

Prepared by and Mail to: William B Miller  
✓ P.O. Box 1550  
High Point, NC 27261

12<sup>00</sup>

000423

STATE OF NORTH CAROLINA

COUNTY OF RANDOLPH

NOTICE OF RESTRICTIVE COVENANTS  
AND NOTICE OF LIMITATION OF USE

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THIS DECLARATION OF RESTRICTIVE COVENANTS AND NOTICE OF  
LIMITATION OF USE made this the 25th day of  
September, 1990, by the City of Archdale, a municipal  
corporation, located in Randolph County, North Carolina;

W I T N E S S E T H:

That the City of Archdale has formally been conveyed certain  
real property within its corporate limits in the City of  
Archdale, Randolph County, North Carolina; and

That the City of Archdale has accepted certain financial  
assistance provided by the federal government through a  
grant provided to the City of Archdale by the North Carolina  
Department of Natural Resources and Community Development  
(Project Number 37-00452.1) which has been conditioned upon  
the City of Archdale's using the hereinafter described  
property for recreational purposes only;

NOW, THEREFORE, BE IT HEREBY DECLARED as resolved by the  
City Council of the City of Archdale, on September 25,  
1990, as a restriction of use upon the hereinafter  
described property that the same shall be used only for the  
general development of outdoor recreational facilities for  
the City of Archdale.

That said real property affected by the herein described  
restriction and limitation of use is described as follows:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION.

That in accordance with Federal guidelines and regulations,  
Notice is hereby given of a Limitation of Use:

93579

"Notice of Limitation of Use"

The property identified has been developed with Federal financial assistance provided by the National Park Service (formerly the Heritage Conservation and Recreation Service) of the United States Department of the Interior in accordance with the Land and Water Conservation Fund Act of 1965, as amended, 16 U.S.C. Section 4601-5 et seq. (1970 ed.). Pursuant to a requirement of that law, this property may not be converted to other than public outdoor recreation uses (whether by transfer, sale or in any other manner) without the express written approval of the Secretary of the Interior. By law, the secretary shall approve such conversion only if he finds it to be in accord with the then existing comprehensive statewide recreation plan and only upon such conditions as he deems necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonable equivalent usefulness and location."

This the 25th day of September, 1990.

CITY OF ARCHDALE

BY:

Donald L. Hancock  
MAYOR

ATTESTED TO:

Marilyn L. Renn  
CITY CLERK  
(MUNICIPAL SEAL)

000425

NORTH CAROLINA

RANDOLPH COUNTY

This 26<sup>th</sup> day of September, 1990, personally came before me, Nancy F. Burrow, a notary public, Mavis V. Kenn, who, being by me duly sworn, acknowledged that she is the City Clerk of the City of Archdale, a municipal corporation, and that by authority duly given and as the act of the municipal corporation, the foregoing instrument was signed in its name by its Mayor, sealed with its corporate seal, and attested by herself as its City Clerk.

Witness my hand and notarial seal, this the 26<sup>th</sup> day of September, 1990.

Nancy F. Burrow  
Notary Public

My Commission Expires:

December 5, 1994

NANCY F. BURROW  
NOTARY PUBLIC  
RANDOLPH COUNTY, N.C.  
My Commission Expires 12/94

NORTH CAROLINA — Randolph County

The foregoing certificate(s) of

Nancy F. Burrow, NP

is (are) certified to be correct. This instrument was presented for registration and recorded in this office at Book 1279, Page 423, This 8<sup>th</sup> day of November, 19 90 at 10:52 o'clock A M.

Ann Shaw, Register of Deeds  
By Corbie Baynes, Register of Deeds

## SCHEDULE "A"

BEGINNING at a point in the eastern right-of-way of U.S. Highway No. 311, said Beginning point being the southwest corner of Lot 40 of the Byerly Subdivision as shown on a plat recorded in Plat Book 2, at Page 48 1/2 and 49, in the Randolph County Registry, and said Beginning point also having N.C. NAD 83 grid Coords North = 780,653.47 and East = 1,722,631.43, and running thence from said Beginning point along the northeastern right-of-way of U.S. 311 North 39 degrees 39 minutes 19 seconds West 75.00 feet to a point; thence leaving said right-of-way and running thence North 49 degrees 41 minutes 59 seconds East 199.24 feet to a point; thence North 39 degrees 30 minutes 15 seconds West 95.00 feet to a point; thence North 1 degrees 16 minutes 06 seconds East 327.34 feet to a point; thence North 50 degrees 39 minutes 19 seconds East 40.00 feet to a point; thence North 39 degrees 20 minutes 41 seconds West 449.26 feet to a point; thence North 56 degrees 39 minutes 19 seconds East 203.46 feet to a point; thence North 39 degrees 20 minutes 41 seconds West 40.22 feet to a point; thence South 56 degrees 39 minutes 19 seconds West 246.91 feet to a point; thence North 35 degrees 42 minutes 35 seconds West 205.04 feet to a point; thence North 48 degrees 35 minutes 51 seconds East 1,067.75 feet to a point; thence South 56 degrees 01 minutes 22 seconds East 470.00 feet to a point; thence North 4 degrees 46 minutes 26 seconds East approximately 600 feet, more or less, to a point; thence South 84 degrees 57 minutes 37 seconds East 495.00 feet to a point; thence South 1 degrees 33 minutes 28 seconds West 1,018.05 feet to a point; thence North 88 degrees 00 minutes 08 seconds West 550.83 feet to a point; thence North 88 degrees 16 minutes 03 seconds West 243.97 feet to a point; thence South 40 degrees 27 minutes 48 seconds West 49.98 feet to a point; thence South 47 degrees 38 minutes 43 seconds West 49.99 feet to a point; thence South 31 degrees 43 minutes 03 seconds West 49.99 feet to a point; thence South 16 degrees 32 minutes 03 seconds West 261.89 feet to a point; thence South 19 degrees 59 minutes 27 seconds East 49.94 feet to a point; thence South 12 degrees 00 minutes 17 seconds East 363.00 feet to a point; thence South 12 degrees 03 minutes 17 seconds East 87.50 feet to a point; thence North 50 degrees 48 minutes 27 seconds East 142.97 feet to a point; thence South 28 degrees 47 minutes 23 seconds East 182.98 feet to a point; thence South 50 degrees 49 minutes 19 seconds West 261 feet, more or less, to a point; thence North 39 degrees 07 minutes 36 seconds West 180.12 feet to a point; thence South 50 degrees 47 minutes 19 seconds West 201.21 feet to a point; thence South 49 degrees 26 minutes 41 seconds West 199.04 feet to the point and place of BEGINNING, and being all of that property of the City of Archdale known as Creekside Park, and being more particularly described on a map prepared by Jamestown Engineering Group, Inc., dated May 3, 1989, designated Job No. 89040, which survey is incorporated herein by reference. Said description and map was prepared and plotted from surveys by others and deed descriptions of the property known as Creekside Park. Included in said description is a joint access drive from U.S. Highway 311 to the property known as Creekside Park.