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NORTH CAROLINA  
RANDOLPH COUNTY

WAIVER AND CLARIFICATION

The undersigned, Paul Dean Staley, and wife, Rosalie S. Staley, hereinafter referred to as developer, make the following declaration for the purpose of clarifying a declaration of covenants and restrictions recorded in Book 1408 at Page 736 of the Randolph County Registry:

1. Developer recorded certain Restrictive Covenants as referred to above for Hollow Hill Acres, Plat Book 40, Page 65 in the Randolph County Registry, said restrictions to govern Lots 2-9 of said subdivision.

2. Paragraph 3 of said Declaration of Covenants governs building setback lines of said lots. It was the intention of the parties to impose a minimum front setback requirement of 100 feet. Said Paragraph contains certain ambiguous language, to wit, "no building shall be located nearer than 30 feet or more from the minimum building setback line." It was not the intention of the parties to impose any restriction greater than 100 feet as a setback requirement, and any construction of said restrictive covenants should resolve any disagreements or ambiguities in favor of a minimum 100 foot setback line.

3. With regard to Lot 2 of said Subdivision being conveyed by deed of even date herewith to Michael Glenn Turner and wife, Laurie Jaffe Turner, developer specifically waives any minimum front setback line requirement in excess of 100 feet.

This the 18<sup>th</sup> day of August 1995.

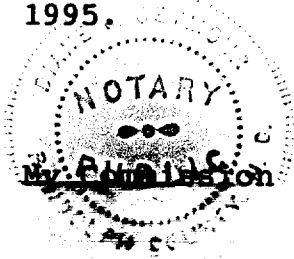
*Paul Dean Staley* (SEAL)  
Paul Dean Staley

*Rosalie S. Staley* (SEAL)  
Rosalie S. Staley

NORTH CAROLINA  
RANDOLPH COUNTY

I, *Diane J. Seymour*, a Notary Public in and for said County and State, do hereby certify that Paul Dean Staley and wife Rosalie S. Staley personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal this 18<sup>th</sup> day of August 1995.



*Diane J. Seymour*  
Notary Public

My Commission Expires: March 7, 2000

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NORTH CAROLINA — Randolph County

The foregoing certificate(s) of *Diane J. Seymour NP*

is (are) certified to be correct. This instrument was presented for registration and recorded in this office at Book 1430, Page 1278, This 18<sup>th</sup> day of August, 19 95 at 11:59 o'clock A. M.

By *Ann Shaw* Register of Deeds  
Ann Shaw, Register of Deeds