



GWINNETT COUNTY
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Covenants
(Revised September 2009)

Protective or restrictive covenants are **private** restrictions on the use of land. They are established by the recording of a deed, subdivision plat or other legal instrument in the Real Estate Records Office of the Clerk of Superior Court.

Covenants are a form of private legal “contract” among the parties subject to the covenant. A covenant runs with the land and is binding upon all property owners, including subsequent property owners, referenced on the legal instrument used to record the covenant. Only the parties subject to the covenants may enforce them. Therefore, Gwinnett County cannot enforce private covenants since the county is not a legal party to them. Please refer to Georgia Law OCGA 44-5-60 for additional information about covenants as well as their renewal or time limitations.

In order to enforce protective covenants, a civil action in Superior Court must be filed. A lawyer would need to prepare the filing documents. For information about obtaining a copy of covenants, please contact the Real Estate Records Office of the Clerk of Superior Court at 770.822.8100.

WDJ: A & C & X: Covenants