

STATE OF NORTH CAROLINA

COUNTY OF UNION

DECLARATION OF RESTRICTIONS
FOR
HEATHERLOCH SUBDIVISION PHASE I

KNOW ALL MEN BY THESE PRESENTS, that we, the owners of the lots in HEATHERLOCH SUBDIVISION (48 lots numbered 1 through 48 depicted in Plat Cabinet B File 54B in the Union County Registry) in Buford Township, Union County, North Carolina, do hereby covenant and agree to and with all persons, firms or corporations hereinafter acquiring any of the property known as "HEATHERLOCH" as follows:

THAT said property is hereby made subject to the following restrictions as to the use thereof, running with said property by whomsoever owned to-wit:

1. All FORTY-EIGHT (48) numbered lots in the tract shall be known and described as residential lots. No structure shall be erected, altered, placed or permitted to remain on any numbered plot other than one detached single-family dwelling not to exceed two and one-half stories in height above ground level, and a private garage for not more than three cars and other buildings incidental to residential use of the plot.
2. No residence or other structure shall be located nearer than 70 feet to the public road, nor nearer than 22 feet to any side street line, nor nearer than 12 feet to any interior lot line.
3. No subdivision of any said numbered lots by sale or otherwise shall be made.
4. No inoperable cars or other junk shall be abandoned or be allowed to remain on property and no noxious or offensive trade or activity 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.
5. No animals or poultry of any kind, raised for commercial purposes, shall be kept or maintained on any part of said property except house pets such as dogs and cats. Pet animals or poultry may be kept and maintained for the primary use of enjoyment of the occupants of the property.
6. No trailer, tent, shack, garage or other out-building erected upon any lots of the above described property shall at any time be used as a residence, temporarily or permanent, nor shall any structure of a temporary character be used as a residence.
7. One story "single-family" dwellings constructed on LOTS numbers ONE (1) through TWENTY-THREE (23) must contain a minimum of 1800 square feet of heated floor space and one-story (single-family) dwellings constructed on Lots numbers TWENTY-FOUR (24) through FORTY-EIGHT (48) must contain a minimum of 1600 square feet of heated

floor space. If the dwelling is anything other than one story, the heated area at ground level must be a minimum of 1500 square feet, regardless of Lot number, EXCEPT houses which are either two or two and one-half stories may have a minimum of 1200 square of heated floor space at ground level if there is also an attached and enclosed garage of at least 300 square feet floor space. Split-level (single-family) dwellings must contain a minimum of 2400 square feet of heated floor space, except as modified by the immediately above proviso pertaining to attached and enclosed garage at ground level. For purposes of THIS paragraph, split-level houses shall be classified as one story houses unless there is a difference of more than six (6) feet between floor levels, and when the floor level difference is more than six (6) feet they shall be classified as two-story houses. Any garage attached to a residence shall have only a rear or side car entrance and open carports shall be constructed only at the rear of the residence. Accessory and/or storage building must be at least 100 feet from the center of any public or subdivision street or road and at least 10 feet from any property line. No cement blocks used in construction of either dwelling or accessory building(s) shall be allowed to remain exposed to exterior view.

8. Owners and their heirs and assigns shall have and hereby reserve a 10 foot wide right-of-way along the rear and side lines of the lots hereinabove described for pole lines and/or conduits for use in connection with supplying light, power, water, sewer, gas, telephone or other utility service to said lots and to lots in other blocks adjacent thereto, and for installation and maintenance of drainage facilities.
9. Only one (1) residence shall be erected upon any numbered building lot under these restrictions.
10. No sign board of any description shall be displayed on any of said numbered lots, except "For Rent" and "For Sale" signs, which signs shall not exceed 2x3 feet in size.
11. In the event of the violation of any of the building line restrictions herein setforth, the undersigned reserves the right by and with the mutual written consent of the owner or owners for the time being of such lot to change the building line restrictions setforth in this instrument; provided, however, that such change shall not exceed ten percent (10%) of the marginal requirements of such building line restrictions, and shall apply only to the lot affected.
12. It is expressly understood and agreed by the parties hereto that the foregoing covenants, conditions, reservations, restrictions and easements shall be covenants running with the land, but nothing herein contained shall be held to impose any restrictions upon, or easements in any numbered lot of the undersigned not herein specifically referred to, this instrument applying to and affecting only said numbered lots shown upon the aforementioned map.
13. The restrictions herein imposed shall remain in full force and effect for a period of 30 years from the date hereof provided that the same may be renewed by an instrument executed by the owners of at least 75% of the numbered lots shown upon said recorded plat.

