



STATE OF NORTH CAROLINA
COUNTY OF UNION

Filed for record
Date 4-30-93
Time 3:00 o'clock PM
BY G. F. F. F., Register of Deeds
Union County, Wayne, North Carolina

03-782

W. J. F.

DECLARATION OF RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS that Warren K. Storm and wife Dolores J. Storm, hereinafter collectively referred to as Grantors, do hereby covenant and agree to and with all other persons, firm, or corporations now owning or hereafter acquiring any property in the area hereinafter described:

Being all of the 28,766 acre property described as being deeded by Donald H. Thomas and wife, Marie Ann Thomas, to Warren K. Storm and wife, Dolores J. Storm on the 7th day of May, 1993 and recorded in Deed Book 626 page 158 in the office of the register of deeds for Union County.

That all of the lots, tracts or parcels in the above described property to be known as EL BOSQUE SUBDIVISION, now owned by Warren K. and Dolores J. Storm, are hereby subjected to the following restrictions as to the use thereof, and,

These covenants are to run with the land and shall be binding on all parties and persons claiming under them until 30th day of June, 2003, at which time these covenants shall be automatically extended for successive periods of ten years unless the recorded owners of a majority of the residential lots or tracts within the above described property agree to change said covenants in whole or in part.

- 1) All lots shall be used for residential purposes only. Single family homes must have a minimum of 1200 square feet of heated living space. Lots with 60,000 square feet or more may be designated for construction of duplex homes. These duplexes must have a total of 2400 or more square feet of heated living space. Homes can be of conventional on-site construction, manufactured or modular construction. All homes must be constructed with siding material of either vinyl, brick or wood lap, and have a minimum width of 26 feet. Except for lots no. 1 & 3, the pitch of the home's roof must have a minimum vertical rise of one foot to each three feet of horizontal run. The home's roof shall be finished with a conventional type of residential shingle. Manufactured homes must be no more than one year old when placed on the home site and the tongue, axles, transporting lights and removable towing apparatus must be removed after placement on the lot and before occupancy. Modular homes must be constructed in accordance with the North Carolina State Building Code.
- 2) The residence and its out buildings must be at least 50 feet from road right-of-way and 15 feet from the side of the property line, and 40 feet from the back property line. Each residence shall be allowed no more than three out-buildings, with garages being of similar construction as its house. All out-buildings as well as any satellite dish must be at the back or side of the house.
- 3) Driveways must not interfere with existing roadways or drainage. Each property owner is responsible to install eave pipe of adequate size and state-approved to handle run off in the ditch under the driveway and each property owner is responsible to keep the roadway and ditch clean in front of his/her property.
- 4) Animals such as dogs and cats may be kept if the total number does not exceed 2 per lot. If a litter is born, they may be kept 10 weeks. No commercial raising of animals is permitted.
- 5) Property can not be used as storage for rubbish, disabled and unlicensed vehicles or other refuse. Garbage must be kept in proper containers and at least 20 feet inside the property line.

BK 637 PG 770

BK 637 PG 71

6) For beautification of lots, split rail or wood fencing, or hedging should be used on frontage. Metal or chain fences are suitable for back and sides only.

7) The 30 foot private road located on the north side of lot 4 is for the use of the occupants of lots 1 and 3, but may be used by the occupants of lots 2 and 4. The cost of maintaining this road will be divided equally between lots 1 through 4 whose occupants are regular users of this road.

8) No owner of any lot or parcel of property located within this subdivision shall grant, convey, or dedicate any portion of any lot, tract, or parcel of said property for a road or street, or grant any road or easement which will allow the above described property to be connected or joined by such road or easement to any other adjoining lot, tract, or parcel or subdivision without the written consent of all the owners of the subdivided lots, tracts, or parcels of said property to which these restrictions apply.

9) These restrictions are subject to being amended, modified, changed, or canceled at any time as to the above described property as a whole, or as to any part thereof by written document executed by the Grantors, their heirs, successors, or assigns, and by the then owners of not less than 75% of the residential lots, tracts and parcels within the property to which these restrictions apply, and such document is duly recorded in the office of the Register of Deeds for Union County, North Carolina. The modifications under this provision of any part of this DEED OF DIVISION OR RESTRICTIONS shall not be retroactive, but shall take effect thirty (30) days after the recording of the document, as described above, and written notification of such modification has been given to all of the owners of record at the date of execution of said modification of these restrictions.

IN WITNESS WHEREOF, Warren K. Storm and wife, Deborah J. Storm, have caused these presents to be signed in their names, this 30 day of June, 1993.

Warren K. Storm
Warren K. Storm

Deborah J. Storm
Deborah J. Storm

State of North Carolina
County of Union

I, a Notary Public of said county and state acknowledge that Warren K. Storm and Deborah J. Storm personally appeared before me this 30 day of June, 1993, and acknowledged to me that they executed the foregoing instrument as described herein and that they are the legal owners of the same.

Yvonne C. Browne
Yvonne C. Browne
Notary Public

My commission expires 12/31/96



Return to: Warren Storm
P.O. Box 248
Wachon, N.C. 28173

NORTH CAROLINA - Union County
The foregoing certificate of

Yvonne C. Browne, Notary Public of Union County, N.C.

is (are) certified to be correct. This instrument was presented for registration and recorded in this office at Book 14237 Page 571D

this 30th day of June 1993 at 3:00 o'clock P.M.

JUDY G. PRICE, REGISTER OF DEEDS By: Yvonne C. Browne