

Restrictions for Clarks Branch Subdivision

1. No subdividing resulting in a lot less than (5) acres.
2. One single family residence per lot of permanent construction. Minimum above ground living space of 1,600 square feet. Minimum of 1,000 square feet on first floor if more than one story. Construction of residence must be completed within 6 months of beginning. Mobile homes, modular, manufactured or any type of prefab homes are not permitted.
3. No unlicensed vehicles, salvage, dumping or other visible storage of refuse which constitute a nuisance or annoyance to the neighborhood are permitted.
4. Owners shall be assessed \$200.00 per year for road maintenance. At the time of purchase, each owner becomes jointly responsible for the cost of maintenance, and for the cost of improvements on the road as originally constructed.
5. Any owner who owns two or more connecting tracts will be considered a single lot owner entitled to one vote and may be assessed as only one lot, except the developer, who will have one vote for each unsold lot. The undersigned developers have no responsibility for enforcement of the restrictions other than as a lot owner or trustee.
6. No split hoofed animals will be permitted.
7. No construction closer than 50 feet of road easement.
8. No animals or livestock may be raised for commercial purposes.
9. No feed lots.
10. No commercial businesses.
11. No structure of temporary character, trailer, basement, tent, shack, garage or other outbuilding shall be used as a place of residence, temporarily or permanently.
12. Assessments are due within 30 days after notice. After the due date the assessments will bear a 10% per annum charge paid and such assessment interest shall constitute a lien upon said lot, said lien to be filed for record by the trustees.
13. These provisions may be revised by a 60% vote of the owners, one vote per lot.
14. Any owner who violates the restrictions may be subject to a suit for compliance by an individual owner at his own expense, or by the subdivision trustees, when so directed by a majority of owners at the expense of all lot owners.
15. The trustees will comprise of 3 in number and will be the governing body for the development. They shall have the right to prepare and enforce all reasonable rules and regulations for the enforcement of these restrictions and covenants; and they shall be authorized to grant variances for unusual conditions. They shall collect and disburse assessments.
16. The first board of trustees shall consist of Bret and Ellen Bell and Courtenay Givens and shall serve until the first week of November, 2009 or until a majority of lots are sold. Afterwards a new board shall be elected for a 3 year term. Elections by lot owners will be held to fill following 3 year terms. In the case of a resignation of a trustee position, the remaining trustee shall select a lot owner to fill that vacancy until the next regular election.
17. No road may be constructed or road easement granted connecting subdivision road to land outside the subdivision other than by the undersigned developers.