

COVENANTS AND RESTRICTIONS FOR
A SUBDIVISION TO BE KNOWN AS
SECTION THREE - HERITAGE HILLS

WHEREAS, the undersigned are the owners of certain real property lying and being in Land Lots 195, 196, 207 and 208 of the 5th Land District of Troup County, Georgia described as Section Two of the Heritage Hills Subdivision as shown on a plat of survey recorded in Plat Book 20B, pages 180 181, 182 and 183, in the Office of the Clerk of the Superior Court of Troup County, Georgia, and

WHEREAS, the undersigned for the protection of themselves and all future owners of lots in said subdivision are desirous of placing certain restrictions on the use and development of the lots in said subdivision.

NOW THEREFORE, the following covenants and restrictions are hereby adopted for Section Three Heritage Hills Subdivision, said covenants and restrictions to run with the land and to be binding upon the owners of all lots in said subdivision as hereinafter provided:

- (A) All lots in said subdivision shall be known, described and used as single family residential lots only, except that Lot No. 194 is designated as a recreational/pool lot by this document.
- (B) No building previously used elsewhere may be moved upon any lot in said subdivision to be used as a dwelling house. No house trailer, mobile home, modular home or temporary structure may be used or placed upon any lot to be used as a residence.
- (C) No structure shall be erected, altered, placed or permitted to remain on any building lot other than one detached single family dwelling, not to exceed two stories in height, exclusive of a private garage, basement, swimming pool, guesthouse and/or bath-house.
- (D) The layout of the lots as shown on the plat recorded in Plat Book 20B, pages 180, 181, 182 and 183 in the Office of the Clerk of the Superior Court of Troup County, Georgia, shall be adhered to, and no scheme of facing lots in any other direction than that shown on said plat, shall be permitted.
- (E) No residence shall be erected on any lot in said subdivision and shown on said plat, with a floor space of less than 1800 square feet exclusive of porches, utility and storage rooms and garages. Only one residence shall be built on any one of said lots, but any person may use a lot and an adjacent lot, or a part thereof, for placing one residence thereon.
- (F) No building shall be located on any residential building lot nearer than 60 feet to the front property lines; nor nearer than 12 feet to any adjacent line of an adjoining owner.

- (G) Properly appurtenant outbuildings must be confined to the rear half of the lot on which erected unless integrated with a main residence structure to which any pertain.
- (H) No noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be done thereon which may be, or become a nuisance to the neighborhood.
- (I) All owners of lots within said Section Three shall automatically become Class A members of Heritage Hills Subdivision Homeowners Association, Inc. and be so governed under the rules and regulations of the Association's by-laws. This membership requirement shall attach to the land and run therewith for their term as provided by law.
- (J) An architectural committee composed of Harry D. Durand and Nancy N. Durand, or a person or persons appointed by them is hereby appointed for the purpose of approving all building plans and specifications of lot purchasers in said subdivision prior to said purchaser being allowed to build on said lot. In the event of death or resignation of any committee member, the remaining member shall have the authority to designate a successor member. No compensation will be required by said committee for these services.
- (K) The Committee's approval or disapproval of plans and specifications as required in these covenants shall be in writing. In the event the committee or its designated successors fail to approve or disapprove within 30 days after plans and specifications have been submitted to them, it shall be presumed that said plans have been approved and the lot purchaser may proceed to build.
- (L) All residences constructed in said subdivision shall have either parking pads or garages. If the entrance to any such garage faces a street in said subdivision, said garage shall have a door or doors.
- (M) Any person or persons owning any real property situated in said subdivision shall have the right to and may prosecute any and all proceedings at law or in equity, or both, against any person or persons who may violate or attempt to violate any one or more of these covenants and restrictions, either to prevent them from doing so or to recover damages, or both, or to obtain such other relief as may be obtainable at law or in equity.
- (N) Invalidation of any one or more of these covenants and restrictions by law or by judgment of any Court shall in no wise affect any of the other covenants and restrictions, which shall remain in full force and effect.
- (O) These restrictions may be altered, amended or modified by vote of the owners of two thirds or more of all the lots in Heritage Hills. One vote per lot is allotted to the owners of lots in said subdivision for purposes of this provision.

Approved this 9th day of October, 1987

Owner:

DAN-RIC, INC.

Witness

Notary Public

By: Harry Daniels Durand
President