

NORTH CAROLINA

RANDOLPH COUNTY

WHEREAS, by instrument recorded in Book 290, Page 294, in the office of the Register of Deeds for Randolph County, North Carolina, certain restrictions were placed on all of the property known and shown of record in Plat Book 1, Page 344, as the Re-Division of Map No. 2 of Edgewood, portions of which restrictions are set forth as follows:

"1. That lots in the tract shall be known and described as residential lots, and no structure shall be erected on any residential building plot other than one detached single-family dwelling not to exceed two stories in height and a one or two car garage, which garage may include servants quarters on the ground floor."

"2. No building shall be erected on any residential building plot facing on North Fayetteville Street and Carolina Avenue nearer than 60 feet to nor further than 70 feet from the front lot line. No building shall be erected on any lot nearer than 5 feet to any side lot line."

"3. No residential lot shall be resubdivided into building plots having less than 6250 square feet or area or a width of less than 50 feet each, nor shall any building be erected on any residential building plot having an area of less than 6250 square feet or a frontage of less than 50 feet.

"8. (Portion as follows:) The ground floor square feet area thereof shall not be less than 750 square feet in the case of a one story structure nor less than 500 square feet in case of a one and one-half story structure."

And whereas, the property to the North, South and West is now zoned and used as business or commercial property; and whereas, T. R. Farlow and wife, Katherine Farlow, owners of Lots Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 73, and Walter Stowe and wife, Vallie O. Stowe, owners of Lot No. 19, desire to erect a commercial business establishment on the aforementioned lots, or to sell or use said lots as commercial business lots, all of which lots front on North Fayetteville Street with the exception of Lot No. 73, which fronts on East Pritchard Street and is just off North Fayetteville Street.

And whereas, all of the owners of real property, all of the persons holding mortgages, all of the Trustees in deeds of trust, all of the third parties in deeds of trust, all of the judgment creditors and all other lien holders of record against the real property included in the Re-Division of Edgewood as shown in Plat Book 1, Page 344, desire to release Lots Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 20, 21, 22, 23, 24, 25, 26, 27, 28 and 73 belonging to T. R. Farlow and wife, Katherine Farlow, and Lot No. 19 belonging to Walter Stowe and wife, Vallie O. Stowe, from the effect of said restrictions in so far as the portion of said restrictions as hereinbefore set out in this instrument and in so far as said restrictions may prohibit the erection of commercial business property on the aforementioned lots.

Provided, however, that all of the restrictions as set forth in Book 290, Page 294, with the exceptions of those hereinbefore specifically set forth, shall continue in effect, and in particular that "No noxious or offensive trade shall be carried on upon any lot, nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood." Provided further that all commercial business establishments on this property shall conform to the City of Asheboro Building Code and zoning regulations.

Now, therefore, in consideration of the premises and the further consideration of One Dollar to each in hand paid, the receipt of which is hereby acknowledged, we the undersigned do hereby release the above mentioned and described property of and from the effect of those restrictions hereinbefore set out which prohibit the use of said lots for any purpose other than residential property, and which prohibit the construction of a building less than 60 feet from the front lot line.

And said parties, for themselves and their heirs and assigns do severally agree by these presents to waive, release, discharge and hold harmless the said T. R. Farlow and wife, Katherine Farlow, and Walter Stowe and wife, Vallie O. Stowe, their heirs and assigns, from all claims, demands actions, or causes of actions of any nature or kind whatsoever arising or to arise from the violation of the portion of the restrictions as hereinbefore set out.

IN WITNESS WHEREOF, we have hereunto set our hands and seals.

Hubert M. Scott (SEAL)
Hubert M. Scott

Irene W. Scott (SEAL)
Irene W. Scott

E. Hugh Freeman (SEAL)
E. Hugh Freeman

Josephine W. Freeman (SEAL)
Josephine W. Freeman

John T. Humble (SEAL)
John T. Humble

Pauline B. Humble (SEAL)
Pauline B. Humble

A. G. Snow (SEAL)
A. G. Snow

Louise L. Snow (SEAL)
Louise L. Snow

W. H. McNeace (SEAL)
W. H. McNeace

Mary F. McNeace (SEAL)
Mary F. McNeace

L. A. Jordan (SEAL)
L. A. Jordan

Edith E. Jordan (SEAL)
Edith E. Jordan

Fréd H. Swing (SEAL)
Fréd H. Swing

Gladys L. Swing (SEAL)
Gladys L. Swing

Mrs. Cora M. (J. R.) Comer (SEAL)
Mrs. Cora M. (J. R.) Comer

Cecil B. Yow (SEAL)
Cecil B. Yow

W. D. Hughes (SEAL)
W. D. Hughes

Hazel C. Hughes (SEAL)
Hazel C. Hughes

W. F. Cheek (SEAL)
W. F. Cheek

Mary B. Cheek (SEAL)
Mary B. Cheek

C. A. Kirby (SEAL)
C. A. Kirby

Doris K. Kirby (SEAL)
Doris K. Kirby

V. C. Brady (SEAL)
V. C. Brady

Lola C. Brady (SEAL)
Lola C. Brady

Walter L. Stowe (SEAL)
Walter Stowe

Vallie O. Stowe (SEAL)
Vallie O. Stowe

T. R. Farlow (SEAL)
T. R. Farlow

Katherine Farlow (SEAL)
Katherine Farlow

____ (SEAL)
Charles L. Crickmore

____ (SEAL)
Ora B. Crickmore

____ (SEAL)
Beryl W. Lewallen

____ (SEAL)
Mary C. Lewallen

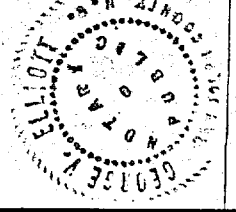
NORTH CAROLINA
RANDOLPH COUNTY

I, George V. Elliott, a Notary Public, do hereby certify that Hubert M. Scott and wife, Irene W. Scott, E. Hugh Freeman and wife, Josephine W. Freeman, John T. Humble and wife, Pauline B. Humble, A. G. Snow and wife, Louise L. Snow, W. H. McNeace and wife, Mary F. McNeace, L. A. Jordan and wife, Edith E. Jordan, Fred H. Swing and wife, Gladys L. Swing, Mrs. Cora M. (J. R.) Comer (widow), ~~Cecil B. Yow (single)~~, W. D. Hughes and wife, Hazel C. Hughes, W. F. Cheek and wife, Mary B. Cheek, C. A. Kirby and wife, Doris K. Kirby, V. C. Brady and wife, Lola C. Brady, T. R. Farlow and wife, Katherine Farlow, personally appeared before me this day and acknowledged the due execution of the foregoing instrument of Release for the purposes therein expressed.

Witness my hand and notarial seal, this 27th day of April, 1956.

George V. Elliott (SEAL)
NOTARY PUBLIC

My commission expires: Jun 28 1957



NORTH CAROLINA

RANDOLPH COUNTY

I, _____, a Notary Public, do hereby certify that Charles L. Crickmore and wife, Ora B. Crickmore, personally appeared before me this day and acknowledged the due execution of the foregoing instrument of Release for the purposes therein expressed.

Witness my hand and notarial seal, this ____ day of April, 1956.

My com. expires: _____

NOTARY PUBLIC

(SEAL)

NORTH CAROLINA

RANDOLPH COUNTY

I, _____, a Notary Public, do hereby certify that Beryl W. Lewallen and wife, Mary C. Lewallen, personally appeared before me this day and acknowledged the due execution of the foregoing instrument of Release for the purposes therein expressed.

Witness my hand and notarial seal, this ____ day of April, 1956.

My com. expires: _____

NOTARY PUBLIC

(SEAL)

STATE OF North Carolina

COUNTY OF Randolph

I, George V. Elliott, a Notary Public, do hereby certify that Walter Stowe and wife, Vallie O. Stowe, personally appeared before me this day and acknowledged the due execution of the foregoing instrument of Release for the purposes therein expressed.

Witness my hand and notarial seal, this 27th day of April, 1956.

My com. expires: Jan 21 1957

NOTARY PUBLIC

(SEAL)



NORTH CAROLINA, Randolph County.

The foregoing Certificate of George V. Elliott

Notary Public of Randolph County, State of N. C., is adjudged to be correct. Let the instrument, with the certificate, be registered.

This 16 day of October, 19 57

Josephine S. Hester
Clerk Superior Court

Filed for registration at 4:00 o'clock P.

M. October 16 19 57

and registered in the office of the Register of Deeds for Randolph County, in Book No.

Page No. _____

Archie Shaw
Register of Deeds