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STATE OF NORTH CAROLINA

RESTRICTIVE COVENANTS

COUNTY OF RANDOLPH

KATHERYN McDOWELL PHILLIPS and husband, C. PARKER PHILLIPS, first being duly sworn, say that they are the owners of that certain property which has been platted into lots and recorded in the Office of the Register of Deeds of Randolph County, North Carolina, which said Plat is designated as J. H. McDowell Estate, and recorded in Plat Book 12, Page 66.

That affiants, in order to promote and provide for a well classified and regulated use of such property, as is embraced within said Plat and for the use and purposes of the various portions thereof as hereinafter designated, do hereby place upon said property, and within the designated areas, the following restrictions:

AREA NO. 1

(That portion of the property bounded on the West by South Park Street, on the East by Church Street, on the South by Taft Street, and on the North by Cooper Street in part, and owners of other property in part).

1. No lot within this area shall be used except for residential purposes and no building shall be erected or constructed on any lot other than one newly constructed detached single family dwelling not to exceed two and one-half stories in height and a private garage having not more than two cars.
2. The ground floor living area of the main structure of any dwelling, exclusive of porches or garages, shall not be less than 1300 square feet for a one story dwelling, nor less than 800 square feet for a dwelling of more than one story.
3. No dwelling shall be constructed in which any imitation siding is used, nor shall any cinder, cement or concrete blocks be used in the construction thereof so as to show from the outside of said dwelling. No garage or other outbuilding shall be constructed of unsightly material, but shall be constructed of material of at least the quality of german siding, and shall be painted.

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4. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

5. No structure of a temporary character, trailer, basement, tent, shack, garage, barn, or other outbuilding shall be used on any lot at any time as a residence either temporarily or permanently.

6. No animals, live stock or poultry of any kind shall be raised, bred or kept on any lot except that dogs, cats or other household pets may be kept on any lot except that dogs, cats and other household pets may be kept provided that they are not kept, bred or maintained for any commercial purposes.

7. No lot shall be used or maintained as a dumping ground for rubbish, nor for the storage of any junked or wrecked automobiles, or items of a similar nature. Trash, storage or other waste shall not be kept except in sanitary containers. All other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

8. No individual sewage disposal shall be permitted on any lot unless such system is designed, located and constructed in accordance with the requirements, standards and recommendations of the Town of Asheboro.

9. No fence, wall, hedge or shrub planting which obstructs sight lines at elevations between 2 and 6 feet above the roadways shall be placed or permitted to remain on any corner lot within the traingular area formed by the street property lines and a line connecting them at points 25 feet from the intersection of the street lines, or in the case of a rounded property corner from the intersection of the street property lines extended. The same sight-line limitations shall apply on any lot within 10 feet from the intersection of a street property line with the edge of a driveway or alley pavement. No tree shall be permitted to remain within wuch distances of such intersections unless the foliage line is maintained at sufficient height to prevent obstruction of such lines.

AREA NO. 2

(That portion of the property bounded on the West by the right-of-way of the Southern Railway, on the East by South Fayetteville Street, or the South by Taft Street, and on the North by H. C. Presnell, and designated as Lots Nos. 1 through 9 inclusive; Also Tract No. 2 and located on the East side of Southern Railway right-of-way).

The use of the property within Area No. 2 shall be governed by the Zoning Ordinance of the Town of Asheboro (and as same may hereafter be amended) which said property is presently zoned by said Ordinance under the classification of B2.

The above covenants and conditions applicable to the Areas as hereinabove designated, are placed on the property and lots hereinabove specified and set forth as a part of the general scheme or plan of development for the benefits of all owners of the property hereinabove specified within said development, and said covenants are and shall be binding upon the present owners of said lands, their successors, heirs and assigns, and shall be covenants running with the land, binding on all future owners of said lots.

This agreement shall be in full force and effect until May 20, 2007.

IN TESTIMONY WHEREOF, Katheryn McDowell Phillips and husband C. Parker Phillips, have caused these restrictive covenants to be signed as of the 20th day of May, 1967.

Katheryn McDowell Phillips (SEAL)
Katheryn McDowell Phillips
C. Parker Phillips (SEAL)
C. Parker Phillips

NORTH CAROLINA
RANDOLPH COUNTY

I, *Annie Estley Proffman* a Notary Public in and for said County and State aforesaid hereby certify that Katheryn McDowell Phillips and husband C. Parker Phillips personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and notarial seal this the 20 day of May, 1967.

Annie Estley Proffman
Notary Public



My commission expires: 5-5-68

NORTH CAROLINA, Randolph County.

The attached Certificate of *Annie Estley Proffman*

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

This 26 day of May, 1967
Wynona A. Ray
Deputy Clerk Superior Court

Filed for registration at 4:55 o'clock P.
M. May 26 1967

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

Page No. _____
Annie Estley Proffman
Register of Deeds