

BOOK 477 PAGE 621

*Revised  
JMJ*

STATE OF NORTH CAROLINA  
COUNTY OF UNION

RECORDED  
and  
VERIFIED  
*JMJ*

DECLARATION OF RESTRICTIVE COVENANTS

WHEREAS, HUGH DEVON WORTMAN and wife, JUDIE M. WORTMAN of Mineral Springs, North Carolina, are the owners of a certain tract of land located in Monroe Township and Vance Township, Union County, North Carolina and described in a plat recorded in the office of the Register of Deeds of Union County, North Carolina, in Plat Cabinet C, File 475 and Plat Cabinet C, File 476 (access road), and designated as SANDALWOOD II.

WHEREAS, Hugh Devon Wortman and wife, Judie M. Wortman now desire for the use and benefit of their Company, its heirs, successors and assigns and its future grantees and lessees, to place and impose certain restrictive covenants on the subject property and the owners and holders.

NOW, THEREFORE, in consideration of the premises, and for the purpose aforesaid, Hugh Devon Wortman and wife, Judie M. Wortman, for their company, its heirs, successors and assigns and their future grantees and lessees, do hereby place and impose upon each lot shown on the above referenced plat, containing and included in the subject property the following restrictive covenants for the period ending 20 years from date hereof.

1. No dwelling erected on a lot or any plat thereof shall contain less than 1200 square feet of enclosed heated living area except that lots #79, #80, #81, #82, #83, #84 and #85 will have a minimum of 1100 square feet of heated area. Hugh Devon Wortman and wife, Judie M. Wortman reserve the right to review and approve any residential blueprints. Only a single family dwelling and its ancillary buildings may be erected on a lot. Not more than one residence may be erected on a lot. No ancillary building, as aforementioned, may be erected until construction of the dwelling has been begun. No dwelling or ancillary building shall be less than 25 feet from a road right-of way unless on a corner lot which can be as little as 25 feet front set back from a road right-of-way, or less than any set back lines as shown on the recorded Plat Cabinet C, File 475 and Plat Cabinet C, File 476 (access road), of the Union County Registry. No ancillary building shall have outside exposed concrete blocks, other than for the foundation of the building. No mobile or modular homes will be allowed at any time.

2. The Grantee, its successors and assigns, shall grant the necessary easement for any and all utilities and telephone lines across their lot to service their lot and/or other lots within the real property described in Plat Cabinet C, File 475 and Plat Cabinet C, File 476 (access road), of the Union County Register of Deeds, as may be required by the utility company, telephone company, or any other public or private utilities.

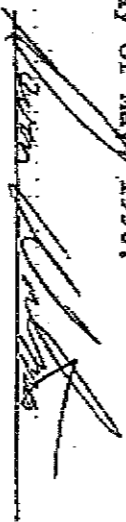
3. No residential building shall be located on any lot nearer than twenty five (25) feet from the street right-of-way line of the street on which the lot fronts, nor nearer than twenty five (25) feet to a side street line. Set back from rear of property would be forty (40) feet on lots contiguous to outside boundary and twenty five (25) feet on interior lots. Side line requirements would be eight (8) feet from either side.

BOOK 477 PAGE 622

4. Only household pets may be kept on a lot, and such animals cannot be kept, raised or bred for any commercial purposes. Livestock related to dairy or food production shall not be permitted on a lot. All animals shall be maintained by their owners in such manner as not to constitute or create a nuisance to other property owners within the property herein described.
5. All homes to have a poured concrete driveway - a minimum of ten (10) feet in width to begin at curb and extend at least to the front foundation area of the house.
6. All lots shall be used solely for single family residential purposes only and no buildings shall be erected, placed, or permitted to remain on a lot or combination of a lot and other contiguous property other than for the purpose of a single family dwelling.
7. No residence, building, structure of a temporary nature shall be erected or allowed to remain on a lot or any contiguous property, and no mobile home, trailer, basement, shack, tent, garage, barn, or other building of a similar nature shall be used as a residence on a lot, either temporarily or permanently.
8. No noxious, offensive, or illegal activity shall be carried on upon a lot or an assembly of a lot and any contiguous property, nor shall anything be done thereon which may be or become an annoyance or nuisance to any owner of all or a part of the property herein described.
9. Any modification, amendment, or other change in these restrictions and covenants shall be made only with the approval of the owners of at least seventy-five percent (75%) of the property shown on the recorded plat of SANDALWOOD II.
10. The invalidation or unenforceability of any one or more of these restrictions or any part thereof by judgment or order of a court of competent jurisdiction shall not adversely affect the balance of these restrictions and covenants which shall remain in full force and effect.
11. The aforesaid covenants and restrictions are imposed as a part of a common development plan for the property described in Plat Cabinet C, File 475 and Plat Cabinet C, File 476 (access road), of the Union County Registry, and accordingly, shall run with the land and be enforceable by any owner of a lot or parcel of land lying within the property described in Plat Cabinet C, File 475 and Plat Cabinet C, File 476 (access road).

IN WITNESS WHEREOF, the parties hereto have executed this Declaration under seal of the 4th day of May, 1990.

BY:



BY:



BOOK 477 PAGE 623

NORTH CAROLINA Wake COUNTY

I, a Notary Public of the County and State aforesaid, certify that Hugh Dennis Hartman and Jackie M. Hartman Owners, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 4<sup>th</sup> day of May, 19 20.  
My commission expires: 10-18-2022 Margaret S. Mays, Notary Public



Witness:  
Jackie M. Hartman  
P.O. Box 387  
Marshall Springs, N.C.  
28108

NORTH CAROLINA - Union County Margaret S. Mays  
(The foregoing certification) of Margaret S. Mays

Margaret S. Mays Notary Public of Wake

Is (was) certified to be correct. This instrument was presented for registration and recorded in this office at Book 477, Page 621  
this 17 day of July, 19 20 at 12:50 o'clock P. M.  
ONEL L. PLYLER, REGISTER OF DEEDS  
By: Onel L. Plyler  
Asst. Deputy