

These deed restrictions are in effect, binding, and agreed to by the purchaser of the above property, their heirs, assigns, and all future purchasers of the property until August 1, 2040, and they can be transferred and extended beyond that date.

1. This lot shall be used for residential purposes only. No building shall be erected, altered, placed or permitted to remain on this lot other than one detached single family dwelling not to exceed two and one-half stories in height. The lot, 317/319 Fifth St., is considered one single lot and shall not be subdivided. All City of Marietta building code setback provisions and City ordinances are to be followed.
2. Minimum ground level living area square footage is 1750 sq. ft. for a one story home; 1250 sq. ft. for a two story home. Living area is heated, habitable area excluding garage and open porches.
3. No noxious or offensive activity may be carried on upon this lot, nor shall anything be done thereon that may be or may become an annoyance or nuisance to the neighborhood nor inconsistent with the limited use thereof for residential purposes only.
4. No structure of a temporary character, trailer, basement, tent, shack, garage, carport or other outbuilding shall be used in this lot at any time, except temporarily for 30 days or less, and except construction-work trailers or sheds used during construction, the placement of which is not to exceed 12 months.
5. No sign of any kind shall be displayed to public view on this lot except one sign not to exceed 6 square feet in area advertising the property for sale or signs used by a builder to advertise the property during the construction and sale period.
6. No chain link, wire, or privacy fence shall be permitted across the frontage of this property.
7. No trucks, commercial vehicles, boats or trailers, camping vehicles, or temporary home vehicles may be parked on the street in front of or near the lot, nor parked on the lot at any time.
8. No mobile home, double or single wide prefabricated home, modular home, sectional home, prefabricated home of any nature, or log home may be placed or erected upon the lot.
9. All exterior wall surfaces shall be constructed of or covered with brick, stone, stucco, wood, or fiber cement materials or any combination thereof. No portion of any concrete block walls or poured concrete walls shall be left exposed. All such concrete block or poured concrete walls shall be veneered with brick, stone, stucco, wood, or cement fiber. Poured concrete foundation walls only may be of simulated brick or stone design.
10. Elevation of the first floor to be 21 inches minimum above grade with or without a basement. No concrete slab first floor construction is permitted.
11. Minimum roof slope over the main house (excluding porches and garage) to be 8/12 or 33.7 degrees above horizontal.
12. No animals, livestock, or poultry of any kind shall be raised, bred, or kept on this lot, except that of cats or dogs or other household pets may be kept provided they are not kept, bred or maintained for any commercial use.
13. Invalidation of any one of these restrictions by judgment or court order shall in no way invalidate the other provisions or restrictions which shall remain in effect.
14. Construction must be substantially completed within twelve (12) months from the commencement of work. All necessary building and related permits must be obtained before commencement of work.