

After recording return to:  
**J. H. Baker**  
130 Valley Breeze Trail  
Rossville, GA 30741

**DECLARATION OF COVENANTS AND RESTRICTIONS FOR  
GINGER LAKE ESTATES**

**WHEREAS, BAKER & SUMMERS CONSTRUCTION CO., INC. by and through its officers, Jimmy H. Baker and Pete Summers, hereinafter called "Developers" are the owners of a tract of land in Original Land Lot No. 61 in the 8<sup>th</sup> District and 4<sup>th</sup> Section of Walker County, Georgia, described in Deed Book \_\_\_\_\_, Page \_\_\_\_\_, in the office of the Clerk of the Superior Court of Walker County, Georgia; and**

**WHEREAS, said tract has been divided into a residential subdivision known as GINGER LAKE ESTATES, as shown by plat of record in Plat Book \_\_\_\_\_, Page \_\_\_\_\_, in the Office of the Clerk of the Superior Court of Walker County, Georgia; and**

**WHEREAS, Developers desire to impose restrictive covenants on said subdivision in order to promote the orderly development of said tract as a residential subdivision for the benefit of Developers and the future owners of lots in said subdivision.**

**NOW THEREFORE, Developers impose the following restrictive covenants, which shall run with the land, on all lots in said subdivision.**

**(1) Homes of rancher style construction in said subdivision must contain at least 1,400 square feet of living space on same level, exclusive of garages, enclosed porches and decks, and other spaces. Homes of two-story construction must contain at least 700 square feet of living space on each level and homes of one and one-half story construction must contain at least 1,400 square feet of living space, exclusive of such spaces. All homes must be single-family residences. Mobile homes, modular homes, duplexes, townhomes, and apartments are prohibited.**

**(2) No exposed concrete blocks may be used in the construction of any home in said subdivision. Foundations must be faced with brick or mountain stone, except that stucco may be used on the rear elevation of foundations of homes not on corner lots. On corner lots you must use brick, synthetic stone or mountain stone on all sides.**

**(3) Exterior walls of homes must be painted, unless faced with brick or mountain stone or vinyl siding.**

- (4) All homes must have at least a two-car garage. The construction of carports is prohibited.**
- (5) Driveways and sidewalks – Each dwelling unit shall be served by a driveway and by walkways constructed of hard surface materials, such as concrete, brick or exposed aggregate. Each lot shall have a 48 inch wide concrete sidewalk offset from the back of the curb twenty-four (24) inches. This sidewalk must be from lot line to lot line, parallel with the street on each lot. Builder or owner should leave driveway at least three (3) inches higher than the road at the entrance of driveway to allow for adequate drainage.**
- (6) All homes must have a roof pitch at least 7/12 and must be guttered in front and rear.**
- (7) Front steps must be of masonry construction.**
- (8) All homes must fully comply with all local building codes and ordinances.**
- (9) All homes built must be completely finished, including yard, driveway, landscaping and painting within six (6) months of the date construction began.**
- (10) Outbuildings, detached garages, pools and fences may be built in rear yards only.**
- (11) No building shall be located on any lot nearer than thirty-five (35) feet to the front line, or nearer than thirty-five (35) feet to any side street line, and no building shall be located nearer than fifteen (15) feet to any interior lot line.**
- (12) All pets shall be kept within fences in said subdivision. No horses, cattle, goats, sheep, swine or other farm livestock may be kept on any lot.**
- (13) No truck larger than one ton in size may be parked or kept on any lot except during the construction of the home.**
- (14) No junk or inoperable car or carts in need of repair may be parked or kept on any lot.**
- (15) No satellite dishes or external antennas which exceed 40 inches in diameter may be erected on any lot or home. All satellite dishes must be located at the rear, or side of the homes.**

(16) All mailboxes shall be constructed of brick, perm stone, synthetic masonry material or mountain stone and include at least one electric nightlight to serve as street lighting. This lighting should cast a downward reflection of the light. Any other night lighting must be attached to the home or outbuilding, and also should reflect a downward reflection of the light.

(17) A neighborhood association shall be formed after ten (10) lots have been sold in the development. The Association within the development will then be responsible for maintenance, operation, repair and control of the common areas. This may include the costs of maintaining any signage, entry features, the lake and the community lot. Every owner shall be a member of the Association. There shall be only one membership per unit. If a unit is owned by more than one person, all co-owners shall share the privileges of such membership. The Association may adopt rules regulating use of the common areas as it deems appropriate. The Association also is the primary entity responsible for enforcement of documents established by the Association.

(18) No public or private street or roadway shall be constructed on, through or across any of said restricted boundaries on any of said lots or roadways or any existing easements, within the development, except or unless Baker & Summers Construction Co., Inc. or Jimmy H. Baker or Pete Summers shall rearrange the boundaries on any of said lots and replat same in such a way as to provide for such street or roadway.

(19) No recreational equipment (swing sets, trampoline, swimming pools, etc.) can be located at the front or side of house.

(20) **THE LAKE:** The lake was established for the beauty and use of residents only. Each property owner with property adjoining the lake is responsible for that property that is contiguous with their property corners and the water level of the lake. Boat docks are permitted but cannot extend further than forty (40) feet from the maximum water level of the lake. Boats are permitted on the lake, but cannot be powered by a petroleum powered engine. Fishing is permitted, but you must fish from the community dock or individual boat. No activity is permitted on the lake after dark.

These restrictive covenants are hereby declared to be severable. In the event any one of them is declared invalid by the final judgment of a court of law, the remainder shall continue in full force and effect. These covenants shall be in effect for a period of twenty-five (25) years, unless canceled or amended by a two-thirds majority of the then lot owners, evidenced in writing, recorded in the Office of the Clerk of the Superior Court of Walker County, Georgia. Developers shall have power, during the construction of homes on said

lots, to grant waivers or minor violations of these restrictive covenants, which, in their opinion, do not materially affect the purpose of these covenants. Developers reserve this right as long as they see fit. All other amendments shall be made by a two-thirds majority of the lot owners, evidenced in writing, recorded in said Clerk's Office. Either developers or any lot owner shall have power to enforce these restrictive covenants on any person violating them by appropriate action in a court of law of competent jurisdiction. Any person violating these restrictive covenants shall be liable for any damages caused and the cost of enforcement, including court costs and attorneys fees.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and affixed their seals on this the \_\_\_\_\_ day of \_\_\_\_\_, 2007.

Signed, Sealed and Delivered  
In the presence of:

Mary J. Castings  
Witness

Carolyn P. Hall  
Notary Public

My commission expires:  
10/28/08

BAKER & SUMMERS CONSTRUCTION CO.,  
INC. (SEAL)

BY: Jimmy H. Baker  
Title: President

ATTEST: Pete Summers  
Title: Vice-Pres - Sec.

