

CUMBERLAND MOUNTAIN RETREAT
PROPERTY OWNER'S ASSOCIATION, INC.
Crossville, Cumberland County, Tennessee

DECLARATION OF RESERVATIONS AND RESTRICTIONS

WHEREAS, Cumberland Mountain Retreat Property Owner's Association, Inc. is the owner of Cumberland Mountain Retreat Subdivision and Plat Numbers 11, 12 and 13 Subdivisions, which subdivisions are described by plats of record in the Register's Office of Cumberland County, Tennessee, and that 150' easement abutting Plat Numbers 1 through 13 as described in the DEED FOR EASEMENT dated April 14, 1992, and recorded in the Register's Office, Cumberland County, Tennessee, and,

WHEREAS, for the benefit and protection of the future and present owners of said lots in said subdivisions, and for the establishment and maintenance of sound values for the lots in said subdivisions, it is desired that certain restrictions and reservations be imposed on said lots in said subdivisions and be made a matter of public record, and property conveyed in said subdivisions be made subject to such restrictions and reservations.

NOW, THEREFORE, for and in consideration of the premises, Cumberland Mountain Retreat Property Owner's Association, Inc. imposes upon the said Cumberland Mountain Retreat Subdivisions the following restrictions, reservations and conditions, all of which shall be deemed COVENANTS running with the land:

1. The lots or parcels of land as shown on the attached Schedule "A" (with reference to the recorded plat) are designed so as to be included within one of the following categories or classifications:

(a) CLASS C: Lots or parcels of land carrying this classification shall be used for residential purposes only, and not more than one (1) detached single family dwelling house may be erected on any such lot or parcel of land, and such dwelling house shall consist of at least eight hundred (800) square feet of finished and heated living space, exclusive of any porches, carports, garages, patios, etc.

(b) CLASS D: Lots or parcels of land carrying this classification shall be used for residential purposes only, and not more than one (1) detached single family dwelling house may be erected on any such lot or parcel of land, and such dwelling house shall consist of at least six hundred (600) square feet of finished and heated living space, exclusive of any porches, carports, garages, patios, etc.

(c) CLASS M: Lots or parcels of land carrying this classification shall be used for residential purposes only, and not more than one (1) mobile home or detached single family dwelling house of at least six hundred (600) square feet of finished and heated living space, exclusive of porches, carports, garages, patios, etc., shall be erected on any such lot or parcel of land, and mobile homes placed thereon must be erected on a permanent foundation. Mobile homes placed on such lot may not be less than six hundred (600) square feet of finished and heated living space.

*Mail to
Cumb Mtn Ret
At 6 CMR #
39 Taber #
Crossville, TN
38555*

(d) CLASS X: Lots or parcels of land carrying this designation shall be used for residential purposes only, and not more than one (1) detached single family dwelling house of at least six hundred (600) square feet of finished and heated living space, exclusive of porches, carports, garages, patios, etc., or not more than one (1) mobile home on a permanent foundation, or not more than two (2) camper trailers or other similar camping facilities may be placed on any such lot or parcel of land.

(e) CLASS X-C: Lots or parcels of land carrying this designation shall be used for residential purposes only, and not more than one (1) detached single family dwelling house of at least three hundred (300) square feet of finished and heated living space, exclusive of porches, carports, garages, patios, etc., or not more than one (1) mobile home on a permanent foundation, or not more than two (2) camper trailers or other similar camping facilities may be placed on any such lot or parcel of land. This classification is also mandated by Paragraph Thirteen (13), Sections (a.) and (b.).

(f) CLASS R: Lots or parcels of land carrying this classification may be used for residential purposes or commercial purposes.

(g) COMMON PROPERTIES: Parcels of land marked common properties shall be used for recreational purposes for the benefit of such persons who are in full compliance with the reservations and restrictions, and other rules and regulations of the Cumberland Mountain Retreat Property Owner's Association, Inc., which may now or hereafter be in force.

2. All dwelling units erected on lots or parcels of land restricted to residential purposes only shall be constructed in a good and workmanship like manner, and shall be maintained at all times in a good state of repair. The exterior of all permanent dwelling units, including mobile homes, shall be established and maintained in an attractive manner in keeping with the natural beauty and attractiveness of the subdivision area. Upon the commencement of the construction of any residential dwelling, accessory building, remodeling, or room additions, such construction shall be completed within six (6) months from the commencement of such construction. Before beginning the construction of any dwelling, accessory building, remodeling, or room addition, the following pertinent procedures must be followed:

(A) Obtain a permit from the Board of Directors before erecting a house or moving a mobile home onto any lot or parcel of land.

(B) Contact the Cumberland County Health Department for a permit for a septic tank and drain field lines.

(C) Contact the Volunteer Electric Cooperative concerning electric service.

(D) Contact the Cumberland Mountain Retreat Utility District for a water service tap-on or turn-on. This requires a Tap- or Turn-On Fee as mandated by the District's Current Rate Schedule.

(E) All mobile homes must have underpinning installed and approved by the Board of Directors within sixty (60) days after being placed on any lot or parcel of land.

3. The establishment, maintenance and use of all lots or parcels of land within the subdivisions with regard to the disposal of sewage and effluent shall be done in strict compliance with currently existing State Health Regulations. In particular, no outside toilets shall be permitted on any lot or parcel of land in the subdivisions, and no waste or effluent shall be permitted to enter any of the lakes, streams, creeks or ditches within the subdivisions. Further, all sanitary arrangements must be inspected and approved by local or State Health Officers. All rear lot lines adjoining any lakes are at or above the high water mark of the lake, and no part of any sewage disposal system shall be installed closer than fifty (50) feet from the rear lot line of such lot or the high water mark of the lake adjacent to such lot.

4. The erection of any permanent or temporary dwelling or appurtenant building thereto shall be placed at least twenty (20) feet from the front and rear lines of the property, and at least ten (10) feet from the sidelines of any abutting property owner.

5. No animals or fowl shall be kept or maintained on any lots or parcels of land, except household pets, which pets must be confined to the owner's lot or parcel of land either by fence or chain, and on a leash and under the direct supervision of said owner while in the subdivision areas.

6. Cumberland Mountain Retreat Property Owner's Association, Inc. for itself, its successors and assigns, reserves easements for the installation and maintenance of utilities and drains parallel to and ten (10) feet from all lot lines, and said Cumberland Mountain Retreat Property Owner's Association, Inc., for itself, its successors and assigns, reserves the right of ingress and egress to such areas for the purpose of maintaining, installing, servicing and operating any of the above mentioned installations.

7. Except for areas reserved as common properties for recreational use, no boat docks, floats or other structures shall be constructed or built which extend into or onto any lake for more than fifteen (15) feet from the high water mark of such lake. Any and all materials used in such construction shall be of a nature such that said materials will not create any pollution of the water in the lakes.

8. All boats operated on any lake in Cumberland Mountain Retreat shall not be propelled by any auxiliary power except electric motors, oars, paddles, or the use of sails.

9. No noxious or offensive activity shall be permitted on any lot or parcel of land, nor shall anything be done thereon which shall be or become an annoyance or nuisance to any other property owner, or to the neighborhood.

10. No lot or parcel of land shall be used or maintained as a dumping ground for rubbish, trash, garbage, or any other waste, including, but not limited to, junk vehicles or vehicle parts of any sort, and household waste of any sort. All lots or parcels of land shall be kept in a clean, neat, and sanitary condition.

11. All vehicles shall be parked off roadways, and must be on property owner's lot.

12. No advertising activity of any kind shall be allowed on any lot or parcel of land classified as residential except a sign of no more than four (4) square feet advertising said lot or parcel of land for sale by the owner thereof, or by such owner's agent.

13. In addition to all general provisions stated above, the following provisions apply specifically to Lot Numbers one (1) through fifty-five (55) in Plat Eleven (11) Subdivision, Lot Numbers one (1) through thirty-four (34) in Plat Twelve (12) Subdivision, and Lot Numbers one (1) through sixty (60) in Plat Thirteen (13) Subdivision:

(a.) Self-contained recreational vehicles and all other forms of camping which utilize rest rooms and dumping stations provided in the area are permitted. Not more than two (2) recreational vehicles, camper trailers or similar camping facilities shall be placed on any such lot or parcel of land. Mobile homes, cabins, or any permanent or temporary dwelling structures shall be governed by Paragraph Two (2), Sections (A), (C), (D), and (E) of these Reservations and Restrictions.

(b.) The establishment, maintenance and use of all lots or parcels of land within the subdivisions with regard to the disposal of sewage and effluent shall be done in strict compliance with currently existing State Health Regulations. In particular, no individual septic systems designed to handle anything other than "Gray Water" shall be allowed on any lot or parcel of land within the subdivisions. "Gray Water" shall be construed as sewage or effluent containing no human waste products.

14. Property owners in Cumberland Mountain Retreat Subdivisions, by acceptance of a deed, or the entering into a contract for purchase of property in said subdivisions, covenants and agrees to pay to Cumberland Mountain Retreat Property Owner's Association, Inc., a duly registered Tennessee non-profit corporation, annual membership dues and such special assessments that may hereafter be charged by said corporation in accordance with its Charter and By-Laws.

The annual membership dues shall be set by the Board of Directors and approved by the Property Owners in Good Standing, in accordance with the said Charter and By-Laws, at its Annual Meeting.

The annual membership dues shall be used by the Cumberland Mountain Retreat Property Owner's Association, Inc. for the following purposes:

(a) Maintenance and upkeep of roadsides, lakes, beaches, buildings, and all other common properties, whether real or personal, owned, operated or subject to the control of Cumberland Mountain Retreat Property Owner's Association, Inc.

(b) Security systems to provide protection for the Association's property in the subdivisions, and assist in protecting the property of Association members located within the subdivisions.

(c) Operational expenses of Cumberland Mountain Retreat Property Owner's Association, Inc. including, but not limited to the payment of taxes, insurance, postage, office supplies, labor, equipment and materials in connection with the operation of Cumberland Mountain Retreat.

In addition to the annual membership dues, Cumberland Mountain Retreat Property Owner's Association, Inc. may assess equally to each member a special assessment for the purpose of paying in whole or in part, the costs of any construction, reconstruction, unexpected repair or replacement of equipment or common properties owned, operated or subject to the control of the Association, provided that any such assessment shall be agreed upon by an affirmative vote of fifty-one (51) percent (%) of the members of the Association in good standing who are voting, in person or by proxy, at any annual or special membership meeting.

In the event a special meeting is held for the purpose of changing annual membership dues, or considering a special assessment, notice thereof shall be sent to all members of the Association entitled to vote at least thirty (30) days prior to such special meeting. Such matters may be acted upon at any regular annual meeting of the membership without notice.

In the event annual membership dues or special assessments are not paid when due, such amounts owed shall thereafter bear late charges at the rate of ten (10) percent (%) per annum from the date of delinquency. Further, in the event it becomes necessary for the Cumberland Mountain Retreat Property Owner's Association, Inc. to take any legal action to collect any delinquent payments, and any interest thereon, there shall be added to such payment amounts reasonable attorney fees, and all Court costs incident thereto. All membership dues and assessments payable to the Cumberland Mountain Retreat Property Owner's Association, Inc., together with any late or legal fees or costs incident thereto, if any, shall be a charge on the land owned by each property owner, and shall be a continuing lien upon said property.

The lien of the annual membership dues and assessments provided for herein shall be subordinate to the lien of any first mortgage or first Deed of Trust now or hereafter placed upon any lot subject to said payments; provided, however, that such subordination shall apply only to the dues or assessments which have become due and payable prior to a sale or transfer of such property, pursuant to a foreclosure of such first mortgage or Deed of Trust, or any proceeding in lieu of foreclosure. Such sale or transfer shall not relieve such property from liability for the lien of any dues or assessments thereafter becoming due, and of any such subsequent dues or assessments.

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15. These reservations and restrictions shall be considered as covenants running with the land, and shall bind the purchaser of all lots or parcels of land in said subdivisions, their heirs, assigns and successors, and if owner or owners, or any of them, their heirs, assigns and successors shall violate or attempt to violate the covenants or reservations or restrictions herein contained, it shall be lawful for any person or persons owning any lot or parcel of land in these subdivisions to prosecute any proceeding at law or in equity against the person or persons violating or attempting to violate any such covenant or reservation

or restriction, and either to prevent such person or persons from committing any act of violation, or to recover damages for such violation.

16. Any invalidation of any of these covenants or reservations or restrictions shall in no way affect any other of the provisions herein, and shall thereafter remain in full force and effect.

IN WITNESS WHEREOF, Cumberland Mountain Retreat Property Owners Association, Inc. has executed this instrument by its duly authorized officers on April 15, 1992.

Charles P. Edington
Charles P. Edington - Director

George Bates
George Bates - Director

REV4/92

STATE OF TENNESSEE
COUNTY OF CUMBERLAND

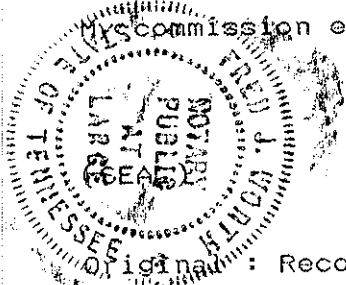
State of Tennessee, County of CUMBERLAND
Received for record the 28 day of
APRIL 1992 at 11:07 AM. (RECH 89202)
Recorded in official records DEED
Book 431 Page 284-290
Notebook 8 Page 92
State Tax \$.00 Clerks Fee \$.00,
Recording \$ 28.00, Total \$ 28.00,
Register of Deeds JUDY GRAHAM SWALLOWS
Deputy Register MARGARET MADEWELL

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Personally appeared before me, the undersigned authority, a Notary Public in and for the said State and County, CHARLES P. EDINGTON and GEORGE BATES, the within named officers of Cumberland Mountain Retreat Property Owners Association, Inc., with whom I am personally acquainted, and who acknowledged that they executed the foregoing instrument for the purposes therein contained.

WITNESS MY HAND AND SEAL AT OFFICE this 15th day of April, 1992.

My commission expires: December 23, 1995.



Fred J. Worth
Notary Public

- Original : Recorded November 10, 1969, Deed Book 096, page 101
- Rev. 1: Recorded June 18, 1970, Deed Book 100, page 399
- Rev. 2: Recorded September 18, 1975, Deed Book 163, page 282
- Rev. 3: Recorded February 19, 1976, Deed Book 166, page 620
- Rev. 4: Recorded March 15, 1977, Deed Book 179, page 591
- Rev. 5: Recorded September 6, 1979, Deed Book 217, page 245
- Rev. 6: Recorded June 12, 1980, Deed Book 226, page 218
- Rev. 7: Recorded October 10, 1980, Deed Book 230, page 665
- Rev. 8: Recorded April 17, 1990, Deed Book 398, page 551

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SCHEDULE A

SECTION 2: Plat Book 8, Page 20, Recorded in the Register's Office of Cumberland County, Tennessee.

Class C: Lots 6, 9-12, 18, 19, 49-94 inclusive.

Class D: Lots 1-5, 7-8, 13-17 inclusive.

SECTION 3: Plat Book 4, Page 7, recorded in the Register's Office of Cumberland County, Tennessee.

Class C: Lots 95-97, 115-118, 196 inclusive.

Class M: Lots 98-103 inclusive.

Class X: Lots 104-114, 119-195 inclusive.

SECTION 4: Plat Book 4, Page 27, recorded in the Register's Office of Cumberland County, Tennessee.

Class X: Lots 1-93 inclusive.

SECTION 6: Plat Book 6, Page 33, recorded in the Register's Office of Cumberland County, Tennessee.

Class X: Lots 601-652 inclusive.

SECTION 7: Plat Book 7, Page 3, recorded in the Register's Office of Cumberland County, Tennessee.

Class C: Lots 701-704, 713-719 inclusive.

Class D: Lots 767-768, 777-778 inclusive.

Class X: Lots 705-712, 720-766, 769-776 inclusive.

SECTION 8: Plat Book 7, Page 52, recorded in the Register's Office of Cumberland County, Tennessee.

Class C: Lots 1-8, 16-37, 74-80 inclusive.

Class D: Lots 38-73 inclusive.

Class R: Lots 9-15 inclusive.

SECTION 9: Plat Book 7, Page 53, recorded in the Register's Office of Cumberland County, Tennessee.

Class C: Lots 908-920 inclusive.

Class D: Lots 901-907, 921-935 inclusive.

SECTION 10: Plat Book 7, Page 54, recorded in the Register's Office of Cumberland County, Tennessee.

Class C: Lots 1-9 inclusive.

SECTION 11: Plat Book 8, Page 79B, recorded in the Register's Office of Cumberland County, Tennessee.

Class X-C: Lots 1-55 inclusive.

SECTION 12: Plat Book 8, Page 79B, recorded in the Register's Office of Cumberland County, Tennessee.

Class X-C: Lots 1-34 inclusive.

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SECTION 13: Plat Book 8, Page 128, recorded in the Register's Office of Cumberland County, Tennessee.

Class X-C: Lots 1-60 inclusive.

150' EASEMENT ABUTTING PLAT NUMBERS 1 THROUGH 13 REFERRED TO IN DEED FOR EASEMENT DATED APRIL 14, 1992, AND RECORDED IN REGISTER'S OFFICE, CUMBERLAND COUNTY, TENNESSEE:

Class X: All current and future lots inclusive.