

MAIL TO JAMES L. WILSON, ATTORNEY
LIBERTY, N. C. 27293.

NORTH CAROLINA
RANDOLPH COUNTY

RESTRICTIVE COVENANTS

This indenture made this 21st day of October, 1976, by and between William Vestal Smith and wife, Patsy Staley Smith, Thomas Edgar Butler and wife, Lynda Wray Butler, and Gary Lee Davis and wife, Cathy Jean Gaston Davis;

W I T N E S S E T H:

That William Vestal Smith and wife, Patsy Staley Smith, and Thomas Edgar Butler and wife, Lynda Wray Butler are the owners and developers of the Subdivision known as Briarwood Subdivision, Map 1, which is duly recorded in the Register of Deeds of Randolph County, North Carolina, in Plat Book 16, Page 44. That Lots Nos. 2 and 3 of Briarwood Subdivision, Map 1, were conveyed to William Vestal Smith and wife, Patsy Staley Smith, and Thomas Edgar Butler and wife, Lynda Wray Butler by a separate deed dated September 22, 1976, and duly recorded in the Randolph County Registry. That Gary Lee Davis and wife, Cathy Jean Gaston Davis are the owners of Lot No. 7, Briarwood Subdivision, Map 1, by deed dated September 22, 1976, and duly recorded in the Randolph County Registry. Now, therefore, the said owners of Briarwood Subdivision, Map 1, do hereby covenant and agree with all persons, firms, or corporations, now owning or hereinafter acquiring any property in said Subdivision, that all lots in said Subdivision are hereby subject to the following restrictions as to the use thereof:

The restrictions imposed hereby are as follows:

- (1) The property described shall be used for residential purposes only, with only one (1) single family dwelling being located upon any one lot.
- (2) No building shall be located on any lot nearer to the front line than 40 feet, or nearer than 10 feet to any side line.
- (3) The ground floor area of all dwellings shall not be less than 1200 square feet of heated floor space for one story homes, nor less than 800 square feet of heated floor space for two story homes.
- (4) No animals, livestock, bees, or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats, or other household pets may be kept provided that they are not kept, bred, or maintained for any commercial purposes.
- (5) There shall be no shell homes, mobile homes, junk vehicles, or any unsightly junk conditions permitted to remain upon said property.
- (6) All buildings shall be of brick or german siding quality or better, and shall be kept painted, and no cement block or cinder block shall be exposed to view.

The above covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of 30 years from the date these covenants are recorded, after which time said covenants shall be automatically extended for successive periods of 10 years unless an instrument signed by a majority of the then owners of the lots has been recorded, agreeing to change said covenants in whole or in part.

Enforcement shall be made by proceedings at law or in equity against any person or persons violating or attempting to violate any covenants either to restrain violation or to recover damages.

Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force

and effect.

IN WITNESS WHEREOF, the said parties have hereunto affixed their hands and seals, this the 22nd day of October, 1976.

William Vestal Smith (Seal) Patsy Staley Smith (Seal)
WILLIAM VESTAL SMITH PATSY STALEY SMITH

Thomas Edgar Butler (Seal) Lynda Wray Butler (Seal)
THOMAS EDGAR BUTLER LYNDA WRAY BUTLER

Gary Lee Davis (Seal) Cathy Jean Gaston Davis (Seal)
GARY LEE DAVIS CATHY JEAN GASTON DAVIS

NORTH CAROLINA
RANDOLPH COUNTY

I, JANET L. SMITH, a Notary Public of said county do hereby certify that William Vestal Smith and wife, Patsy Staley Smith, Thomas Edgar Butler and wife, Lynda Wray Butler, and Gary Lee Davis and wife, Cathy Jean Gaston Davis personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and notarial seal this the 22nd day of October, 1976.

Janet L. Smith
JANET L. SMITH, NOTARY PUBLIC.

My commission expires:
September 15, 1979

NORTH CAROLINA -- Randolph County

The foregoing certificate(s) of Janet L. Smith

Notary Public of

Randolph County, N.C.

is (are) certified to be correct. This instrument was presented for registration and recorded in this office at Book 1088
Page 221. This 22nd day of October, 1976 at 2:30 o'clock P.M.

Anne Shaw, Register Deeds

By Brenda League, Deputy Register of Deeds