaved Common Property except for public safety vehicles and vehicles authorized by the Board.

11. No accumulation of discarded personal effects, debris, waste, garbage, inoperative vehicles or other unsightly objects or matter will be permitted on lot. All garbage cans shall be concealed from view of the street and

neighboring property except on days of schedule pick-up. All woodpiles shall be concealed from view of the street.

12. The display or discharge of firearms or fireworks on the Common Property is prohibited, however, that the display of lawful firearms on the Common Property is permitted for the limited purpose of transporting the firearms across the Common Property to or from the owner's lot. The term "firearms" includes B-B guns, pellet guns, and other firearms of all types regardless of size. The term "fireworks", shall include those times as listed in O.C.G.A. Section 25-10-1
13. No artificial vegetation shall be permitted on the exterior of any property. Exterior sculpture, fountains, flags, and similar items must be approved by the ACC.
14. All residences in the Community shall have standard mailboxes conforming to the postal regulations and guidelines for such mailboxes adopted by the ACC.
15. All walls and fences must be approved for materials, style, and location prior to construction. Requests must be in writing and submitted to the ACC. Chain-link fences are forbidden.
16. No building shall be erected as a school, church or kindergarten.
17. No temporary house, shack, or trailer shall be erected on any lot.
18. No single-story residence shall be erected on any lot to have less than 2000 square feet of indoor heated space. No multi-story residence shall be erected on any lot to have less than 2100 square feet of total heated area. The heated area is exclusive of garage and basements.
19. Builders of the Homeowners must acquire written underline approval from the Developer or Architectural Control Committee of all house plans; site location, additions, outbuildings, exterior finish, exterior color, and roof color prior the commencement of structure or modification. Driveways are to be continuous and have a minimum width of 12 feet.
20. No animals, livestock, or poultry of any kind may be raised, bred, kept, or permitted on any lot, with the exception of dogs, cats or other usual in common household pets in a reasonable number. Household pets are to be kept under control and not allowed to cause a disturbance or nuisance to the Subdivision. No pets shall be kept, bred, or maintain for any commercial purpose. No pit bulldogs or other dogs determine and the sole discretion of the Board to be dangerous dogs may be brought onto or kept on the property at any time by any Lot owner, occupant, or guest of an owner or occupant. Any pet which is permitted to roam free, endangers the health of any owner or occupant on any Lot or which creates a nuisance or unreasonable disturbance, as may be determined in the sole discretion of the Board of Directors, must be permanently removed from the property upon seven (7) days written notice, the Board of Directors. If the owner or occupant fails to comply with such notice, the Board may remove the pet. Any pet which at the sole discretion of the Board, presents an immediate danger to the health, safety or property of any owner or occupant of the Community may be removed by the Board without any prior notice to the pet's owner.
21. No window air conditioning units may be installed that are in view of the public.
22. Above ground swimming pools shall not be erected, constructed, or installed on any lot.
23. No vegetable garden, hammock, statuary or play equipment may be located other than between the rear dwelling line and the rear lot line.
24. Homebuilder shall be held responsible for the implementation of and conformance with county and city soil erosion control ordinance.
25. Homebuilder shall be required to maintain cleanliness of building site, removing all debris and construction materials after completion of construction. He shall be required to remove transported soils from street gutters and catch basins abutting developed lot. He shall seed all disturbed areas with permanent vegetation cover.

26. Unless otherwise approved in writing by the Board of Directors, all windows, which are part of the Lot, shall be standard window treatments and any portion thereof visible from the outside the residence shall be white or off-white in color or a color approved by the Board of Directors.
27. All structures erected shall be completed within one year of when work began.
28. Motorcycles and motorized all-terrain vehicles ("4-wheelers"), which are written "off street", or hereby prohibited on any property other than the property owned by the individual.
29. Developer will pay for streetlights and maintain common area (i.e. subdivision entrance) until December 31, 2000 until one-half of total lots are sold, whichever comes first. After that time, the Homeowners Association will be responsible for streetlight payment and all common area maintenance.
30. Every person who is the record owner of a fee interest in any Lot that is subject to this Declaration shall automatically be a member in the Association. Membership shall not include persons who hold a security interest only and the giving of a security interest shall not terminate the Owner membership. No owner, whether one or more persons, shall have more than one (1) membership per lot. Members shall be entitled to one (1) equal vote for each Lot owner.

Homeowners association fees are mandatory. The Homeowner Association will determine fees. Homeowners Association will be formed after (20) homes are sold.

Assessments shall commence to a Lot on the earlier of (a) the day of closing for occupancy of the Lot for residential purposes, (b) ninety (90) days from a Certificate of Occupancy is issued by Jackson County, Georgia for a residence construction on the Lot. The Declarant or a builder or developer who purchases a lot for the purpose of construction of a residence and resale of the lot and residents shall not be responsible for the payment of any type of assessment except as provided above. The first annual common assessment shall be adjusted according to the number of days remaining in that fiscal year.

31. Invalidation of any of these covenants by judgment or court order shall in no way affect any of the other provisions, which shall remain in full force and effect.
32. These covenants are in addition to any other restrictions or conditions imposed by the governmental authorities under their zoning ordinances and the specific conditions of approval as stated in zoning requirements.
33. Catch basins and drainage areas are for the purpose of natural flow of water only. No obstructions or debris shall be placed and these areas. No owner or occupant of a Lot may obstruct a re-channel of the drainage flows after location an installation of drainage swells, storm sewers, or storm drains. Declarant hereby reserves a perpetual easement across all Community property for the purpose of altering drainage and water flow removing temporary siltation ponds and for removing debris to interference to the quiet enjoyment of affected property, reasonable steps shall be taken to protect such property and damage shall be repaired by the person causing the damage at its sole expense.
34. All property located at street intersections and at the intersections of streets and driveways shall be landscaped so as to permit safe site across the corners. No fence, wall hedge, or shrub planting shall be placed or permit to remain where it would create traffic or sight problem.
35. All clotheslines, garbage cans, wood piles, swimming pool pumps, filters and related equipment and other similar items shall be located it or screened so as to be concealed from view of neighboring Lots in Common Property and the street on which the lot (on which the item is located) fronts. All construction debris, rubbish, trash, and garbage shall be regularly removed and shall not be allowed to accumulate. Basketball hoops and goals show not be attached to the exterior portion of any garage, house or other building structure construct on a Lot or placed on any other portion other Lot except as provided below. Notwithstanding the above, freestanding polls, goals and backboards may be erected immediately adjacent to the driveway on a lot provided that they are set back behind the front corner of the residence construct it on the Lot, the polls are metal and paint it black or other such color as is approved by the ACC, as appropriate and the goal and backboard are manufactured and not home-made.
36. It shall be the responsibility of each owner an occupant to prevent the development of any unclean, unhealthy,

unsightly, or unkept condition on his or her Lot. No property within the Community shall be used, in whole or in part, for the storage of any property or thing that will cause a lot to appear to be an unclean or untidy condition or that it will be obnoxious to the eye; not shall any substance, thing or material they kept that will discharge a foul or obnoxious odors or that will cause any noise or other condition that will or might disturb the surrounding property. No noxious or offensive activity shall be carried on within the Community, nor shall anything be done tending to cause embarrassment, discomfort, annoyance, or nuisance to any person to use in any property within the Community. There shall not be maintained any plants or animals or device or thing of any sort these activities or existence in any way is noxious, dangerous, unsightly, unpleasant, or of a major that may diminish or destroy the enjoyment of the Community. Without limited the generality of the foregoing, no horn, whistle, siren, bell, amplifier, or other sound device, except for devices as may be used exclusively for security purposes, shall be located, installed or maintained upon the exterior of any Lot unless required by law. However, any siren or device for security purposes shall contain a device, which causes it to automatically shut off within fifteen (15) minutes.

37. The pursuit of hobbies or other activities which might tend to cause disorderly, unsightly, unkept conditions, including without limitation the assembly and disassembly of motor vehicles and other mechanical devices, shall not be pursued or undertaken in any part of the Community except within garage is located on Lots.
38. No exterior antennas, aerials, satellite dishes, or other apparatus for transmission of television, radio, satellite or other signals of any kind which are more than eighteen (18) inches in diameter shall be placed, allowed or maintained upon any portion of the Community, including any Lot. No H.A.M. radio antennas are allowed. All above allowed antennas must be placed and rear of house and concealed from any public view.
39. The Board of Directors will be formed within 30 days after the Homeowners association is formed. The Board of Directors will consist of 5 members.
40. Damage rendered to The Heritage at Jefferson subdivision by subcontractors or suppliers whose presence in The Heritage at Jefferson is directly due to the construction site of a builder shall become the liability of said builder. Such damage may be in the form of broken curbing or storm drain facilities; concrete spills on the roads, and cracked asphalt.
41. The "Minimum Building Standards and Guidelines" attached hereto as Exhibit B are incorporated into and made a part of these covenants.

This _____ day of _____, 2015.

(SIGNATURES BEGIN ON THE FOLLOWING PAGE)

EXHIBIT B
THE HERITAGE AT JEFFERSON
MINMUM BUILDING STANDARDS AND GUIDELINES

Paved areas shall be designed so that surface waters shall be collected at intervals in a manner that will not obstruct the movement of vehicular or pedestrian traffic and will not create puddles or ponding and paved or swale areas. No trash or construction debris shall be buried on any Lot.

Grading playing to be submit it for approval to the ACC prior to any tree removal to assure privacy.

SIZE OF RESIDENCE/SETBACK CRITERIA

No foundation for a building shall be poured, nor shall construction commence in any manner or respect, until the layouts for the building is approved by the capital a CC. It is the purpose of this approval to assure that the home is placed on the lot and its most advantageous position.

There shall be no less than 30' between residences.

- a) Each architectural design shall be considered on an individual basis with Specific emphasis on impact and harmony with surrounding homes and Styles. The overall intent is to maintain a feeling of open green space between units.
- b) Minimum setbacks are as follows:
 - Front Yard 50' (unless otherwise approved by ACC) from curb
 - Rear Yard 40' from rear property line
 - Side Yard (interior) 15' from property line
 - Building Line is measured from any part of the structure that protrudes (i.e. cornice drip line, fireplace, gutter)
 - Corner Lots 50' from any side or front street
- c) Minimum Roof Overhang 8"
- d) Minimum Roof Pitch 10 to 12 (Main Body)
- e) Maximum Building Height 40' above average natural grade (Top of Roof)
- f) Minimum Driveway Width 12'
- g) Minimum Square Footage The enclosed heated living area (exclusive of garages, porches, terraces, and basements) of all one-story dwellings shall contain no less than 2000 square feet. The enclosed heated living area (exclusive of garages, porches, terraces, and basements) of all on-and-a-half two-story dwellings shall contain no less than 2100 square feet. No dwelling shall be constructed exceeding three stories in height on any lot.

ELEVATIONS

The front elevation will be reviewed for design, relating to surrounding homes, to reduce similar appearances. Elevation approval shall consist of review on front, sides and rear elevations.

EXTERIOR MATERIAL AND COLORS

Exterior finishes shall be brick, stucco, stone or shingle concrete-based siding, provided, however, that the rear of the brick houses may have exterior finishes of painted siding.

- Metals Factory finished in durable anodized or baked-on enamel, wrought or copper.
- Wood timbers, boards, tongue and groove, wood siding, rough sawn lumber,

GARAGES, GARAGE DOORS, DRIVEWAYS, WALKWAYS, SIDEWALKS, AND EXTERIOR LIGHTING

- a) All residences shall have a minimum of two-car garage. Carports are not permitted. All garages must be a minimum of twenty (20') feet by twenty (20') feet. Single garage doors must be a minimum of nine (9') feet and double doors must be a minimum of eighteen (18') feet.
- b) Minimum driveway width is eighteen (18') feet for any approved front entry garage and twelve (12') feet for any side entry. Driveway and turnaround will be at least two (2') feet from property line (unless otherwise approved by ACC).
- c) No curbside parking areas may be created by extending any portion of the street pavement.
- d) No exterior lighting shall be permitted which is in the opinion of the ACC would create a nuisance to the adjoining property owners.
- e) All driveways will be constructed of poured slab concrete.
- f) Two flood lights-garage and back.
- g) Front walkways from driveway to house must be constructed of concrete.

LANDSCAPE

It is the purpose of the section to establish certain requirements and regulations that shall enter a minimum standard for functional and aesthetic landscape treatment for The Heritage at Jefferson. This proposed treatment of landscaping is composed of living and non-living elements which, properly and effectively combined, will greatly enhance the total man-made natural environment.

- a) Front yard and side yard of corner lot are to be sought if where natural areas disturbed.
- b) Backyard must be seeded and strawed.
- c) Retaining wall shall be same finish as the house.
- d) On non-cornered lots, yard to be sought if to rear corner of house.
- e) Builders will plant three trees per lot with 1-2-inch girth.

HVAC

- a) All air conditioning unit shall be shielded and hidden by landscaping so they shall not be visible from any street or adjacent property.
- b) Window and/or wall air conditioning units shall not be permitted.
- c) Dual HVAC systems standard, per plan.

MAILBOXES, SIGNS ANTENNAS AND FLAGPOLES

- a) Must use standard neighborhood approved mailbox.
- b) Outside antennas or satellite dishes not visible from any side street or adjacent property. Not to exceed 18" and diameter.
- c) A flagpole for display of the American flag and we shall be permitted, subject to ACC approval of placement and design. No flagpole shall be used as an antenna.

MISCELLANEOUS

Any construction on a lot shall be at risk of the Owner of such lot, and the Owner of such lot shall be responsible for any damage to any curbing or street resulting from construction on such lot; repairs or such damage must be the owner within thirty (30) days after completion of such construction.

All construction shall be carried out in compliance with the laws, codes, rules, regulations and orders of all applicable governmental agencies and authorities.

SIDEWALK

Builder where required by record plat shall install a four-foot-wide sidewalk behind back curb and compliance with all applicable requirements and specifications of the City of Jefferson. Sidewalks shall not be poured until all utilities and driveways are in place.

OUTBUILDINGS

Prior to erecting any detached structure on any lot, the member shall submit plans for such structure to the Board for compliance with the standard. Any such structure shall not be smaller than 100 square feet and shall have an exterior covering similar in quality and appearance to that of the dwelling. Any such structure must have a poured concrete foundation. Manufacture metal buildings are not permitted.