

NORTH CAROLINA
RANDOLPH COUNTY

000122

WAIVER OF RESTRICTION

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The undersigned are the owners of lots located in Heritage West Section No. 1 Subdivision, as shown on plat recorded in Plat Book 15, Page 70, in the office of the Register of Deeds for Randolph County; and

WHEREAS, Heritage West Section No. 1 Subdivision was restricted by restrictions recorded on April 26, 1973 in Book 1058, Page 380, in the Randolph County Registry; and

WHEREAS, the said restrictive covenants recorded in Book 1058, Page 380 provide in paragraph number 4 of the restrictions that "Central water supply and sewer systems will be used if, and when, available."; and

WHEREAS, the undersigned mutually agree that the said requirement of central water supply and sewer systems not be required for Lots Nos. 13, 14 and 15 of Heritage West Section No. 1 Subdivision, but that the said requirement of the use of central water supply and sewer systems if, and when, available will continue to apply to all the remaining lots covered by the agreement.

NOW, THEREFORE, the undersigned being all the owners of property located in the Heritage West Section No. 1 Subdivision in consideration of one dollar (\$1.00) to each in hand paid and other good and valuable considerations do hereby amend paragraph number 4 of the said restrictive covenants as to Lots Nos. 13, 14, and 15 of Heritage West Section 1 Subdivision, as shown by plat recorded in Plat Book 15, Page 70, in the Randolph County Registry, by eliminating the use of central water supply and sewer systems if, and when, available.

Except as amended herein as to said Lots Nos. 13, 14 and 15, the said restrictive covenants remain in full force and effect.

IN TESTIMONY WHEREOF, the undersigned owners have hereunto set their hands and seals, this the 16th day of November, 1990.

Edward C. Underwood (seal)
Edward C. Underwood

Mary Ann G. Underwood (seal)
Mary Ann G. Underwood

Tyler R. Lisk, Jr. (seal)
Tyler R. Lisk, Jr.

Mary B. Lisk (seal)
Mary B. Lisk

Roger E. Cox (seal)
Roger E. Cox

Brenda F. Cox (seal)
Brenda F. Cox

Larry R. Pierce (seal)
Larry R. Pierce

Emily D. Pierce (seal)
Emily D. Pierce

Willard A. Hiatt (seal)
Willard A. Hiatt

Teresa B. Hiatt (seal)
Teresa B. Hiatt

Carl L. Zeigler, Jr. (seal)
Carl L. Zeigler, Jr.

Nancy J. Zeigler (seal)
Nancy J. Zeigler

Gary Michael Ritch (seal)
Gary Michael Ritch

Lisa M. Ritch (seal)
Lisa M. Ritch

Tony L. Nelson (seal)
Tony L. Nelson

Mildred C. Spencer Hoover (seal)
Mildred C. Spencer Hoover

Gerald E. Braswell (seal)
Gerald E. Braswell (Braswell Builders Inc)

Carl W. Underwood (seal)
Carl W. Underwood

Hilda G. Underwood (seal)
Hilda G. Underwood

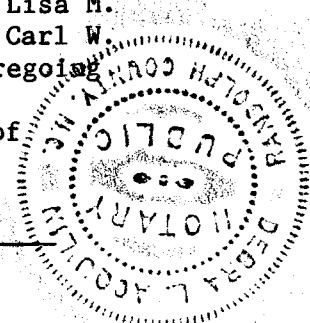
000423-A

NORTH CAROLINA, Randolph County.

I, Debra L. Acquilino, a Notary Public of the County and State aforesaid, certify that Mary V. Shirley personally appeared before me this day, and being duly sworn, state that in her presence Edward C. Underwood, Mary Ann G. Underwood, Tyler R. Lisk, Jr., Mary B. Lisk, Roger E. Cox, Brenda F. Cox, Larry R. Pierce, Emily D. Pierce, Willard A. Hiatt, Teresa B. Hiatt, Carl L. Zeigler, Jr., Nancy J. Zeigler, Gary Michael Ritch, Lisa M. Ritch, Tony L. Nelson, Mildred C. Spencer Hoover, Gerald E. Braswell, Carl W. Underwood and Hilda G. Underwood acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this the 16th day of November, 1990.

Debra L. Acquilino
Notary Public



My commission expires:
April 17, 1995

NORTH CAROLINA — Randolph County

The foregoing certificate(s) of Debra L. Acquilino NP

is (are) certified to be correct. This instrument was presented for registration and recorded in this office at Book 1280
Page 422, This 20 day of November, 1990 at 9:15 o'clock A M.

Lisa M. Ritch (seal)
Lisa M. Ritch

Tony L. Nelson (seal)
Tony L. Nelson

Mildred C. Spencer Hoover (seal)
Mildred C. Spencer Hoover

Gerald E. Braswell (Braswell Builders Inc) (seal)
Gerald E. Braswell

Carl W. Underwood (seal)
Carl W. Underwood

Hilda G. Underwood (seal)
Hilda G. Underwood

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Ann Shaw, Register of Deeds
By Debbie Green Deputy Register of Deeds