

*These Proposed Covenants, Conditions and Restrictions For
“The Estate of Porter Bell” shall be recorded at closing in the Register’s Office for
Hamblen County, Tennessee, unless 16 of the 30 owners of tracts identified as the The
Estate of Porter H. Bell located in Hamblen County agree, prior to closing, not to
record them.*

Proposed Covenants, Conditions and Restrictions For
“The Estate of Porter Bell”

KNOW ALL MEN BY THESE PRESENTS, that this Declaration of Covenants and Restrictions (“Declaration”), is made and entered into on this 20th day of October 2017, by _____ (hereinafter “Owner”)

W I T N E S S E T H:

WHEREAS, Owner owns the real property (“Property”) identified as the “Estate of Porter H. Bell” in Hamblen County, Tennessee;

WHEREAS, Owner desires to maintain the beauty and integrity of the Property and to provide for the preservation of the values of the Property, and to this end, desire to subject the Property to the covenants and restrictions hereinafter set forth, each and all of which is and are for the benefit of the Property and each owner thereof;

NOW THEREFORE, Owner hereby declare that the Property is and shall be held, transferred, sold, conveyed, and occupied subject to the covenants and restrictions hereinafter set forth.

1. These covenants and restrictions shall be binding on all parties and all persons claiming under them until October 20th, 2037, at which time said covenants shall automatically be extended for successive periods of ten (10) years. However, they can be changed at any point in time by a vote 16 of the 30 owners of tracts identified as the Estate of Porter Bell located in Hamblen County agree to change said covenants in whole or in part.

Each owner shall be entitled to one vote for each tract which he owns for the purposes of decision making on such matters affecting the enforcement of these restrictions or other matters that are of common interest to the owners of this subdivision; however, if a tract has more than one owner, the total number of owners of that tract shall constitute one vote. In the event of further sub-dividing, the new subdivision tracts must meet the same restrictions as provided herein, with each owner entitled to one pro rata share of vote of the original subdivision plat.

2. If any tract owner, or their heirs or assigns, shall violate, or attempt to violate, any of the covenants herein, it shall be lawful for any other person or persons owning any real estate situated in said subdivision to prosecute any proceedings at law or in equity against the person or persons attempting to violate or violating any such covenants, and either to prevent him or them from so doing, or to recover damages or other dues for such violation.
3. No noxious or offensive activity shall be carried on upon any tract, nor shall anything be done therein which may be or may become an annoyance or nuisance to the neighborhood.
4. All tracts are to be used for single-family residential or agricultural purposes.

5. Subject to these restrictions, re-subdividing is permitted provided re-subdividing of tracts is approved by local and / or state Planning Commission and Health Department. In the event of further subdividing, the new subdivision tracts must meet the same restrictions as provided herein, with each owner entitled to one pro rata share of vote for each tract he owns of the subdivided tract for the purpose of decision making on such matters affecting the enforcement of these restrictions or other matters that are of common interest to the owners of this subdivision.
6. No tract shall be used or maintained for a dumping ground for rubbish, junk, trash, or motor vehicles of any nature. Trash, garbage, or other waste shall not be kept except in sanitary containers. Garbage receptacles shall be in complete conformity with sanitary rules and regulations. All requirements, standards, and resolutions of the public health authorities of the County of Hamblen, and the State of Tennessee must be adhered to.
7. The heated and cooled interior living area of any one-story residence shall have a minimum floor area of (1,200) square feet. The heated and cooled interior living area of any residence of more than one story shall have a minimum floor area of (1,500) square feet. Basements (whether used for living area or not), open porches, garages, and breezeways shall not be included in computing the minimum floor area.
***The existing single family home located on Tract 11 shall be considered "Grandfathered" and is exempt from these restrictions – until such time said home is renovated or destroyed, at which time said tract must meet the same restrictions as provided herein.*
8. No single-wide mobile homes, manufactured home, basement, tent, shack, garage, camper, RV, barn, or other outbuilding erected on the tract shall at any time be used as a house trailer, residence, temporarily or permanently; nor shall any structure of a temporary character be used as a residence. Double wide mobile homes and manufactured homes five (5) years old or newer are permitted. The heated and cooled interior living area of any manufactured housing and mobile homes shall have a minimum floor area of (1,200) square feet. Manufactured housing and doublewide mobile homes shall require a permanent foundation to include enclosure of the external space below floor level.
*** The existing Mobile Homes located on Tracts 12 and 13 shall be considered "Grandfathered" and are exempt from these restrictions – until such time that they are removed from said tract(s) and/or destroyed at which time said tract(s) must meet the same restrictions as provided herein.*
9. The breeding of poultry and swine is expressly prohibited.
10. No junk, trash, or junk cars that do not run on their own power are to be kept, stored or housed on the property.
11. No inoperative cars, inoperative trucks, or other types of inoperative vehicles, machinery or equipment shall be allowed to remain either on or adjacent to any lot for a period in excess of forty eight (48) hours. Boats, campers and RV's must be parked at rear of main residence.
12. No building shall be located on any tract nearer than (30) feet from the front lot line. The minimum side yard shall be (10) feet and rear shall be (10) feet.
13. Satellite dishes are permitted however shall not be larger than 36 inches in diameter. In ground pools are allowed but must be enclosed by a fence. Pools and satellite dishes shall be located so as not to create nuisance or unsightly attraction. Above ground pools are permitted as long as they are constructed of good quality. Ham radio antennas are not permitted. No clotheslines or other devices or structures designed and customarily used for the drying or airing of clothes, or blankets, bed linens, towels, rugs or any other type of household ware shall be permitted.

14. Every residence shall fully comply with all laws and health regulations of the Hamblen County Health Department and State Health Department. No outside toilets shall be permitted in the subdivision except during construction phase of a residence.

OWNER