

NORTH CAROLINA
CHOWAN COUNTY

DECLARATION OF RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS, that CHOWAN GOLF & COUNTRY CLUB, INC., a North Carolina corporation; WILLIAM F. LOWE and wife, LUCILLE A. LOWE; HARRY A. GARD and wife, BETTY W. GARD; ROBERT E. WRIGHT and wife, JUDY WRIGHT; R. GRAHAM WHITE and wife, MARY ANNE R. WHITE; CARL R. WHITE and wife, KATHRYN B. WHITE; ERNEST R. MARTIN and wife, BARBARA MARTIN; JAMES M. LYNCH, JR. and wife, JACKQUELINE K. LYNCH; OLIVER BRYON PURDY and wife, GLADYS ELLETTA PURDY; and TOP OF THE WEDGE, INC., a Delaware corporation, owners of all of the lots in that tract of land in Fourth Township, Chowan County, North Carolina, known as "SOUND SHORE SUB-DIVISION" a map or plat of which was prepared by Charles H. Wood, Jr., Registered Surveyor, bearing date of September 25, 1969 and registered in Plat Book 6, page 8, Office of Register of Deeds for Chowan County, North Carolina, reference to said map hereby made for further description of said land; the said owners declare that all of the said land above described, except the streets located therein, is hereby and hereafter subject to the following covenants, conditions, restrictions and reservations, to-wit:

1. All lots in this subdivision shall be used for residential purposes only. No structure or building shall be erected, altered, placed or permitted to remain on any lot other than one single family dwelling and private garage.

2. Garages or automobile shelters on all lots abutting on Albemarle Sound shall be attached to and connecting with or built as a part of the one family dwelling. On lots abutting on Albemarle Sound a one-story boat house may be constructed. Any garage or boat house must conform in appearance to the residence on the same lot.

3. All plans and specifications must be approved by the

Architectural Control Committee, the organization and method of approval of said committee being as follows:

(a) The Architectural Control Committee shall consist of the Board of Directors of the CHOWAN GOLF AND COUNTRY CLUB, INC.. A majority of the said committee may at any time designate, in writing, a representative to act in its behalf.

(b) Any dwelling or structure erected, placed or altered on any lot in the subdivision must be approved or disapproved in writing by the Architectural Control Committee prior to construction. The Architectural Control Committee shall consider, among other things, the quality of workmanship and materials, harmony of external design with existing structures and location with respect to topography and finish grade elevation in approving or disapproving plans and specifications. The committee may reject any plan that violates the provisions of these restrictions, or because of the proposed structure on the lot must be submitted to the Committee along with plans and specifications. In the event the Committee fails to approve or disapprove a structure within thirty (30) days after the same has been submitted for approval, then its failure to act shall constitute consent to the plans submitted.

4. In addition to other specifications herein set forth, any structure must conform to the following minimum standards:

(a) Any residence erected on lots number 1 through 9 of this subdivision shall have a minimum floor living area of 1,500 square feet excluding garage and patio or terrace.

(b) Any residence erected on lots number 10 through 14 of this subdivision shall have a minimum floor living area of 1,200 square feet excluding garage and patio or terrace.

(c) The side of any residence that faces the golf course and the side of any residence that faces the Albemarle Sound shall be kept in a neat and orderly fashion as if it were the front of the said residence.

(d) All structures shall be set back not less than thirty (30) feet from the center line of the main access road. Any residence or structure erected on lots number 11 through 14 must be set back not less than thirty (30) feet from the property line abutting the golf course. Any residence erected on lots number 1 through 10 must be set back not less than

thirty (30) feet from the existing bulkhead on the Albemarle Sound. All structures shall be set back not less than twelve (12) feet from the side property lines.

(e) All construction material used in the building and construction of any residence and garage or boat house must be of new materials.

(f) No fowl, swine, goats or other noxious animals shall be permitted on the lots herein described.

(g) No material storage shall be permitted on any lots except during actual construction of improvements thereon. No junk, wreck, or inoperative automobile, truck or boat shall be permitted to remain on the property, nor shall any other unsightly material be stored thereon.

(h) No "For Sale" sign nor any other such advertisement shall be put on any lot except by approval of the Architectural Control Committee.

(i) All residences must have private inside bathroom facilities, and no outdoor privy shall be permitted on the land except temporarily during the construction of the dwelling. All sanitary plumbing shall conform with the minimum requirements of the Health Department of the District of which Chowan County is a part, and the requirements of the State Department of Health. All telephone and power transmission lines connecting with any structure shall be underground.

(j) No garages shall be used as living quarters except the space above same if attached to the main body of the residence nor shall any temporary quarters of any nature be permitted.

(k) Fences, walls, and hedges, if any, shall be of open construction not more than five (5) feet in height and shall not extend in front of the front dwelling line.

(l) No business, trade or enterprise of any kind or nature whatsoever shall be conducted or carried on upon any lot or lots in this subdivision.

(m) Any dwelling or garage on any lot in this subdivision which may in whole or in part be destroyed by fire, windstorm, or for any other reason, must be rebuilt or all debris removed and the lot restored to slightly condition with reasonable promptness. Owners of unoccupied lots shall at all times keep and maintain their property in this subdivision in an orderly manner and prevent accumulation of rubbish and debris on the premises.

(n) No thoroughfare or roadway may be intersected with or connected to the present existing road, to serve the tract of land to the east of said subdivision or otherwise, without the express written

consent of all existing property owners and the CHOWAN GOLF AND COUNTRY CLUB, INC.

5. These covenants, restrictions, conditions and reservations shall run with the land and shall be binding on all parties claiming under the owner for a period of twenty (20) years, and shall be extended for successive periods of ten (10) years unless prior to the expiration of any such 10-year period an instrument signed by the owners of record of a majority of the lots in the subdivision has been recorded changing or modifying same in whole or in part.

6. Invalidation of any one of these covenants, restrictions, conditions and reservations by judgment or decree shall in no way effect any of the other provisions hereof, which shall remain in full force and effect.

IN WITNESS WHEREOF, CHOWAN GOLF & COUNTRY CLUB, INC. has caused this instrument to be executed by its President, and its Corporate Seal to be hereto affixed and attested by its Secretary, both being duly authorized to act in the premises by proper resolution of the Board of Directors of said Corporation, and the undersigned individuals have hereunto set their hands and seals this 30 day of JANUARY, 1973.

CHOWAN GOLF & COUNTRY CLUB, INC.

By: A. Caswell Edmundson
President



ATTEST:
Kurt B. Whickard
Secretary

<u>James M. Lynch Jr.</u> (SEAL)	<u>Harry A. Gard</u> (SEAL)
<u>Jackqueline K. Hyde</u> (SEAL)	<u>Betty H. Gard</u> (SEAL)
<u>R. Graham White</u> (SEAL)	<u>Oliver Byron Gundy</u> (SEAL)
<u>Ray Anne R. White</u> (SEAL)	<u>Lady E. Purdy</u> (SEAL)
<u>Curt R. Martin</u> (SEAL)	<u>Barbara Martin</u> (SEAL)

(SEAL)

(SEAL)

(SEAL)

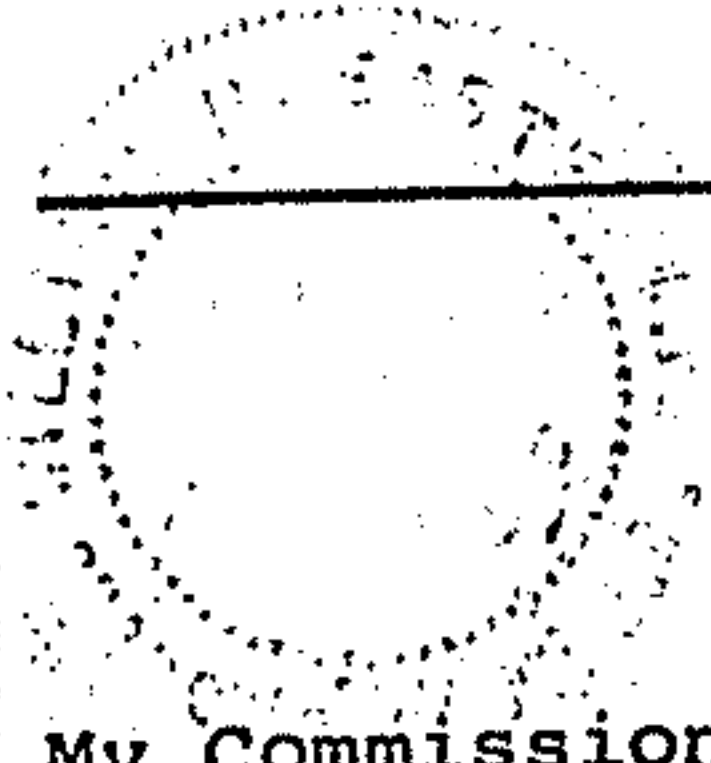
(SEAL)

STATE OF NORTH CAROLINA

COUNTY OF CHOWAN

I, William H. Eastering, a Notary Public of the above County and State, hereby certify that RUTH B. WILLIARD personally came before me this day and acknowledged that she/he is Secretary of CHOWAN GOLF & COUNTRY CLUB, INC., a corporation, and by authority duly given, and as an act of the corporation, the foregoing instrument was executed in its name by its President, sealed with its Corporate Seal and attested by himself/herself as Secretary.

WITNESS my hand and Notarial Seal this 30 day of JAN., 1973.



William H. Eastering
Notary Public

My Commission Expires: 10-21-75.

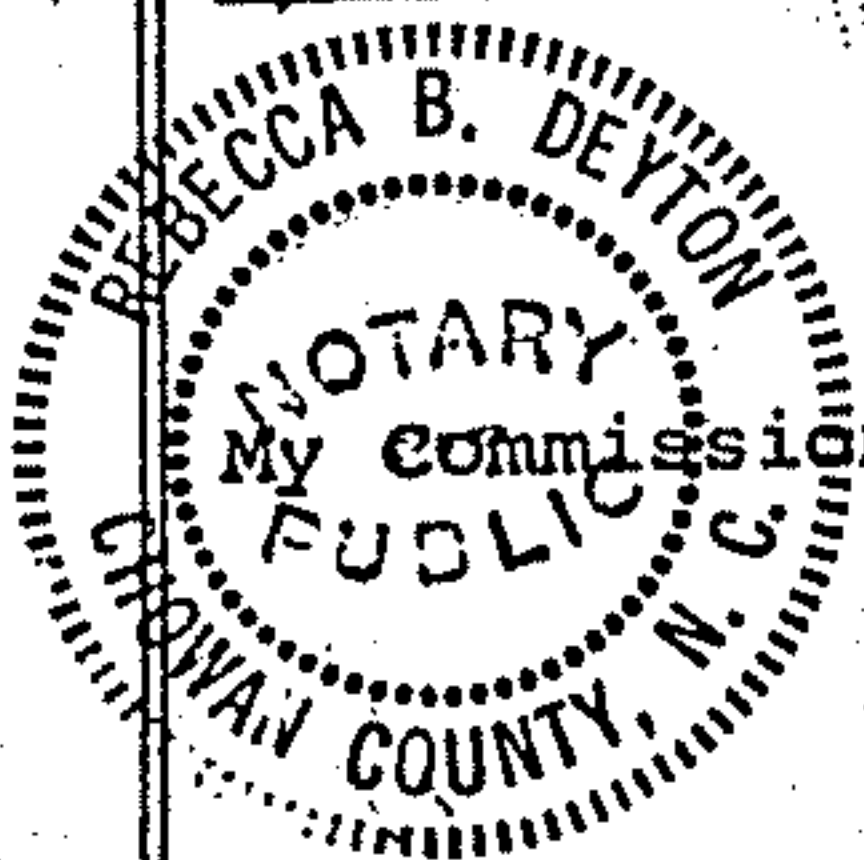
STATE OF North Carolina

COUNTY OF CHOWAN

I, REBECCA B. DEYTON, a Notary Public of the above County and State, hereby certify that JAMES R. LYNCH, JR. AND WIFE, JACQUELINE H. LYNCH

personally came before me this day and acknowledged the due execution of the foregoing instrument in writing for the purposes therein expressed.

WITNESS my hand and Notarial Seal this 7th day of December, 1972.



Rebecca B. Deyton
Notary Public

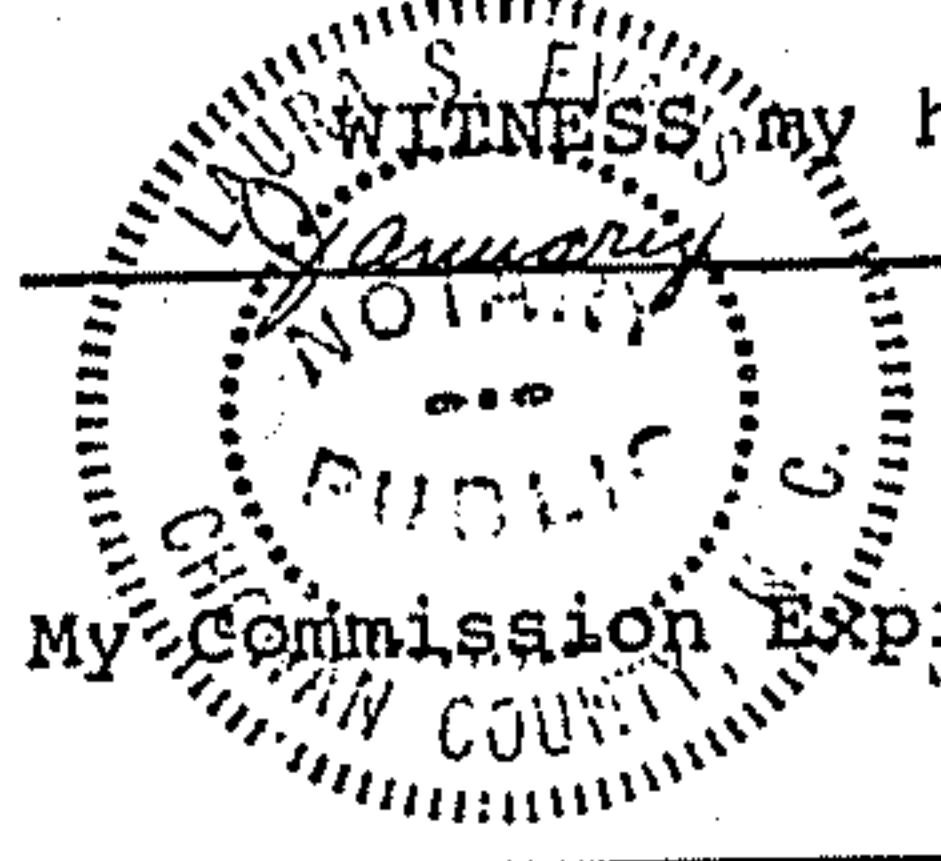
My Commission Expires: Feb. 9, 1976

STATE OF North Carolina

COUNTY OF Chowan

I, Laura S. Evans, a Notary Public of the above County and State, hereby certify that Harry A. Bard and wife, Betty S. Bard personally came before me this day and acknowledged the due execution of the foregoing instrument in writing for the purposes therein expressed.

WITNESS my hand and Notarial Seal this 9th day of January, 1973.



Laura S. Evans
Notary Public

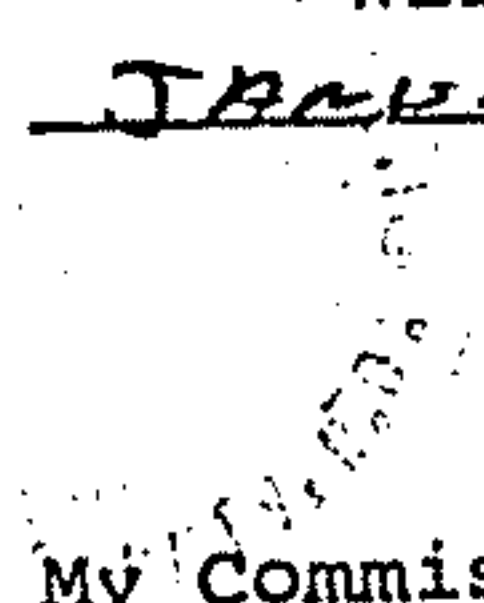
My Commission Expires: October 4, 1977

STATE OF NORTH CAROLINA

COUNTY OF CHOWAN

I, William H. Easterling, a Notary Public of the above County and State, hereby certify that B. GRAYSON WHITE & WIFE MARY ANNE R. WHITE personally came before me this day and acknowledged the due execution of the foregoing instrument in writing for the purposes therein expressed.

WITNESS my hand and Notarial Seal this 29 day of JANUARY, 1973.



William H. Easterling
Notary Public

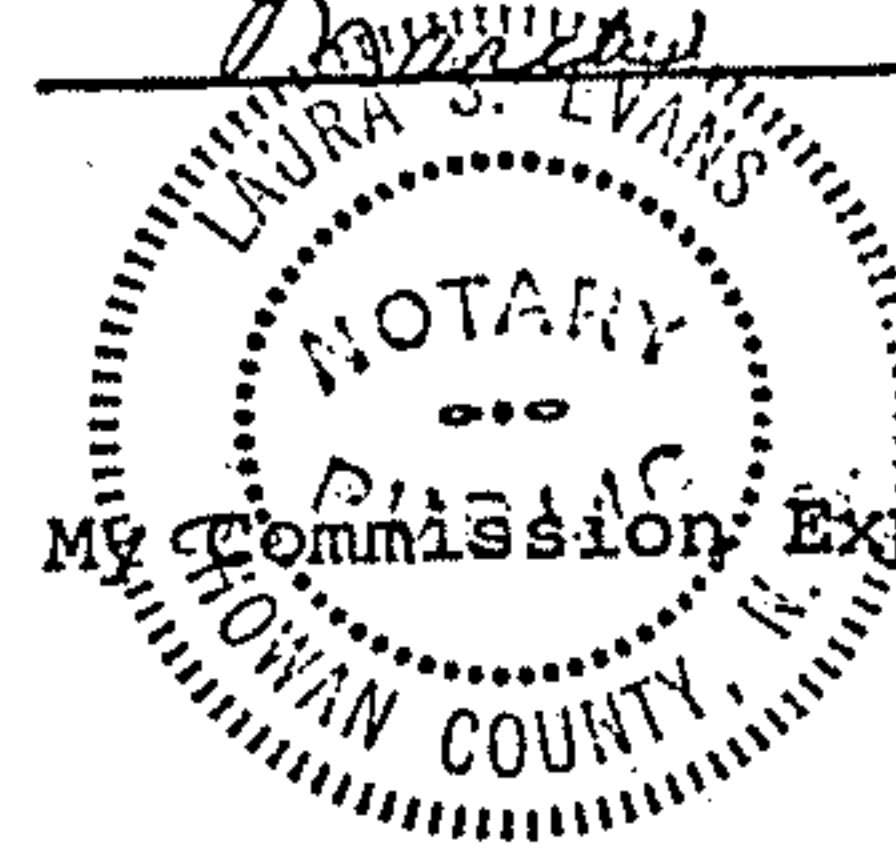
My Commission Expires: 10-21-75

STATE OF North Carolina

COUNTY OF Chowan

I, Laura S. Evans, a Notary Public of the above County and State, hereby certify that Oliver Bayard Purdy and wife, Gladys Letitia Purdy personally came before me this day and acknowledged the due execution of the foregoing instrument in writing for the purposes therein expressed.

WITNESS my hand and Notarial Seal this 27th day of January, 1973.



Laura S. Evans
Notary Public

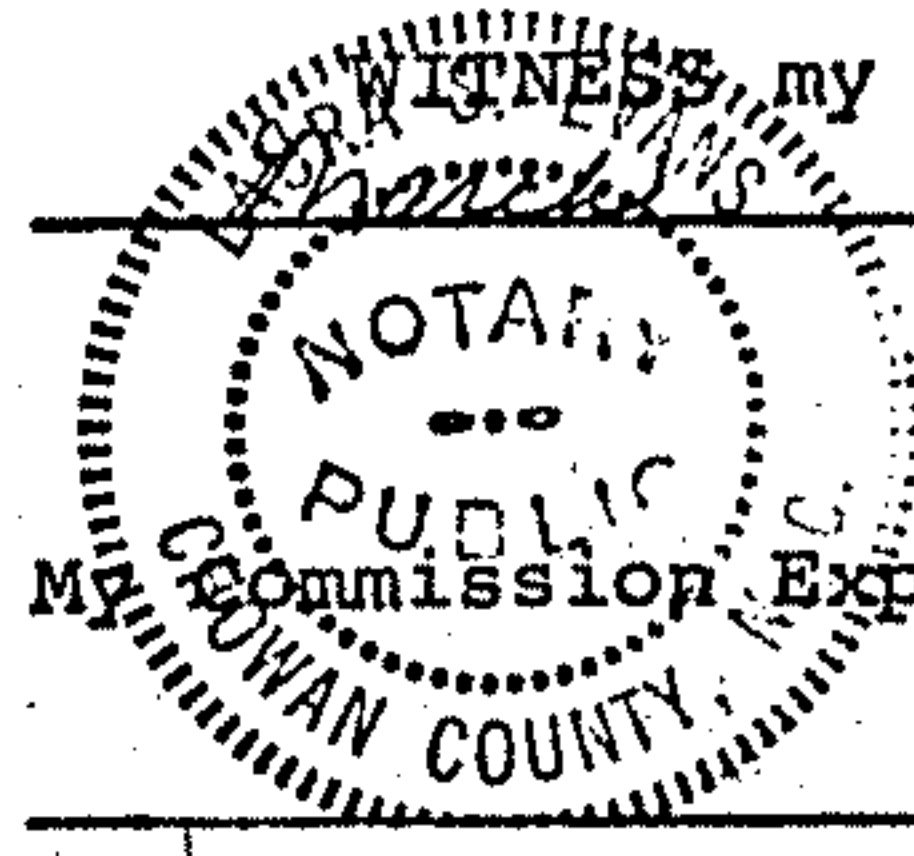
My Commission Expires: 10-4-77

STATE OF North Carolina

COUNTY OF Chowan

I, Laura S. Evans, a Notary Public of the above County and State, hereby certify that Earnest R. Martin and wife, Barbara Martin personally came before me this day and acknowledged the due execution of the foregoing instrument in writing for the purposes therein expressed.

WITNESS my hand and Notarial Seal this 28th day of March, 1973.



Laura S. Evans
Notary Public

My Commission Expires: October 4, 1977

NORTH CAROLINA

CHOWAN COUNTY

The foregoing Certificates of William H. Easterling, a Notary Public of Chowan County, North Carolina; Rebecca B. Deyton, a Notary Public of Chowan County, North Carolina; and Laura S. Evans, a Notary Public of Chowan County, North Carolina, are certified to be correct. This instrument was presented for registration this day and hour and duly recorded in the office of the Register of Deeds of Chowan County, State of North Carolina.

This 29 day of March, A. D. 1973, at 12 o'clock Noon.

Bertha B. Bunch
Register of Deeds.

BY: Margaret H. Hoars
Asst. Register of Deeds.

Recorded & verified:
March 29, 1973.

Prepared by: Max S. Busby, Atty.-at-Law.