

NORTH CAROLINA
RANDOLPH COUNTY

RELEASE AND CANCELLATION OF
MINIMUM BUILDING LINE SHOWN
ON PLAT AND IN THE
RESTRICTIVE COVENANTS

1700

William Alexander

000413

THIS AGREEMENT OF RELEASE AND CANCELLATION, made and entered into this 27 day of July, 1989, by and between Trollinger Investment Company, C. R. Evans and wife, Margaret K. Evans, Richard Cassata and wife, Sawai Cassata, David Parrish and wife, Irene Parrish, Mikel L. Groce and wife, Julia R. Groce, David Shoe, David John Anderson and wife, Teresa Lynn Anderson; and Phil Pendry and wife, Helen Pendry, all of Randolph County, North Carolina.

W I T N E S S E T H:

WHEREAS, Trollinger Investment Company, C. R. Evans and wife, Margaret K. Evans, Richard Cassata and wife, Sawai Cassata, David Parrish and wife, Irene Parrish, Mikel L. Groce and wife, Julia R. Groce, David Shoe, David John Anderson and wife, Teresa Lynn Anderson; and Phil Pendry and wife, Helen Pendry are the owners of all the real property shown on the plat of Dayspring Subdivision, Section 3, as recorded in Plat Book 29, Page 81, in the office of the register of Deeds of Randolph County, North Carolina; and

WHEREAS, said plat shows a thirty-five foot wide minimum building line along the south side of Lot No. 49 bordering Weaver Street; and

WHEREAS, by the restrictive covenants filed in Book 1225, Page 1225, all houses are required to be built as shown on the recorded plat of the said subdivision; and

WHEREAS, Richard Cassata and wife, Sawai Cassata the owners of Lot No. 49, have requested the other said owners of all property in Dayspring Subdivision, Section 3 to join with them in releasing and cancelling the said thirty-five foot wide minimum building line shown on said plat and as setforth in said restrictive covenants along the south side of Lot No. 49, as the same applies to the encroachment as shown on the attached survey, and the other said owners have agreed so to do;

NOW, THEREFORE, the undersigned being all the owners of Dayspring Subdivision, Section 3, as shown by plat recorded in Plat Book 29, Page 81, in the Randolph County Registry, in consideration of one dollar (\$1.00) to each in hand paid and other good and valuable considerations do hereby release and cancel the said thirty-five foot wide minimum building line along the south side of Lot No. 49, as shown on said plat and as setforth in said restrictive covenants as the same applies to the encroachment as shown on the attached

80466

survey to the same extent as if such minimum building line had never appeared thereon and therein.

The parties do waive by this agreement any rights in themselves or their heirs, successors an assigns to enforce the said thirty-five foot wide minimum building line shown on said plat and as setforth in said restrictive covenants along the south side of Lot No. 49 and declare by this instrument that the said minimum building line has no further force or effect in regard to the use of said lot or the locating of buildings thereon.

IN TESTIMONY WHEREOF, the undersigned owners of all real property comprising said Jayspring Subdivision, Section 3, have hereunto set their hands and seals the day and year first above written.

000414



TROLLINGER INVESTMENT COMPANY

By [Signature] (SEAL)
President

[Signature]
Secretary

Mark & Moore
Witness

Mark & Moore
Witness

Mark & Moore
Witness

Mark & Moore
Witness

Mark & Moore
Witness

Mark & Moore
Witness

Mark & Moore
Witness

Mark & Moore
Witness

Mark & Moore
Witness

Mark & Moore
Witness

Mark & Moore
Witness

Mark & Moore
Witness

Mark & Moore
Witness

[Signature] (SEAL)
C. R. Evans

Margaret K. Evans (SEAL)
Margaret K. Evans

Richard Cassata (SEAL)
Richard Cassata

Suzanne Cassata (SEAL)
Suzanne Cassata

David Parrish (SEAL)
David Parrish

Irene Parrish (SEAL)
Irene Parrish

Mikel L. Groce (SEAL)
Mikel L. Groce

Julia R. Groce (SEAL)
Julia R. Groce

David Shoe (SEAL)
David Shoe

David John Anderson (SEAL)
David John Anderson

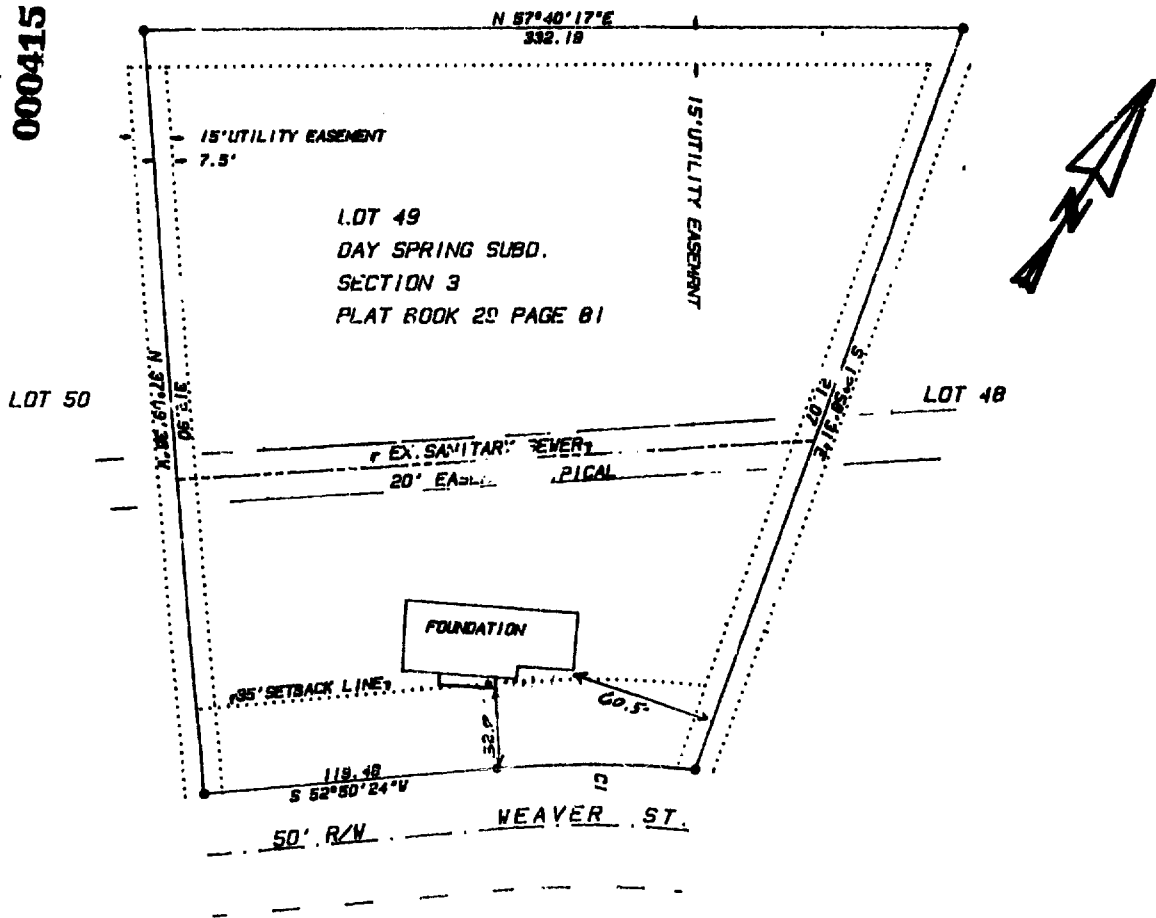
Terrence J. Anderson (SEAL)
Terrence J. Anderson

[Signature] (SEAL)
Peta Pendry

Helen Pendry (SEAL)
Helen Pendry

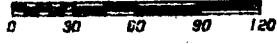
CURVE	DELTA ANGLE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C 1	11°22'28"	405.83	80.52	40.39	80.39	S 69°31'37"V

000415



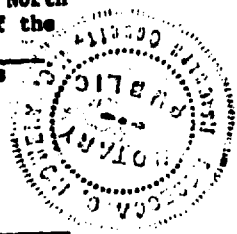
SURVEY FOR
MOORE CONSTRUCTION COMPANY
 RANDLEMAN TOWNSHIP RANDOLPH COUNTY, N. C.
 SCALE 1" = 60' JUNE 21, 1989

SURVEY BY
 SURVEYING SERVICES
 118 S. COX ST.
 ASHEBORO, N. C.
 919-825-4183



NORTH CAROLINA, Randolph County.

I, a Notary Public of the County and State aforesaid, certify that W. H. Holloman Sr., personally appeared before me this day and acknowledged that he is Secretary of Trolinger Investment Company, a North Carolina corporation, and that by authority duly given and as an act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by _____ as its Secretary.



Witness my hand and official stamp or seal, this the 27 day of July, 1989.

Rebecca C. Moore
Notary Public

My commission expires: September 11, 1990

000416

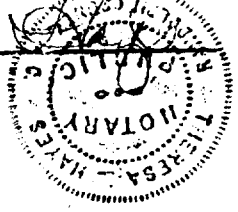
NORTH CAROLINA, Randolph County

I, Theresa L. Hayes, a Notary Public of County and State aforesaid, certify that Mark L. Moore, personally appeared before me this day, and being duly sworn, stated that in his presence C. R. Evans, Margaret K. Evans, Richard Cassata, Sawai Cassata, David Parrish, Irene Parrish, Mikel L. Groce, Julia R. Groce, David Shoe, David Shoe, David John Anderson, Teresa Lynn Anderson, Phil Pendry, and Helen Pendry signed the foregoing instrument.

WITNESS my hand and official seal, this the 27th day of October, 1989.

Theresa L. Hayes
Notary Public

My commission expires: October 28, 1991



NORTH CAROLINA — Randolph County

The foregoing certificate(s) of Rebecca C. Moore & Theresa L. Hayes, N.P.'s

is (are) certified to be correct. This instrument was presented for registration and recorded in this office at Book 1248, Page 413, This 7 day of November, 19 89 at 3:08 o'clock P M.

By Ann Shaw Register of Deeds