

000314

Gavin

NORTH CAROLINA  
RANDOLPH COUNTY

These Restrictive Covenants executed this 16th day of January, 1986 by Randal Thomas Welborn and wife, Christine Jenkins Welborn of Randolph County, North Carolina, and W. Ed Gavin, Commissioner:

WITNESSETH:

WHEREAS, in the Special Proceeding entitled W. Ed Gavin, Administrator of the Estate of Tressie Perkins Pierce, et al, vs. Ruby P. Davis, et al, the same being designated 85-SP-333 in the Office of the Clerk of Superior Court of Randolph County, North Carolina, the Clerk of said Court entered an Order directing W. Ed Gavin, Commissioner to execute a deed conveying to Randal Thomas Welborn and wife, Christine Jenkins Welborn, the lands described in Exhibit A attached hereto; and

WHEREAS, by virtue of said Order the deed was to contain the following restriction: "This property shall not be used for a commercial mobile home park"; however, the deed of conveyance, as drafted and accepted, by mutual mistake of the grantor and grantees named therein (the same parties executing this document), failed to contain said restrictions, and

WHEREAS, the parties hereto desire to correct said inadvertent omission so as to subject said lands to the restriction:

Now, therefore, in consideration of the premises, Randal Thomas Welborn and wife, Christine Jenkins Welborn, and W. Ed Gavin, Commissioner, as aforesaid, do hereby declare that the lands described in Exhibit A attached hereto, the same being the lands conveyed in a deed to the Welborns, recorded in Deed Book 1172, Page 1706, Randolph County Registry, are held subject to the following restrictions:

"This property shall not be used for a commercial mobile home park.

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This restriction shall continue and be in effect until 1 January, 2016, and shall run with the lands."

In witness whereof the parties have hereunto set their hands and seals this 16<sup>th</sup> day of January, 1986.

Randal Thomas Welborn (SEAL)  
Randal Thomas Welborn

Christine Jenkins Welborn (SEAL)  
Christine Jenkins Welborn

W. Ed Gavin, Commr. (SEAL)  
W. Ed Gavin, Commissioner

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NORTH CAROLINA )  
RANDOLPH COUNTY )

I, William B. Fulton, a Notary Public for said County and State, do hereby certify that Randal Thomas Welborn and wife, Christine Jenkins Welborn personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 16 day of January, 1986.

William B. Fulton  
Notary Public

My Commission Expires: 3-3-86

NORTH CAROLINA }  
RANDOLPH COUNTY }

I, Velvie E. Holland, a Notary Public for said County and State, do hereby certify that W. Ed Gavin, Commissioner, personally appeared before me this day and acknowledged the due execution

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of the foregoing instrument.

Witness my hand and official seal, this the 20th day of January.



Velvie E. Holland  
Notary Public

Commission Expires: 9-1-90

NORTH CAROLINA -- Randolph County

The foregoing certificate(s) of  
B. Fulton

Velvie E. Holland & William

Notary Public of

Randolph County, NC

is (are) certified to be correct. This instrument was presented for registration and recorded in this office at Book 1174  
Page 314 This 21st day of January, 1986 at 3:28 o'clock P. M.

Annie Shaw, Register of Deeds

By Pam Calhoun, Deputy Register of Deeds

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EXHIBIT 1

BEING bounded on the North and East by the lands of F. E. Lewis, on the South by Kenneth Davis and on the West by State Road #1408 and described as follows:

BEGINNING at an existing iron pipe which marks the Northeast corner of Kenneth Davis lands, the Southeast corner of the lands herein described, and located in the western boundary of F. E. Lewis lands; thence North 89° 57' West 494.78 feet to an existing iron pipe in the eastern right of way of State Road #1408; thence North 87° 54' West 21.73 feet to a stake within the right of way of State Road #1408, which stake is located 458 feet North of the centerline of State Road #1539; thence the following courses and distances within the right of way of State Road #1408: North 00° 00' West 231.67 feet; North 5° 00' West 112.11 feet; North 17° 48' West 374.23 feet and North 8° 31' West 168.88 feet to a new iron pipe within the right of way of State Road #1408; thence leaving said road South 84° 18' East 625.27 feet to a fence corner at a large tree; thence South 1° 55' West 947.82 feet to the BEGINNING, containing 10.815 acres, including the area within the right of way for State Road #1408, according to a survey for F. A. Pierce & Sons by Craven Surveyors, dated August 11, 1954.

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