

## DECLARATION OF RESTRICTIONS

### FAIRWAY ESTATES

- 1. LAND USE AND BUILDING TYPE;** NO TRACT OF LAND SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES ONLY. NO BUILDING SHALL BE PERMITTED TO REMAIN ON ANY TRACT OTHER THAN A SINGLE-FAMILY DWELLING. NO TRACT OF ANY PART OF A TRACT CAN BE USED FOR ROADWAY TO OR FROM ANY OTHER PROPERTY.
- 2. SUBDIVISION OF TRACTS;** NO TRACT CAN BE RE-SUBDIVIDED.
- 3. MOBILE HOMES or LOG HOMES;** NO MOBILE HOMES, PREFABRICATED HOMES, MODULAR HOME OR ANY TRAILOR TYPE HOME OR LOG HOMES ON ANY TRACT EITHER TEMPORARY OR PERMANENT.
- 4. MINIMUM SQUARE FOOTAGE;** ALL ONE LEVEL HOMES SHALL HAVE A MINIMUM OF 2,200 SQ. FEET HEATED SPACE; ALL OTHER HOMES SPLIT LEVEL, SPLIT FOYER, ONE AND ONE HALF STORY, TWO LEVELS OR MORE MUST HAVE A MINIMUM 2,200 SQ. FEET HEATED SPACE WITH NO LESS THAN 1,400 SQ. FEET ON THE MAIN GROUND LEVEL OF THE HOME. THE MINIMUM HEATED SPACE ON THE MAIN GROUND LEVEL OF THE HOME. THE MINIMUM HEATED SPACE CANNOT INCLUDE ANY GARAGES, PORCHES, BREEZEWAYS, SUNROOMS, OR BASEMENTS. NO BASEMENT FINISHED OR OTHER WISE CAN BE USED TO COMPUTE HEATED SQUARE FOOTAGE.
- 5. BUILDING LOCATIONS;** NO BUILDING SHALL BE LOCATED ON ANY TRACT NEARER THAN 40 FT. FROM THE FRONT LINE, OR 10 FT. FROM EITHER SIDE OR BACK LINE.
- 6. TEMPORARY STRUCTURES;** NO STRUCTURE OF A TEMPORARY CHARACTER, TRAILER, BASEMENT, TENT, SHACK, GARAGE, BARN, OUTBUILDING, OR ANY OTHER TYPE OF TEMPORARY STRUCTURE SHALL NOT BE USED ON ANY TRACT AT ANY TIME AS A RESIDENCE EITHER TEMPORARILY OR PERMANENT.
- 7. OUTBUILDINGS;** ALL STRUCTURES SHALL HAVE A MINIMUM OF 300 SQ. FEET AND CONSTRUCTED IN THE SAME WORKMANLIKE MANNER AS THE MAIN STRUCTURE OF THE RESIDENCE. THE OUTSIDE OF SUCH OUTBUILDING MUST BE FINISHED TO MATCH THE EXTERIOR OF THE MAIN STRUCTURE OF THE RESIDENCE.
- 8. FOUNDATIONS;** NO BUILDING SHALL BE CONSTRUCTED ON ANY TRACT WITH EXPOSED CONCRETE BLOCKS. ALL CONCRETE BLOCKS ABOVE THE FINISHED GROUND ELEVATION OF ANY STRUCTURE MUST BE COVERED WITH STONE OR BRICK.
- 9. DRIVEWAYS;** ALL DRIVEWAYS FROM STREET TO HOUSE MUST BE CONCRETE OR HOT MIX ASPHALT IN NO LESS THAN ONE YEARS FROM COMPLETION OF HOME. DRIVEWAYS MUST BE DESIGNED AND MAINTAINED TO WHERE THERE WILL BE NO WASHING OF DIRT, MUD, STONE OR OTHER DEBRIS. ANY DAMAGE OR CLEAN-UP WILL BE DONE IMMEDIATELY AT THE EXPENSE OF THE TRACT OWNER.
- 10. VEHICLES;** NO ABANDONED, DISABLED, DISMANTLED, OR PARTIALLY DISMANTLED VEHICLES ARE TO BE PARKED ON THE STREETS OR ON ANY TRACT.

**11. GARBAGE AND REFUSE DISPOSAL;** NO TRACT SHALL BE USED AS A DUMPING GROUND FOR RUBBISH, TRASH, GARBAGE OR OTHER WASTE OF ANY KIND. ALL TRASH SHALL BE IN SANITARY CONTAINERS. GARBAGE SHOULD BE DISPOSED IN THE PROPER MARION COUNTY GARBAGE SITES.

**12. LIVESTOCK, POULTRY, ANIMALS;** NO ANIMALS, LIVESTOCK, OR POULTRY OF ANY KIND SHALL BE RAISED, BRED OR KEPT ON ANY TRACT. HOUSEHOLD PETS MAY BE KEPT PROVIDED THEY ARE NOT KEPT OR BRED FOR COMMERCIAL PURPOSES. HOUSEHOLD PETS INCLUDE DOGS, CATS, OR ANY IN HOUSE PETS.

**13. TREES;** THE MAJORITY OF TREES CAN NOT BE CUT OR REMOVED FROM ANY TRACT. ONLY TREES IN LINE OF CONSTRUCTION, HOME, DRIVEWAYS, POOLS ETC.. MAY BE REMOVED. NO CLEAR-CUTTING WILL BE PERMITTED.

**14. DAMAGES;** ANY DAMAGES DONE TO STREET OR CURBING BY THE OWNER OR CONTRACTOR OF OWNER WILL BE REPAIRED IMMEDIATELY AT THE EXPENSE OF THE OWNER.

**15. COMPLETION;** ALL STRUCTURES MUST BE COMPLETELY FINISHED ON THE EXTERIOR BEFORE THE STRUCTURE CAN BE OCCUPIED. THE OWNER HAS ONE YEAR FROM START OF STRUCTURE TO COMPLETE EXTERIOR. THIS INCLUDES STEPS AND FINISHED FOUNDATIONS, SIDEWALKS, SEEDING AND STRAWING OF LAWN AREA, AND MINIMUM LANDSCAPING.

**16. NUISANCES;** NO ABNOXIOUS OR OFFENSIVE ACTIVITY SHALL BE CARRIED ON UPON ANY TRACT, NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR MAY BECOME AN ANNOYING OR NUISANCE TO THE NEIGHBORHOOD. BURNED BUILDING NOT REPAIRED OR REMOVED WITHIN 90 DAYS SHALL BE CONSIDERED NUISANCES.

**17. SEWAGE;** BEFORE ANY RESIDENCE SHALL BE OCCUPIED, THE RESIDENCE SHALL BE CONNECTED TO PUBLIC SEWER IF AVAILABLE OR SHALL INSTALL PROPER PRIVATE SAPTIC TANK SEWAGE DISPOSAL SYSTEM THAT SHALL BE CONSTRUCTED AND MAINTAINED IN ACCORDANCE WITH THE SANITATION CODE AND SPECIFICATION PRESCRIBED IN THE MARION COUNTY HEALTH DEPARTMENT.

**18. FENCES;** NO SOLID WOOD PRIVACY FENCE SHALL BE BUILT ON ANY LOT. NO FENCE ERECTED SHALL EXTEND ANY CLOSER TO LOT FRONT THAN THE REAR CORNERS OF THE DWELLING.

**19. EASEMENTS;** EASEMENTS FOR INSTALLATION AND MAINTENANCE OR UTILITIES AND DRAINAGE FACILITIES ARE RESERVED AS SHOWN ON THE RECORDED PLAT. WITHIN THESE EASEMENTS NO STRUCTURE, PLANTING OR OTHER MATERIALS SHALL BE PLACED OR PERMITTED TO REMAIN WHICH MAY DAMAGE OR INTERFERE WITH THE INSTALLATION AND MAINTENANCE OF UTILITIES, OR WHICH MAY CHANGE.

**20. Severability;** INVALIDATION OF ANY ONE OR MORE OF THE COVENANTS BY JUDGEMENT OF A COURT SHALL IN NO MANNER AFFECT ANY OF THE OTHER PROVISIONS, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN TESTIMONY WHEREOF, WE HAVE HEREUNTO SET OUR SIGNATURE

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\_\_\_\_\_

STATE OF TENNESSEE  
COUNTY OF MARION

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2006, BEFORE ME  
PERSONALLY APPEARED TO ME KNOWN TO BE THE PERSONS DESCRIBED IN AND  
WHO EXECUTED THE FOREGOING INSTRUMENT AND WHO ACKNOWLEDGED THAT  
THEY EXECUTED THE SAME AS THEIR OWN FREE ACT AND DEED.

MY COMMISSIONS EXPIRES:

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