

Wyatt, Early - P.O. Drawer 2086  
High Point, NC 27261

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NORTH CAROLINA

**WAIVER OF VIOLATION OF  
RESTRICTIVE COVENANTS**

RANDOLPH COUNTY

This Waiver of Violation of Restrictive Covenants made December 30, 1991 by EMANON ASSOCIATES, INC., a North Carolina corporation (the "Developer") for the benefit of BRADLEY THOMAS COX and wife, JUDY H. COX (the "Property Owner").

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**W I T N E S S E T H**

All references herein to Developer and Property Owner shall include masculine, feminine or neuter as required by context and shall also include their heirs, successors and assigns.

**RECITALS.**

1. Developer has developed Stoneybrook, a map of which is recorded in Plat Book 26, Page 29 in the Office of the Register of Deeds for Randolph County, North Carolina and a one (1) story frame house has been built on Lot 39 thereof.

2. Applicable restrictive covenants recorded in Book 1175, Page 844 and amended in Book 1180, Page 859 provide in pertinent part as follows: "Any lot shall have two (2) side yards, the combined width of which shall not be less than twenty (20') feet and neither of which shall be less than ten (10') feet in width ...".

3. One of the Lot 39 side yards is less than ten (10') feet in width as shown on survey by High Point Surveying dated 12/23/91, Job No. 91-724.

4. Developer has consented to waive the side yard violation described hereinabove as provided by the applicable restrictive covenants.

**AGREEMENT.**

NOW, THEREFORE, for a valuable consideration paid by Property Owner to Developer, the sufficiency and receipt of which are hereby acknowledged, Developer does hereby waive the violation of the side yard restrictive covenant as shown on the Survey, and more particularly described hereinabove.

This Waiver shall inure to the benefit of all successors in title of Property Owner including lenders and others who may obtain

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a security interest in all or that portion of Lot 39 of Stoneybrook and this waiver shall also run with the land.

IN WITNESS WHEREOF, the Developer has hereunto set its hand and seal the day and year first above written.

EMANON ASSOCIATES, INC., a North Carolina Corporation

By: [Signature]  
President



[Signature]  
Secretary

(CORPORATE SEAL)

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NORTH CAROLINA

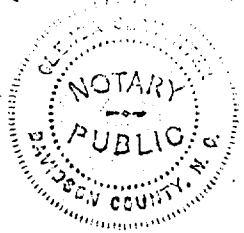
[Signature] COUNTY

I, a Notary Public of the County and State aforesaid, certify that [Signature] personally came before me this day and acknowledged that he is Secretary of Emanon Associates, Inc., a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by [Signature] as its Secretary.

Witness my hand and official stamp or seal, this 8th day of May, 1992.

[Signature]  
Notary Public

My Commission Expires: 1/31/93



NORTH CAROLINA — Randolph County

The foregoing certificate(s) of Glenda Slaughter, N.P.

is (are) certified to be correct. This instrument was presented for registration and recorded in this office at Book 1325, Page 1715, This 11 day of May, 19 92 at 12:58 o'clock P. M.

Ann Shaw, Register of Deeds  
By [Signature], Register of Deeds

YORK - COOPER - WHITE

(\*) This property is not located in a SPECIAL FLOOD HAZARD AREA as determined by HUD/FIA flood mapping.

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