

AFFIDAVIT OF FACTS AFFECTING TITLE

IN RE: Property belonging to GORDEN REAL ESTATE, INC. as shown on Plat of Survey conducted by Henry Grady Jarrard, Registered Land Surveyor, Gainesville, Georgia, on April 7, 1978, and delineated as Phase 1, "The Woods Subdivision," recorded in Plat Book 12, page 10, Office of Clerk, Superior Court, White County, Georgia, EXCEPT for Lots Nubers 1, 2, 85, 86 and 87, said Plat, said property covered by these covenants being a portion of that described in Warranty Deed executed by Talmadge Blalock et al to Gorden Real Estate, Inc., dated December 9, 1976, recorded in Deed Book 4-R, pages 14-15, said Clerk's Office.

STATE OF CALIFORNIA

COUNTY OF SAN DIEGO

Personally appeared before the undersigned officer, GORDEN PFAU and PATRICIA A. PFAU, who being duly sworn, on oath, depose and state that they are the same officers mentioned in the following resolution; that the restrictions contained therein affect the title to the captioned property; that this affidavit is made pursuant to the said resolution and authorization by Board of Directors of GORDEN REAL ESTATE, INC.; and that the following is the true and correct resolution as originally drawn, to-wit:

"CALIFORNIA, SAN DIEGO COUNTY

I, PATRICIA A. PFAU, the Secretary of GORDEN REAL ESTATE, INC., the corporation designated herein as 'this corporation,' the principal office of which is located at San Marcos, San Diego County, California, hereby certify that below is a true copy of the resolution adopted by the Board of Directors of this corporation at a meeting duly called and held, a quorum being present, on the 15 day of MAY, 1978, and that such resolution does affect the title of the property hereinabove referred to and that such resolution is now in full force and effect.

'RESOLVED that the corporation, through its directors, shall and does by this act, authorize and direct the President, Gorden Pfau, and Secretary, Patricia A. Pfau, of said corporation to place certain RESTRICTIONS upon a portion of the property which it purchased from Talmadge Blalock et al by Warranty Deed hereinabove referred to; and that said RESTRICTIONS shall, as of this date, attach and affect the lots shown on the Plat hereinabove referred to, EXCEPT for said Lots 1, 2, 85, 86 and 87, said Plat, which are excluded from these Restrictions; said Restrictions are set out verbatim as follows:

- (1) No industrial or commercial business.
- (2) No signs, Except House or Lot "For Sale" Signs.
- (3) No mobile home, modular, prefab, double wides or cement block houses.

(4) Only one house per parcel.

(5) No commercial animal husbandry.

(6) Minimum of 1100 sq. feet heated area in house.

(7) Each Purchaser in "The Woods Subdivision" shall be subject to a Annual Road Maintenance Fee of \$50.00, which shall be paid annually by Purchaser to a Road Maintenance entity or company in accordance with a separate agreement between said parties; and Easements for the rights of ingress and egress are hereby reserved by owner, via 40-foot Roadways delineated on said Plat, with the right to convey ingress and egress as hereinafter set out.

(8) Easements for all public utilities and the rights of ingress and egress for installation, maintenance and repair of said utilities are reserved under and over all of said parcels affected hereby.

(9) These Restrictions shall be considered as covenants running with the land and shall bind the Purchasers, their heirs, executors, successors, administrators, and assigns, and said owners, their heirs, executors, administrators, successors or assigns, shall not violate or attempt to violate, any of the covenants or restrictions herein contained. Any invalidation of any one of these covenants or restrictions shall in no way affect any other of the provisions hereof which shall thereafter remain in full force and effect. All of the Restrictions, covenants and agreements as written herein shall continue for a period of Twenty Years from date hereof; the same hereafter may be changed, amended or revoked by two-thirds vote of the property owners of the subdivision herein named.

(10) The portion of lands shown on said Plat of 'The Woods Subdivision' as streets or roads are not dedicated to public use and title thereto shall be conveyed (with the lots fronting on said streets or roads) to the center thereof, subject to the right of this corporation, its successors or assigns, to convey to all Purchasers the use of same for ingress and egress to and from the public roads by the most direct course over said streets or roads shown on said Plat.

(11) There shall be an Architectural Control Committee for said Subdivision and no house shall be built upon said lots until the plans therefor have been approved by said committee.

That the President and Secretary notify all interested parties or purchasers by having this resolution recorded in the Deed Records of White County, Georgia, and refer to said Deed Book and page where said Restrictions are recorded in each conveyance executed by said corporation on said property.'

In Witness Whereof, I have hereunto subscribed my signature to this Certificate and affixed the Seal of this Corporation, this 30 day of May, 1978.

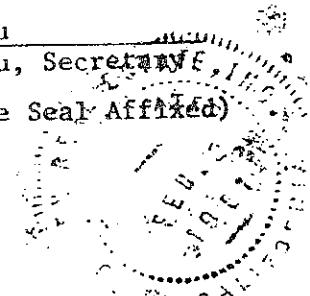
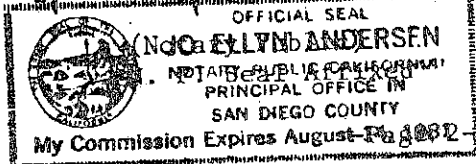
Patricia A. Pfau
s/Patricia A. Pfau

Patricia A. Pfau, Secretary

Sworn to and subscribed before me this 30 day of May, 1978.

(Corporate Seal Affixed)

s/ *Ellen Andersen*



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