REFERENCE HEREBY
MADE TO: Book 427 Pare
Page 427 Pare

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WORTH CAROLINA)

DECLARATION OF RESTRICTIONS

ON REAL ESTATE

Carolina; and GEORGE A. AYSCUE and wife, ORELLA T. AYSCUE of Monroe, North Caroand between JIMMY WILSON EDWARDS and wife, JO ANN EDWARDS of Wingate, THIS DECLARATION, made and entered into this 3rd. day of March, 1972, by

WITNESSETH:

George A. present city limits of Wingate, North Carolina, option to purchase 72.03 acres. Office of the Union George A. Naomi Hinson Jones (widow) fully set same being referred to and THAT WHEREAS, Jimmy Wilson Edwards and his wife, Jo Ann Edwards have Ayacue Ayscue and wife, and wife, Orella T. County Register of Deeds in Deed Book 244, page reference is made to deed dated December 9, 1971 incorporated herein by reference the same as if being Orella T. Ayacue, and Bruce H. Hinson more or less, of land situate adjacent Ayscue; for a more particular description and being duly recorded in the and wife, option being given by Verdie P. Hinson to 528, the

of; FURTHER, that said property has been subdivided and atreets have been "laid have caused said above referred plat; AND FURTHER, January 1972 has out" and partially opened, and will be later AND WHEREAS, the said Jimmy Wilson Edwards and his wife, Jo Ann Edwards a plat of said Wind Cate Subdivision by Robert F. Knight, R. L. being incorporated herein by reference been that said subdivision has duly recorded in the Office of the Union to property to be surveyed and a plat made there completely reference being made thereto been named WIND GATE SUBDIVISION; opened according to said County Register

optionees eaid Jimmy Wilson AND WHEREAS. are the of gaid the above referred Edwards and wife, fee simple said George A. restricted as ō, 5 Ö property; that all of said parties desire Ayscue and wife, Orella T. Ayscue declare Ann Edwards said above the use thereof for the referred declare that they are the to property; that the protection

SMITH, SMITH & PERRY AYTORNEYS.AT-LAN MONROE, N. C.

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the value of sold property as a residential area.

NOW, THEREFORE, above described that said property is hereby made subject owning.or KNOW ALL MEN BY THESE PRESENTS: declare hereafter acquiring any to and with all of the with sald That property or properties persons, the parties hereto ť the following in the

- l. dential property, es, only; the whole any part thereof, used for
- portion (2. Single nulti-family dwel of said property; ngle family dwellings, dwellings are the only type dwelling houses pe duplexes, apartment houses or complexes and th are not permitted to be constructed or located houses permitted; xes and the like of Š
- aquare Dwelling houses shall contain a minimum of et (1,700 sq. ft.) of heated floor space; One Thousand Seven Hundred
- than ten (10) feet to the side boundary lines of said lot, nor n thirty (30) feet to the front property line thereof; for purpose restriction, the front property line shall be considered any strine which abuts said lot; PROVIDED, however, if the owner of twishall elect to use them for one residence, the boundary line or shall elect to use them for one residence, the boundary lines of the lots so used shall not be regarded as side boundary lines of dwelling or any part thereof shall be erected on any lot nearer) feet to the side boundary lines of said lot, nor nearer than street i O Fit right of war
- in such n manner as to lea No dwelling located upon above onner as to leave showing in the concrete brick, asbestos siding o described property shall be a main structure thereof any or cinder block; concrete
- 6. No more than one dwelling house shall be constructed on any one lot; said "lot" being determined as same is indicated by metes and bounds per plat recorded and referred to hereinabove;

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- 7. No businesses of any kind or type shall be carried on or con or within the boundaries of said property, except customary home occup defined in the Union County Zoning Ordinance as smended from time to t irrespective of any so-called customary home occupations, absolutely n ings or housing of any type, whether permanent or temporary shall be l constructed on said property the primary purpose for which is to carry conduct business of any type, including customary home occupations; approvisions to customary home occupations and floor area permitted for as set out in the Union County Zoning Ordinance now existing and in the as may be changed, re-numbered or amended, are incorporated herein and provisions to custo as set out in the U as may be changed, part hereof. absolutely no occupation conducted on icable ch use
- 8. No house trailers or located on said property for an unoccupied camping trailers and no violation of Item 7, restrict use trailers or mobile homes of any size or property for any purpose, either temporary ing trailers excepted, temporary tem 7, restriction above; or permanent, so long as there description shall Ď,
- 9. | maintained junk motor vehicles property; ò abandoned vehicles shall 6 located õ
- 10. No residential exceed 2 fee Z o signboards lot except s ls of any des t signs "For at in size; description For Rent" or shall be placed or displayed "For Sale, which signs shall 30 a
- Z e or other obstruction erected from the front line of a dwell-right of way line shall exceed three (3) feet in height;

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MONROE, B. C.

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- sidered household pets; the keept on said property shall be specifically prohibited, although this prosaid animals, alone; ttle, gonts. prohibition except horses and mul
- over and along the in the subdivision maintenance of poluseful for furnish service or other uproperty line; les hereto reserve for themseaver, right of right at any time in the future to grant a right-of-g the side, rear and front property lines of each and a side, rear and front property lines of each and a side of Wind Gate, described hereinabove, for the instanton of Wind Gate, described hereinabove, for the instanton of Winds (accordance) to the side of the service, water cas, telephone service, water ishing electric probabilities; said easement to extend on each side h and every lot he installation ent necessary to cach 41
- 14. If the parties hereto, or any of them, or their heirs or aviolate or attempt to violate any of the covenants herein, it shall for any other person, or persons, owning any real property situate division to prosecute any proceedings at law or in equity against the or persons, or firm or corporation, violating or attempting to violations, and either to prevent said violation or to recover damage dues for such violation. assigns, shall ill be lawful to in suid subthe person, tolute any such mages or other shall
- 15. These covenants or restrictions shall be with the land and shall remain in full force and e (30) years from the date of this declaration, and of any of said property during the term of these rhereby made subject to these restrictions. be considered id effect for e considered covenants running effect for a period of thirty d all future deads of conveyan restrictions shall be and are conveyance e and are
- 16. The only manner in which these restrictions or covenants are subject to alteration, modification, or cancellation or change, as to said subdivision as a whole, or as to any subdivided lot or part thereof, is by written document executed and recorded by the owners of not less than seventy-five (75%) per cent of the subdivided lots or parts of said subdivision to which these restrictions apply, said document to be recorded in the Office of the Union County Register of Deeds.
- 17. It is mutually agreed and declared by and between the parties hereto that the above restrictions shall apply to the entire subdivision of Wind Gate and shall be binding upon all of said parties, their heirs, successors, assigns administrators and executors, to the full extent as if said restrictions had been or would have been set out in detail in the deed of conveyance to said optionees.

seals this the IN TESTIMONY WHEREOF, day and year the said parties first above written. hereto have hereunto set their hands

ATTORKEYS AT-LAW MONROE, N. G. before me NORTH CAROLINA ... Union County Witness m aid County do her y Wilson Edwards rds and George A. In T. Ayscue, per Ayscue this d my hand rds and wife, Jo Ann
A Ayscue and wife,
personally appeared
and acknowledged hereby certify d and scal. foregoing , this 1972. / Public / that fo Ann uchu (SEAL) ∠SEAL)

NORTH CAROLINA - UNION COUNTY-

Clara Laney, Register of Deeds	This 28 day of mand, 1972 at 2 10 o'clock &	The foregoing certificate(s) of is (are) certified to be correct. This
By: There bopusy. Williams	in Book AHC Page 7 AO.	instrument was presented for re-

STATE Q NORT'H CAROLINA AMENDMENT

TO DECLARATION

OF.

RESTRICTIONS

COUNTY OF

WIND GATE SUBDIVISION

THIS AMENDMENT this 5th day of undersigned owners Gate Subdivision Union County Reg same being inco particular descri described as g incorporated description. AMENDMENT day of Registry co Monroe 위 record roe Township, and the recorded in the reference being led herein by a RESTRICTIONS O.F real being by 1 made 1987, and Plat estate reference more Book 6, thereto located betwe ticul ë 125, into n the Wind

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the use amended. said par aid THAT, ofin parc WHEREAS, s that se Book 246, seventy of 1 the Page undersigned y-five percent of said su ç. said sire 720 Union County cated in said cent subdivisi that are Registry, as subdivision, restrictions the sub **al 1** to to

running arties NOW, ... following ter acquiring described that the with THEREFORE, persons, ng amended said prope do properties by E, KNOW ALL MEN BY THESE covenant and agree and firms or corporations any said property whomever lons থ 10 ŝ THESE properties s hereby mad S S CO declare presently PRESENTS: made Wit: subj guing puë That thereof ect with area 0

deleted Item and amended of aid to Declaration of read as follows: Restrictions بر ش hereby

"On-site, the only the only erected new mat erected materials 9 type on any newly-constructed, dwelling n lot - o hall be newly-constructed previously constructed single-family constructed home dwellings are Any structure red and made of d home may be

deleted Item and #3 amended Of. aid ç Declaration of read as follows of: Res (T rictions <u>ب</u> ن hereby

Seven | "Dwelling Hundred g floor s houses space." shall contain feet (1 in a minimum (1,700 so s fic. Ĺ one of Thousand heated,

deleted Item and 费 amended of said G Declaration or read as follows Restrictions بر ت hereby

showing, block o block." "No dwelling property shal or o concret _ _ _ the рe outbuilding e constructe main stru te brick, structur Located asbestos ø such thereof noqu siding manner above S õ described concrete r cinder 0 leave

dele Ttem and amended to Peclaration of read as follows Restrictions 5 hereby

Size any purpose camping trai or description mobile shall temporary e homes, or modular be located on said homes property onn 0 upied any for

violation Item Declaration of

Declaration of read as follows: Restrictions hereby

made

l Declaration

have year

EDWIN CLARK CONES	Marie Englishman Wanter	Markey Sean Sentes Surrey	Mary Carolin Someron	CHARLES H. BAKER CHARLES H. BAKER COOKIA H. BAKER WILLIAM Y. STORMOR	MARY P. SCHUETT L. MARY P. SCHUE
DOWNIE K. SHERREDON THE	Donard R. M. C. THE COLLINS Donard R. ALDKUGEE COLLAND R. ALDKUGEE KAMPANA C. HUDRIDGE	Sommitted of the see	Eschart Lay Special S. Day Higmas Ency Williams, JR. Higher F. Williams, JR.	Section of the second of the s	Elegics & Smith must