

STATE OF NORTH CAROLINA
 COUNTY OF COLUMBUS

WARRANTY DEED

THIS DEED, made this 24th day of January, 1979, by and between CLYDE SPIVEY and wife, MAEONIA SPIVEY, of Columbus County, North Carolina, VELMA SPIVEY (Single), LUCILE SPIVEY (Single), JEWELL S. MERCER (Widow) and RUBY S. RUSS and husband, PAUL RUSS, of the County of New Hanover, State of North Carolina, GRANTORS, and RICHARD L. WORLEY and wife, DIANE J. WORLEY, of the County of Columbus, State of North Carolina, GRANTEES.

W I T N E S S E T H :

THAT the said GRANTORS, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable considerations to them in hand paid by the said GRANTEES, the receipt whereof is hereby acknowledged, have bargained and sold, and by these presents do hereby bargain, sell and convey (subject to restrictions, regulations and reservations, and other matters hereinafter set forth) unto the said GRANTEES and their heirs and assigns forever, all that certain lot of land lying and being in Williams Township, Columbus County, State of North Carolina, bounded and described as follows:

BEGINNING at an iron in the Northwest right of way of N. C. Highway 410, said beginning iron being located South 39 degrees 56 minutes West 211.84 feet from N. C. Grid Monument Pigs (n equals 151,524.0854, e equals 2,047,037.0500) and said monument also being approximately 2,200.00 feet North of the intersecting point where the extension of the centerline of N. C. Highway 410 intersects the centerline of U. S. Highway 701; thence from said beginning point North 69 degrees 39 minutes 30 seconds West 217.80 feet to an iron; thence South 20 degrees 20 minutes 30 seconds West 200.00 feet to an iron; thence South 69 degrees 39 minutes 30 seconds East 217.80 feet to an iron in the Northwestern right of way of N. C. Highway 410; thence North 20 degrees 20 minutes 30 seconds East 200 feet to the point of Beginning, the same containing 1.00 acre and being shown as Lot No. 3 on a plat entitled "Plat for Clyde Spivey" prepared by Billy M. Duncan, Registered Land Surveyor, bearing date of May 22, 1975.

The property conveyed herein is part of the property inherited by the Grantors as heirs of the Ella B. Spivey Estate. Claude Spivey, an heir of Ella B. Spivey, died a single person intestate and unmarried in Tabor City during the year 1936.

RESTRICTIONS

1. The lot hereby conveyed shall be used for residential purposes only and no building shall be erected, placed or permitted to remain on said

lot other than one single family dwelling not to exceed two stories in height above the ground, and other outbuildings incidental to residential use of the lot. (Duplexes are hereby expressly prohibited.)

2. No residence shall be located nearer the margin of the street on which it fronts than fifty feet. No building except a detached garage or other outbuilding located entirely within the rear thirty feet of the lot shall be closer than fifteen feet to an interior side lot line.

3. No subdivision of more than three lots shall be made of said lot, by sale or otherwise.

4. No trailer, basement, tent, shack, garage, barn or other outbuilding erected on said lot shall at any time be used as a residence, temporarily or permanently, nor shall any structure of a temporary character be used as a residence.

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

6. No dwelling shall be constructed or maintained on said lot so as to have a ground floor area of less than 1,250 square feet of living space, open porches and garages not included. The exterior design and basic floor plan of any house erected on said lot shall be subject to the approval of Clyde Spivey, Tabor City, North Carolina, one of the Grantors herein or his heirs at law. Drawings in acceptable form relative to the exterior design and basic floor plan shall be submitted to said person either in person or by mailing same to Clyde Spivey, R.F.D. 1, Tabor City, North Carolina. Unless such plans shall have been expressly disapproved by the person within ten days after their submission, said plans shall be deemed to have been approved.

7. All structures erected on said lot shall be of new materials (except that old brick may be used). All exposed surfaces of exterior walls shall consist of wood, brick or stone. The use of concrete blocks or asbestos shingles on exposed surfaces of exterior walls is expressly prohibited.

8. No outside toilet shall be permitted on said lot and any residence erected thereon shall contain at least one inside toilet with a private septic tank sewage disposal system on the premises, in accordance with the laws of the State of North Carolina and the regulations of the Health Department of Columbus County.

9. No fences or other artificial obstructions exceeding four (4) feet in height shall be nearer the front than the building set back line.

10. No sign boards of any description shall be displayed on said lot, except signs "For Rent" and "For Sale", which signs shall not exceed two (2) feet by two (2) feet in size.

11. Except with the express written permission of the Grantors, no part of said lot shall be used as a street, road or alleyway, either public or private, for the purpose of ingress and egress across, to or from any other adjoining property, it being specifically intended to prohibit a road or alley leading or connecting to any other adjoining lot or tract of land.

12. The Grantors reserve an easement in, and right at any time in the future to grant a five (5) foot right of way over, under and along the rear or side lines of said lot for the installation and maintenance of poles, lines, conduits, pipes, and other equipment necessary to or useful for furnishing electric power, gas, telephone service or other utilities including water and sewage services.

13. In the event of the unintentional violation of any of the building line restrictions herein set forth, the Grantors reserve the right, by and with the mutual written consent of the owner or owners for the time being of said lot, to change the building line restrictions set forth in this instrument; provided, however, that such change shall not exceed ten percent (10%) of the marginal requirement of such building line restrictions.

14. These covenants may be enforced by the Grantors, or the lot owner or owners, by proceeding at law or in equity against the person or persons violating or attempting to violate any covenant or covenants, and either to restrain violation thereof or to recover damages.

15. Invalidation of any one of these covenants by judgement, court order or statute shall not affect any of the other provisions hereof which shall remain in full force and effect.

16. These covenants are to run with the land and shall be binding upon all parties and all persons claiming under them.

17. Nothing herein contained shall be held or construed to impose any restrictions on or easements in any land of the Grantors, other than the land herein conveyed.

This conveyance is made and accepted subject to all of the restrictive covenants, restrictions, regulations, reservations, and other matters herein set forth and made a part of this deed.

TO HAVE AND TO HOLD the above granted and described premises, together with all and singular, the rights, privileges, easements, tenements and appurtenances thereunto belonging, or in any wise appertaining unto the said GRANTEES, their heirs and assigns, in fee simple, forever.

And the GRANTORS, for themselves, their heirs, executors and administrators, do covenant to and with the said GRANTEES, their heirs and assigns, that they are seized in fee of the above granted and described premises, and they have good right to sell and convey the same in fee simple; that the same are free and clear from any and all encumbrances; and that they will and their heirs, executors and administrators shall warrant and defend the title to the same against the lawful claims and demands of any and all persons whomsoever.

IN TESTIMONY WHEREOF, the said GRANTORS have hereunto set their hands and affixed their seals the day and year first above written.

Clyde S. Spivey (SEAL)
CLYDE SPIVEY

Maeonia Spivey (SEAL)
MAEONIA SPIVEY

931763
STATE OF NORTH CAROLINA
JAN 26 1979
Real Estate Excise Tax
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I.C. 1072

Velma Spivey (SEAL)
VELMA SPIVEY

Lucile Spivey (SEAL)
LUCILE SPIVEY

Jewell S. Mercer (SEAL)
JEWELL S. MERCER

Ruby S. Russ (SEAL)
RUBY S. RUSS

Paul Russ (SEAL)
PAUL RUSS

STATE OF NORTH CAROLINA

COUNTY OF Cata

I, Reggy A Fowler, a Notary Public in and for the state and county aforesaid, do hereby certify that CLYDE SPIVEY and wife, MAEONIA SPIVEY, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official seal this 26 day of Jan 1979.

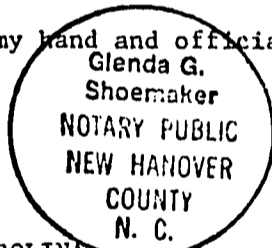
Reggy A. Fowler
Notary Public
My commission expires: 7-23-83

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, Glenda G. Shoemaker (Garrison), a Notary Public in and for the state and county aforesaid, do hereby certify that VELMA SPIVEY, LUCILE SPIVEY and JEWELL S. MERCER, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official seal this 24th day of January, 1979.



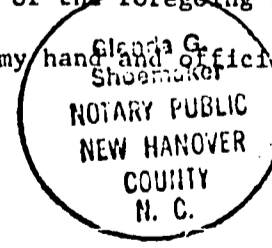
Glenda G. Shoemaker (Garrison)
Notary Public
My commission expires: 10-24-79

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, Glenda G. Shoemaker (Garrison), a Notary Public in and for the state and county aforesaid, do hereby certify that RUBY S. RUSS and husband, PAUL RUSS, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official seal this 24th day of January, 1979.



Glenda G. Shoemaker (Garrison)
Notary Public
My commission expires: 10-24-79

Prepared by: POISSON, BARNHILL, BUTLER & BRITT
Post Office Box 807
Wilmington, North Carolina 28402

NORTH CAROLINA; COLUMBUS COUNTY

THE FOREGOING, OR ANNEXED, CERTIFICATE (S) OF Peggy A. Fowler, N. P., Col. Co., N. C.
& Glenda G. Showmaker (Carrason), N. P., New Hanover Co., N. C.

IS/ARE CERTIFIED TO BE CORRECT, PRESENTED FOR REGISTRATION AND RECORDED IN THIS OFFICE
IN BOOK 313 PAGE 444, THIS THE 26 DAY OF Jan. 1979 AT 12:15 O'CLOCK, P. M

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Tabor City, N. C.

Alan N. Penny
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BY: Frances V. Burg
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