

Summary of the Declaration of Protective and Restrictive Covenants for Long Branch Lakes at Fall Creek Falls (The “Declaration”)

This summary is not a legal document. It is intended to provide current and prospective property owners a condensed version of the original legal document, the Declaration, which is provided on the Long Branch Lakes POA web site in its entirety. Pertinent numbered PERMITTED AND PROHIBITED USES are listed here verbatim.

The Declaration was filed in 2007 by the Developer, and applies to all properties in Long Branch Lakes. The Developer is also referred to as the Declarant, and managing member of Longbranch Lakes Properties LLC.

Although the rights and responsibilities of these entities are no longer relevant and are omitted from this condensed version, it is important to note that the original Declaration is the legal document that runs with the deeds of all Long Branch Lakes properties and is the source document.

SUMMARY OF PART I, PERMITTED AND PROHIBITED USES. Obsolete items are noted with an asterisk (*). Items clarified or defined by the Board of Directors are noted as (“BOD NOTE”) with the date of decision and vote, if applicable.

1. All parcels within the development shall be owned and used exclusively for single family residential purposes. No more than one dwelling shall be constructed on any lot as platted. However, and notwithstanding the foregoing, the owner of a lot greater than five (5) acres, which owner has already substantially completed his or her residence on the subject lot may also construct a guest house structure subject in every way to these Restrictions except that said guest house shall have no fewer than 1,100 heated square feet. The right hereunder to build a guest house shall not give rise, by implication or otherwise, to any right to re-subdivide the subject lot.
2. Free standing garages and accessory buildings may be constructed but shall not be used for permanent or temporary residence purposes. The design of all such garages and accessory buildings shall be in keeping with the architectural theme of the house as determined by the Architectural and Landscape Control Committee (“Committee”).
3. No dwelling unit shall be constructed having a floor area exclusive of garage, covered walks and open porches of less than one thousand four hundred fifty (1450) heated square feet. No dwelling unit shall have a height of more than 40 feet above existing grade.
4. Recreational facilities such as swimming pools, tennis courts, playhouses and similar structures shall be set back a reasonable distance from property lines and screened for abutting or adjacent building sites and public roads. No outdoor or security lighting shall be permitted

unless it is designed and located in such a way as to cast substantially all of the light within the building site wherein it is located.

5. All propane tanks and other such tanks shall be either screened from the road and adjoining lots or buried.

6. All trucks, trailers, boats, boat trailers, or habitable motor vehicles of any nature except pick-up trucks and vans kept on or stored on any part of the property for more than thirty days of any year shall be screened in such a way as not to be obviously visible from the road or adjoining property, except during the construction phase of any building.

7. No sign of any character shall permanently be displayed or placed upon any part of the property except a sign identifying the residence and owner, the dimensions and design of which shall be subject to the regulations of the Architectural and Landscape Control Committee.

8. Household pets, such as dogs and cats, may be kept or maintained in reasonable numbers solely as pets for the pleasure and use of the occupants, but not for any commercial use or purpose. Kennels, pens, or other facilities wherein such animals are kept shall be set back from property lines and adequately screened so as not to be a nuisance to the residents of abutting or adjacent lots.

9. No animal or fowl husbandry, commercial or non-commercial, shall be conducted on the property.

10. No weeds, garbage or refuse piles, trash or other unsightly objects shall be allowed to be placed or suffered to remain on any part of any lot, including vacant building sites.

11. When construction of any building is once begun, work thereon shall be prosecuted diligently and must be completed within a reasonable time not to exceed twelve months from the day construction has begun.

12. No property owner will do or permit to be done any act upon his property which may be or is or may become a nuisance to other property owners or residents.

13. * No lot or tract in the subdivision shall be further subdivided by any owner. However, the owners shall have the right to adjust the boundary lines between their lot and adjoining lots as long as no new lots are created. Further, and notwithstanding any term or provision herein to the contrary, this paragraph 13 shall not apply, and is deemed null and void, in those singular situations where the sole purpose of re-subdivision is for the creation of a conservation easement on a lot for the owner who has chosen irrevocably to place a part or portion of his or her lot in such permanent easement. *

Reference to "Longbranch" removed.

14. * Dedicated rights of way easements are expressly reserved for creation, construction, and maintenance of roadways, utilities, storm water ways and sewers and any other uses deemed necessary or expedient for the public health or welfare. Maintenance of right-of-ways, roadways and storm drains will be the responsibility of the Property Owners Association.

* Reference to "Longbranch" removed.

15. As soon as construction of any house or other improvement has been completed, the owner of the lot shall clear and remove all stumps, logs, limbs and other debris from the lot unless burial of such material on the lot is approved by the Architectural and Landscape Control Committee.

16. No mobile homes, double-wide, or temporary housing of any type shall be located on any parcel.

17. No exposed concrete block structures or metal buildings shall be constructed on any lot unless covered with brick, wood, stucco, or other materials and exterior colors must also be approved by the Architectural and Landscape Control Committee.

18. No lot shall be used for any commercial purpose, including, but not limited to public campsites.

19. No tents or campers may be erected or used for human habitation on any lot.

20. All automobiles, trucks, motorcycles and other vehicles shall be muffled in such a way that their operation with the subdivision does not constitute a nuisance.

21. No house or other building or structure shall be constructed within seventy (70) feet of the right-of-way of any public roadway, twenty-five (25) feet of any side property line, one hundred (100) feet from normal pool level of lakes. However, the Architectural and Landscape Control Committee shall be allowed to grant exceptions to this provision under hardship circumstances, which granting of an exception shall be within the sole discretion of said Committee, and any such exception so granted shall not bind the Committee in a similar or future request for exceptions. The granting of an exception shall not be treated or interpreted as an explicit or implied waiver of these Restrictions.

22. The lakes constitute common area and are constructed for recreational fishing, swimming, and canoeing. Only small fishing boats and canoes are allowed on the lake. The only boat motor allowed shall be an electric trolling motor. No housing for boats will be allowed on the water.

23. All docks must be constructed in accordance with the standards set by the Architectural and Landscape Control Committee. Docks may be floating or stationary, and cannot be larger than 260 square feet. The floats must be constructed of styrofoam; no barrels

will be allowed. Stationary docks must be eighteen inches (18") above normal pool level and built with weather resistant treated wood or composite materials.

24. * In all common areas, other than the lake, no structures shall be built other than picnic tables, foot bridges and foot bridges with handrails. Docks on the common area with lake frontage have been provided and will be maintained by the Property Owners Association.
* Reference to "Longbranch" removed.

25. * Each lot owner will be required to keep telephone and electrical service underground from the pedestal to the house entrance. Electrical service is provided by Sequatchie Valley Electric Cooperative and telephone service is provided by Bledsoe Telephone Cooperative. No above ground wiring will be permitted.
* Reference to "Longbranch Lakes Properties, LLC, its successors and assigns" removed.

26. No inoperable vehicles will be allowed to be parked on a lot for more than thirty (30) days. No vehicle will be allowed on any lot on jacks or blocks for more than three (3) days.

27. One Horse or cow is permitted only on lots greater than five (5) acres in size; for each additional horse or cow, at least 2 additional acres per animal is required.

28. Pasture area must be approved by the Architectural and Landscape Control Committee. All pastures, yards and clearings must be cleared of all stumps and debris. Trees must be left in pastures if approved. Small stocked ponds must be approved and properly built as to not alter flows, and no wetlands can be impounded.

29. No barns or out-buildings are permitted unless approved by the Architectural and Landscape Control Committee, which approval, if any, is in the sole discretion of said Committee.

30. All tools, tractors and equipment must be housed and such areas must be kept clean and neatly maintained.

31. All pasture fences must be approved, prior to construction, by the Committee, and kept mowed and clear of all growth, except for grass.

32. All manure and refuse of barns and areas where horses and cows are kept must be properly disposed of so as neither to be a nuisance to neighbors nor to pollute lakes, streams and storm drains.

33. Common areas located at Lake #1 and Lake #2 are for the use of all property owners of the subdivision. Rules and uses will be published separately and are incorporated herein by reference as amended.

34. All hiking trails, and specified natural common areas will be for the use of property owners of Longbranch Lakes only. Rules will be published separately and are incorporated herein by reference as amended.

35. Absolutely NO HUNTING will be allowed on the Property.

36. The equestrian area is located at the southeast corner of the Longbranch Lakes property. This area joins the Bledsoe State Forest (being approximately 7000 acres), which allows hunting & horseback riding. There will be riding areas and barns for housing and keeping of horses, which will be governed by the Property Owners Association. Rules and accommodations will be published separately and are incorporated herein by reference as amended.

37. Off-road motorcycles and off-road motorized vehicles are prohibited in the subdivision. All forms of all terrain vehicles are prohibited in the subdivision with the exception of such vehicles, having four or more wheels, used exclusively for agricultural or yard maintenance purposes.

38. through 46. * References to "Longbranch Lakes Properties, LLC" and "Declarant" removed.

END OF SUMMARY OF PART I

Updated: July 15, 2021