

10

NORTH CAROLINA
RANDOLPH COUNTY

MODIFICATION OF RESTRICTIONS
CRESCENT OF GREYSTONE SUBDIVISION

THIS AGREEMENT made and entered into this the 1st day of July, 1966, by and between Walter V. Roberts and wife, Virginia S. Roberts, Mary Ella Crowell, Widow, Raymond Freeman and wife, Margaret H. Freeman, Edward Malchholm Irvine and wife, Nellie Ruth J. Irvine, G. E. Miller, Trustee, and Randolph Savings & Loan Association, all of Randolph County, North Carolina.

W I T N E S S E T H

THAT WHEREAS, Walter V. Roberts and wife, Virginia S. Roberts, Mary Ella Crowell, Widow, Raymond Freeman and wife, Margaret H. Freeman, Edward Malchholm Irvine and wife, Nellie Ruth J. Irvine, G. E. Miller, Trustee, and Randolph Savings & Loan Association are the owners of a certain parcel of land in Asheboro Township, being the same property purchased by Walter V. Roberts and wife, Virginia S. Roberts by deed duly recorded in Book 879 at Page 502 Randolph County Registry, and conveyed in part by Walter V. Roberts and wife, Virginia S. Roberts to the other parties to this agreement by deeds recorded in Book 933 at Page 153, 934 at Page 123, and 931 at Page 518, and by deeds of trust to G. E. Miller, Trustee, securing indebtednesses to Randolph Savings & Loan Association, said deeds of trust being recorded in Book 928 at Page 147, 936 at Page 59, 937 at Page 563, 913 at Page 616.

AND WHEREAS, by agreement recorded in Book 920 at Page 423 in the Randolph County Registry, the said Walter V. Roberts and wife, Virginia S. Roberts, placed certain restrictions upon the said property designating the same as the Crescent of Greystone Subdivision, and being lots numbers 1-17;

AND WHEREAS, restriction #3 of said agreement reads as follows:

"3. No residence or building of any kind erected on the property shall be nearer the front property lines on any street than 40 feet, no nearer either of the side property lines of a building lot than 10 feet, provided that this section shall not apply to garages and outside utility houses which are erected in the rear of the residences

and dwellings."

AND WHEREAS, it is mutually agreed between the parties that said restriction #3, as above set out, should be deleted and have no further application to the said Crescent of Greystone Sub-division, and that the said restriction #3 should no longer be binding upon the present owners of said lands, their successors, heirs and assigns, and should no longer run with said lands to the future owners thereof.

NOW, THEREFORE, in consideration of the mutual agreement of the parties hereto, they do by this instrument modify the original restrictive covenants appearing in Book 920 at Page 423 in the Randolph County Registry, so that item #3 as above set out is deleted and removed therefrom, and it is further agreed that the parties hereto, their grantees, heirs and assigns hereafter should have the right to use the said premises in the same manner as though said item #3 in the said original restrictive covenants had never been made.

IN WITNESS THEREOF, the said parties to this agreement have hereunto set their hands and seals the day and year first above written.

Walter G. H.
Virginia S. Roberts
Edward Malcolm Durine
Allen Britt G. Danner
Mary E. Cravell
Raymond L. Freeman
Margaret H. Freeman
H. W. Miller, Trustee

ATTEST:

[Signature]

RANDOLPH SAVINGS & LOAN ASSOCIATION

By L. T. Bullock, Exec. V. P.

(11)

NORTH CAROLINA
RANDOLPH COUNTY

I, William R. Kelly, a Notary Public in and for said County and State aforesaid hereby certify that Walter V. Roberts and wife, Virginia S. Roberts, Mary Ella Crowell, Widow, Raymond Freeman and wife, Margaret H. Freeman, Edward Malchcolm Irvine and wife, Nellie Ruth J. Irvine personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purpose therein expressed.

Witness my hand and notarial seal this the 9 day of July, 1966.

William R. Kelly
Notary Public

My commission expires:
My Commission Expires February 24, 1968

NORTH CAROLINA
RANDOLPH COUNTY

I, VENIA B. YOUNG, a Notary Public in and for said County and State aforesaid hereby certify that G. E. Miller, Trustee, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purpose therein expressed.

Witness my hand and notarial seal this the 11th day of July, 1966.

Venia B. Young
Notary Public

My commission expires:
5-19-67

NORTH CAROLINA

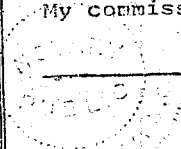
RANDOLPH COUNTY

This the 11th day of July, 1966, personally came before me, T. F. Bulla, Jr. who being by me duly sworn, says that he is the ^{*Exec. Vice*} President of Randolph Savings & Loan Association and that the seal affixed to the foregoing instrument in writing is the corporate seal of the corporation, and that said writing was signed and sealed by him, in behalf of said Corporation, by its authority duly given. And the said T. F. Bulla, Jr. acknowledged the said writing to be the act and deed of said Corporation.

Witness my hand and notarial seal this the 11th day of July, 1966.

Lucille A. Freeman
Notary Public

My commission expires: 9-29-67



NORTH CAROLINA, Randolph County

The foregoing Certificate of *Shirley Jones* Notary Public of *Randolph* County, State of N. C., is adjudged to be correct. Let this instrument, with the certificate, be registered. This 12 day of July, 1966

Lucille A. Freeman
Clerk Superior Court

Filed for registration at 10:30 o'clock A.
M. July 13, 1966 and
registered in the office of the register of
Deeds for Randolph County in Book No.
Page No.

Anna Skaw
Register of Deeds
By *Shirley Jones Deputy*