

Quality Machine
1554 Hwy 27 South
Lafayette, Ga. 30728

AHW:
Vicki

432

DECLARATION OF PROTECTIVE AND RESTRICTIVE COVENANTS

FOR "BLUE MOUNTAIN AIR PARK"

Walker County, GA

GEORGIA, WALKER COUNTY.

Filed and Recorded in this office 6-4 2004 AM 3:00 pm

KNOW BY ALL THESE PRESENTS:

Recorded in Deed Book: 1855 Page 432-437

WHEREAS, Brent and Alisa Bigham, is the owner of certain property shown on a plat of survey by Charles V. Bigham attached hereto and made a part hereof as EXHIBIT "A" "BLUE MOUNTAIN AIR PARK", and

Bill McDaniel, Clerk

WHEREAS, Brent and Alisa Bigham, (hereinafter known as "Owner and/or Developer") in order to provide for orderly development, improvement and maintenance of the property (hereinafter known as "BLUE MOUNTAIN AIR PARK") and to provide for the mutual benefit and protection of the property rights of "BLUE MOUNTAIN AIR PARK" and of the persons who may hereafter reside in and on the property and pose certain restrictions, provide for a property owner's association, and reserve unto itself certain rights and privileges; and

WHEREAS, Owner deems it to be suitable and appropriate to publish said standards and restrictions, impose same upon the property, and establish the same as running with title to the property:

NOW THEREFORE, for and in consideration of the premises, the mutual benefits accruing to Owner as and to subsequent purchasers of the property, Owner does hereby declare said real property to be subject to the following covenants, said covenants to run with the title to said property. Said covenants shall be binding on and inure to the benefit of BLUE MOUNTAIN AIR PARK, its successors and assigns, and shall be binding on and inure to the benefit of the Grantees of any deed conveying parcel or tract, as well as their heirs, successors and assigns. Said covenants shall be as follows:

I.

PERMITTED AND PROHIBITED USES

(1) All parcels within the development shall be owned and used exclusively for single family residential purposes. No more than one dwelling shall be constructed on any parcel as platted.

(2) No dwelling unit shall be constructed, altered or permitted on any lot in this subdivision without prior approval of the Architectural Control Committee. A set of plans shall be submitted to the Architectural Control Committee for approval prior to commencement of any construction.

(3) No house plans will be approved with more than 50% vinyl on the front face of the house exclusive of doors, windows and foundation unless deemed by the Developer or Architectural and Landscape Control Committee to have architectural qualities that would offset the use of additional vinyl on the face of the house. All exposed concrete block or concrete formed foundations shall be covered with masonry brick, natural stone or other material as approved by the Developer or the Architectural Control Committee.

(4) No plans will be approved if they are deemed by the Developer or the Architectural Control Committee to be a departure from the traditional design of existing homes in the subdivision or contain design elements that would distract from the aesthetic appearance of the neighborhood.

(5) Free standing garages and accessory buildings may be constructed but shall not be used for permanent or temporary residence purposes. The design of all such garages and accessory buildings shall be in keeping with the architectural theme of the house as determined by the Developer or the Architectural Control