

Midland Downs Covenants

STATE OF GEORGIA
COUNTY OF MUSCOGEE

THIS DECLARATION OF PROTECTIVE COVENANTS, made and published this 4th day of August, 2017, by MIDLAND DOWNS DEVELOPMENTS, shall be binding on all persons and shall remain in effect for twenty-five (25) years from the date recorded.

1. Land Use and Building Type

No lot shall be used except for residential purposes. No building shall be erected, altered, placed, or permitted to remain on any lot other than one detached single-family dwelling not exceeding two and one-half stories in height, along with a private garage for not more than three cars and a utility or storage building, all subject to approval by the Architectural Control Committee.

2. Architectural Control

- Construction plans, specifications, and a site plan must be submitted to the Architectural Control Committee for approval prior to the start of construction.
- Approval is based on quality of workmanship and materials, harmony of external design, and location with respect to topography and finished grade elevation.
- The Committee's decision is final.

3. Building Location

- Front setback: No building shall be located closer than 25 feet to the front lot line.
- Side street setback: No building shall be located closer than 15 feet on corner lots.
- Side setback: No building shall be located closer than 5 feet to a side lot line.
- Rear setback: No building shall be located closer than 30 feet to the rear lot line.
- Exceptions: Eaves, steps, and open porches shall not be considered as part of the building footprint.

4. Walls and Fences

- Maximum fence height: 6 feet.
- Material restrictions: Chain-link or metal fences must be earth-tone, coated, or painted and approved by the Architectural Control Committee.

5. Swimming Pools

- Above-ground pools are permitted only in rear yards and require Architectural Control Committee approval.

6. Dwelling Cost, Quality, and Size

- No dwelling shall be built for less than \$100,000 in construction costs (adjusted for prevailing rates at the time of construction).
- Minimum floor areas:
 - One-story dwelling: 1,200 square feet
 - Multi-story dwelling: 1,400 square feet

7. Lot Area and Width

- No dwelling shall be placed on a lot that is less than 60 feet wide at the setback line.
- Minimum lot area: 7,900 square feet.

8. Easements

- Utility and drainage easements are established as shown on the recorded plat.

9. Land Coverage

- Buildings, driveways, and parking areas shall not exceed 35% of the total lot area.

10. Nuisances

- No noxious or offensive activity shall be carried out on any lot.

11. Temporary Structures

- No trailers, mobile homes, vans, tents, garages, barns, or outbuildings shall be used as residences.

12. Signs

- Allowed signs:
- One professional sign (≤ 1 square foot).
- One real estate sign (≤ 5 square feet).
- Builder signs (only during construction/sales).

13. Oil and Mining Operations

- No drilling, quarrying, or mining operations shall be permitted.

14. Livestock and Poultry

- No livestock or poultry shall be raised or kept, except household pets that are not bred for commercial purposes.

15. Garbage and Refuse Disposal

- No lot shall be used as a dumping ground.
- Trash must be kept in sanitary containers.

16. Antennas

- Satellite dishes and radio antennas must be:
- Located in rear yards.
- Within building setback lines.
- Not protruding above the roofline.
- Approved by the Architectural Control Committee.

17. Sight Distance at Intersections

- No fence, wall, hedge, or shrub obstructing visibility shall be placed within 25 feet of a street intersection.

18. Architectural Control Committee

- Members:
 - Philip Thayer, Columbus, Georgia
 - Benals Bowlus, Columbus, Georgia
 - Carol Ward, Columbus, Georgia
- Committee powers:
 - Has 30 days to approve or deny submissions.
 - If no decision is made within 30 days, approval is automatically granted.
 - The committee is not required to inspect or enforce compliance.
 - Neither the committee nor the subdivision owners shall be liable for decisions made in good faith.

19. Streets

- The city or county may alter street elevations, and no claims for damages shall be made against them.

20. Term and Modification

- These covenants shall be in effect for 25 years from the recording date.
- They automatically renew in 10-year increments unless a majority of lot owners vote for amendment or termination.

21. Enforcement

- Violations may be enforced through legal action, with violators liable for attorney's fees, court costs, and other expenses.

22. Severability

- If any part of these covenants is declared invalid, the remaining provisions shall remain in effect.

IN WITNESS WHEREOF, the undersigned owners have executed this document on the date first written above.

- Signed, sealed, and delivered in the presence of:

MIDLAND DOWNS

LYING IN LAND LOTS 131 & 158, 9th DISTRICT

COLUMBUS, MUSCOGEE COUNTY, GEORGIA

August 4, 2017

MOON, MEEKS, MASON & VINSON, INC.

Civil Engineers & Land Surveyors

3800 Rosemont Drive, Columbus, Georgia 31904