

Trimont Mountain Estates Community Association, Inc.
P.O. Box 16
Franklin, NC 28744-0016

**Deed Restrictions and By-Laws Governing New Construction in
Trimont Mountain Estates**

To All Un-improved Lot Owners:

Please find a copy of the rules governing new construction in the Trimont Mountain Estates sub-division. Please review them with your builder to make sure that you will not encounter any problems once you are ready to start construction.

You should have a survey done of the property to find the true center of the road and to make sure of the location of your property lines. When the roads were put in the original the developer did not lay the center of the road out between the two properties. Thus the road may have been put in on one side of the right of way instead of being in the center of two adjoining properties which would give a false sense of where the true center is. Also, over the years, some property stakes may have been moved or knocked down. This could affect where the front of the house may be built and where the septic system can be placed.

The one thing to remember is that septic drain fields (leaching lines) CAN NOT be located in the road right of ways. NOTHING can be located in the plated "Road Right of Ways". The plated right of way, is 60' in the entire sub-division except for a small portion of Woodland Heights, at the very top of the mountain, which is 40'. Also, consideration should be given to porches, decks and overhangs when locating the position of houses on lots. All of these MUST be inside the "set-back" requirements as stated in the deed restrictions.

The Association allows the combining of two un-improved lots in to one improved lot for assessment purposes. A special declaration, with the following stipulations as listed, is available by contacting the Association.

- The Lots are hereby consolidated into a single parcel of land and may not henceforth be re-subdivided.
- For the purposes of payment of assessments and other sums of money due and owing attributable to Lots, the Lots shall be treated as one single improved lot by the Association.
- It is the intention of the parties that this agreement be appurtenant to the land of the Lots; touch and concern and run with the land; binding the heirs, successors and assigns of the Owners.

If you own two lots and you wish to place the house in the middle of two lots then the lots must be joined together before starting construction. EXTREME caution should be given BEFORE starting any type of foundation as there are numerous water lines that run up the mountain for our water system in these set backs.

Over the past several years there have been numerous complaints, from the members of the Association, concerning homes that appear to or have violated these set backs. It has been the general consensus of the members that the Board should not issue variances concerning deed restrictions. **At the present time the Board is not issuing variances to override any of the "SET BACK" requirements.**

If you wish to address the Board about this decision, they meet monthly in the basement conference room at the Franklin Chamber of Commerce, 425 Porter Street on the second Tuesday of each month at 5:00 PM.