

STATE OF GEORGIA

COUNTY OF HABERSHAM

THIS INDENTURE, made this 25th day of September in the Year of Our Lord Nineteen Hundred and NINETY-TWO between

ALL-REGION REALTY CORP.

of the State of GEORGIA and County of WHITE of the first part, and

JOHN DAVID CROSS; BETTY JO CROSS; SHAUNEY RAE CROSS

of the State of FLORIDA and County of CITRUS of the second part,

WITNESSETH: That the said part y of the first part, for and in consideration of the sum of TEN AND NO/100 (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATIONS Dollars,

in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, ha s granted, bargained, sold and conveyed, and by these presents do ca grant, bargain, sell and convey unto the said parties of the second part as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property: ALL THAT TRACT or parcel of land lying and being in Land Lot 125 of the 2nd Land District of White County, Georgia, containing 38.60 acres, more or less, designated as Tract # 1 on a plat of survey prepared by Hubert Lovell, R. S., under date of September 24, 1992, a copy of said plat being of record in the office of the Clerk of Superior Court of White County, Georgia, in Plat Book 30, Page 211, to which said plat and the record thereof reference is hereby made for a more complete description. NOTE: The above described property is conveyed subject to the following, to-wit: 1. USE. The said land shall be used exclusively for residential purposes; this shall not exclude the use of said property for gardening and customary residential activities or in-home offices or the like (but no commercial activity or signage is allowed). Single-story dwellings shall contain a minimum of 1,000 square feet of heated living space on the ground floor. Multiple-story dwellings must have a minimum of 700 square feet of heated living space on the ground floor and 1,200 square feet overall. No trailers or mobile homes shall be allowed. Modular homes placed on permanent foundations and meeting minimum square footage requirements are permitted. 2. LOCATION OF BUILDINGS. No structure shall be located nearer than 30 feet to the road right-of-way nor 10 feet of any other boundary line. 3. PROTECTION OF STREAMS. No use of said property shall be allowed which would in any way result in pollution or diminution of the flow of any stream running through said property or which would adversely affect the flow or quality of water to adjoining landowners. 4. GARBAGE AND REFUSE DISPOSAL. No part of said land shall be used or maintained as a dumping ground for rubbish or garbage. Trash, garbage and waste shall be maintained in a clean and sanitary condition and shall be disposed of properly. 5. NUISANCES. No activity shall be carried on upon said land which would constitute an unreasonable and substantial interference with the use and enjoyment of the land by the residential owners thereof. No unregistered or inoperable motor vehicles shall be moved or kept on said property; antique vehicles may be excluded from this provision provided purchaser requests specific exception and Declarant agrees and sets out vehicles allowed and restrictions thereon in writing. No poultry houses or swine shall be allowed; however, this does not exclude keeping horses or cattle for personal use.

TO HAVE AND TO HOLD the said tractor parcel of land, with all and singular the rights, members and appurtenances thereof, to the same belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said parties of the second part, as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

AND THE SAID part y of the first part, for its ~~heirs~~ ^{successors}, executors, and administrators, will warrant and forever defend the right and title of the above described property unto the said parties of the second part, as hereinabove provided, against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the said part y of the first part ha e hereunto ~~caused its hand to be set~~ ^{caused its hand to be set} and its seal affixed, the day and year above written.

Signed, sealed and delivered in the presence of:

Witness Kathleen M. Hamilton

Notary Public Anna B. Anderson

My commission expires DEC 4-96

White County, Georgia
Real Estate Transfer Tax
Paid \$ 121.40
Date 10-5-92
Carmel Joynes
Clerk of Superior Court
ALL-REGION REALTY CORP. (Seal)
By: Larry E. Smith, President (Seal)
(Seal)