

**RESTRICTIONS
OF
JOHNSTON WOODS
SUBDIVISION**

FOR A VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, I, William G. Nutt, of Bradley County, Tennessee, own the land known as JOHNSTON WOODS SUBDIVISION, a Plat of which is

recorded in the Register's Office for Bradley County, Tennessee (ROBCT) in Plat Book _____, Page _____ and being property as shown in warranty deed recorded in Book 1551, Page 233, have divided said property into building lots. The Owner is the Developer. They intend to create a residential community of high standards, and in order to do so, they have added these restrictive conditions for the benefit of all owners or occupiers of said Lots within said Subdivision, and said restrictive conditions are hereby made to run with the land and shall be binding upon all subsequent purchasers or owners of Lots whether or not these restrictive conditions are mentioned or referred to in any subsequent conveyances.

1. **LAND USE.** All Lots shall be used exclusively for residential purposes. No business of any kind shall be located within said Subdivision nor shall any business of any kind be operated out of any home. No Lot or part of Lot may be used as a street or utility right-of-way easement connecting the streets within this Subdivision to any land outside the Subdivision, EXCEPT WITH THE EXPRESS WRITTEN AND RECORDED APPROVAL OF THE DEVELOPERS OR THEIR SUCCESSORS IN INTEREST.

2. **ARCHITECTURAL CONTROL.** The Architectural Control Committee shall be William G. Nutt and David Job so long as any one of the Lots in said Subdivision remain unsold, and so long thereafter as the Developers desire.

No construction of any building shall begin until the plans and specifications and a plan showing the location of the structure shall have been approved by the Developers, or either of them or by a property owners committee if such shall have been created. IT IS CLEARLY UNDERSTOOD AND PURCHASERS OF LOTS IN THIS SUBDIVISION AGREE that the Architectural Control Committee, may require any changes, not otherwise prohibited in these restrictions, concerning size, designs, style, location, type of exterior and so forth, with regard to the building. The decision of the Architectural Control Committee (Committee) or their successors in interest, shall be final. Where there is a conflict, and it cannot be reconciled, the Committee (initially will be William G. Nutt and David Job) or their successors in interest shall upon demand of the original purchaser, refund, without interest and without payment of any other expenses, the principal amount originally paid to William G. Nutt and David Job for the Lot in conflict.

3. **BUILDING TYPE AND LOCATION.** No structure shall be erected or maintained on any Lot or tract other than a detached single-family dwelling not to exceed two and one-half stories in height and no more than one residence shall be permitted upon any one Lot. Outbuildings may be erected upon a lot; however, said outbuilding must be of the same type exterior material and a similar design to the home located upon the property. All outbuildings must be approved by the Developers and/ or the Architectural Control Committee.

All dwellings shall include a two-car garage attached to the building proper. Use of detached garages is not permitted for the main garage. However, as set out above, outbuildings are acceptable and must match the main dwelling house in style and material. Use of basements as garages may be acceptable, but only with the Committee approval under Paragraph 2.

All structures shall be constructed of new material and unless of some brick, rock or other non-fading materials, the same shall be painted and maintained in a good condition at all times. The materials shall be approved by the Committee under Paragraph 2. However, it is desired that all exteriors shall contain brick, stucco, as approved by the Committee, stain or hardy plank siding or some other siding that is similar in make and material to hardy plank siding. There shall be no vinyl siding permitted in the subdivision.

There shall be no dwellings or buildings erected of a geodetic dome design, or of any extremely unusual design without the express approval of the Committee under Paragraph 2 above. All roofs on all buildings shall be covered with a first quality roofing material of either dimensional shingles or three-tab shingles made of asphalt or fiberglass of a minimum of 25-year duration. It is intended for the roofs to contain a minimum pitch ratio of 7 to 12. All roofs must be approved by the Committee under Paragraph 2 above.

All foundations on all homes shall be of brick, stucco, as approved by the Committee under Paragraph 2 above, or mountain stone unless otherwise approved by the Committee under Paragraph 2 above. There shall be no fences located in front of any dwelling unit within the subdivision. All fences shall be built of new materials and maintained in a good and presentable condition at all times (Note that the foundation in this paragraph shall be deemed to be any exposed area of the home below the first floor level. All fences must be located to the rear of the dwelling located on the subject lot. The rear shall be behind the rear corner(s) of that dwelling unit.

Dwellings shall be setback from the street as provided on the recorded Plat of this Subdivision.

4. LANDSCAPING.

All lots shall be landscaped within 90 days from the date of moving in to the structure and/ or within 90 days from the date of the filing of the notice of completion whichever is first to occur. All parties understand and agree that said landscaping shall include a minimum of two (2) different trees planted to the front of the dwelling. All parties understand and agree that the homeowner shall spend a minimum of one percent (1%) of the total cost of the house for landscaping. This one percent (1%) figure shall be exclusive of any monies spent for grass seed, grass seeding and/ or yard preparation such as grading and/ or the movement of dirt. Grass must be located at least in the front of the home and in the side yard area of the home at least as far as these areas can be seen from the street.

5. SATELLITE DISHES.

Satellite dishes of widths of more than 3 feet across are prohibited. All satellite dishes and any TV antennas shall be in the back yard or back areas of the house and not visible from the street. In all cases the satellite dish or TV antenna shall not be installed without the approval of the Committee or Developer, under Paragraph 2 above. (All parties understand and agree that cable t.v. service is not provided as an initial service in this subdivision.)

6. CONSTRUCTION COMPLETION. Once construction has begun, the home shall be completed, in livable condition, within ten (10) months of the start; otherwise, it shall be considered a nuisance under these restrictions.

The house location as well as any adjacent areas affected thereby shall be cleared of all trees, stumps

and other debris, all of which shall be removed from the Lot prior to any construction.

Upon completion of the construction of the main dwelling, the Owner of each Lot shall expend for landscaping (which shall not include the yard seeding and/ or yard preparation) a minimum of one (1) percent of the total cost of the land and buildings. This provision shall apply to any re-construction of any destroyed dwelling. The landscaping shall be completed within 90 days from the completion of the dwelling. Failure to do so is a nuisance. The occupancy of the residence or the filing of a Notice of Completion in the Register's Office for Bradley County, Tennessee, which ever is first in time shall be evidence of completion.

After purchase of Lot, the new Owner is responsible before and during construction to maintain the entire Lot area in an attractive condition. After construction is completed, the yard shall at all times be kept neat, attractive, mowed and tended. Failure to do so is a nuisance.

The Committee reserves the right to remove dangerous or dead trees, briars, weeds, vines, etc., from any vacant Lot so long as it is vacant at the cost of the Owners.

7. DRIVEWAYS. Before any construction has begun, a temporary driveway with at least crusher-run stone thereon shall be installed and said driveway shall be crowned and have proper drainage so that overflow, if any, from the building site shall not flow upon the main road. After construction is completed, the driveway located upon the Lot shall be composed of concrete and/ or asphalt, no dirt, or gravel driveways will be permitted or maintained after construction is complete. Said driveway shall be concreted prior to occupancy of the dwelling. There shall be no stamped concrete used on any driveway.

8. SUBDIVISION OF LOTS. No Lot may be re-subdivided by anyone other than the original Developers who shall have that exclusive right. Furthermore, this provision does not preclude the