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NORTH CAROLINA

RESTRICTIVE COVENANTS

WAYNE COUNTY

TIGER LANDING, SECTION TWO

GEORGE R. DENNING and wife, ANNIE SUE BOGUE DENNING, (hereinafter referred to as Developers) being the owners of all the property described as follows:

All those lots as shown on a map entitled "FINAL MAP, TIGER LANDING, SECTION TWO" which map was prepared by Bobby Rex Kornegay, Registered Surveyor, dated ~~Mar. 16, 2005~~ and is recorded on June 24, 2005 in the Wayne County Registry in PLAT CABINET M, SLIDE 48-I.

Developers have established a general plan for the improvement and development of such premises and do hereby establish the covenants, conditions, reservations, and restrictions upon which, and subject to which, all lots and portions of such lots shall be improved or sold and conveyed by them as owners thereof. These covenants, conditions, reservations, restrictions and easements are hereinafter set out and shall run with the land and shall bind and inure to the benefit of the purchasers, their prospective heirs, personal representatives, successors and assigns, until the 31st day of December, 2040, after which time said covenants shall be automatically extended for successive periods of ten (10) years unless a majority of the then owners of the land shall sign and record an agreement to change said covenants in whole or in part. The covenants, conditions, reservations and restrictions are as follows:

Intention. It is the intent of the Developers to create in the above described properties a highly desirable residential community.

- Residential Use.** Such lots, and each and every one thereof, are for single-family residential purposes only. No building or structure intended for or adapted to business purposes, and no apartment house, duplex, lodging house, rooming house, hospital, sanitorium or doctors office, or any other multiple-family dwelling shall be erected, placed, permitted, or maintained on such premises, or on any part thereof. No improvement or structure whatever, other than a private dwelling, patio walls, swimming pool, and customary outbuildings, or garage may be erected, placed or maintained on any lot in such premises.
- Dwelling size.** No buildings shall be erected or permitted to remain on any of said lots other than a detached one-family dwelling not exceeding two and one-half (2 1/2) stories in height (exclusive of basement), and private garage for not more than three (3) automobiles. No dwelling shall be placed on any lot unless it shall contain a minimum of 1,800 square feet of heated floor space for a one-story dwelling, nor less than 1,100 square feet of heated floor space for a dwelling of more than one story, both exclusive of one story open porches and garages. All additions to dwellings, including decks, porches, and garages, shall be of the same quality of construction as the dwelling, and shall be designed and constructed to compliment the dwelling.
- Setback Lines.** The setback lines as shown on the development plat recorded in Plat Cabinet M, Slide 48-I, of the Wayne County Registry, shall be observed and shall be strictly enforced. All structures, including garages and outbuildings, shall be set back in accordance with said plat.
- Mobile Homes.** No trailer, manufactured home, recreational vehicle, camper, modular home, or mobile home shall be permanently located on any lot. Such trailer may be temporarily located on a lot only for the purpose of construction. No dwelling or residence generally known as a "shell home" shall be erected, placed or located on any lot.
- Accessory Buildings.** Accessory buildings, as defined below, shall be permitted, provided they meet the specifications listed below. Minor deviations which do not detract from the development may be allowed with written permission of the Architectural Committee. No trailer, basement (unless basement is a part of the

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 Recorded: 06/29/2005 at 03:40:48 PM
 Fee Amt: \$26.00 Page 1 of 5
 WAYNE COUNTY, NC
 LOIS J MOORING REGISTER OF DEEDS
 BK 2327 PG 771-775

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 1126 N. Breazeale Ave.
 Mt. Olive, NC 28365

house erected at the same time), tent, shack, barn or other outbuilding shall be erected or placed on any lot covered by these covenants. Structures which enhance the beauty of the overall permanent landscaping and blend with the permanent home structure may be built provided permission is granted from the Architectural Committee.

DEFINITIONS:

- a. Accessory building – an enclosed storage area not attached to the home.
- b. Porches – roofed platforms forming the entrance to a home.
- c. Decks – horizontal platforms attached to the primary building.
- d. Garage – an enclosed structure in which motor vehicles can be parked.

SPECIFICATIONS:

- a. Accessory buildings must be constructed to match the home, completely enclosed, and no larger than 300 square feet unless special permission is granted by the Developers.
 - b. Porches can be brick, wood decking, or stone and concrete. Any porch covers must be constructed to match the home in the roofline and material.
 - c. Decks must be constructed of treated wood with side rails.
 - d. Garages must be constructed to Wayne County building codes with brick on concrete slab and completely enclosed, including garage doors. Garages may be no larger than 26' x 30' (780 square feet).
 - e. Shingle type must be architectural or dimensional design.
6. **Water Supply.** No private water supply system shall be permitted on any lot without the prior approval of the Wayne County Health Department; and any such system must be located, constructed and equipped in accordance with the requirements, standards and recommendations of the Wayne County Health Department.
 7. **Sewage System.** No private sewage disposal system shall be permitted on any lot without the prior approval of the Wayne County Health Department; and any such system must be located, constructed and equipped in accordance with the requirements, standards and recommendations of the Wayne County Health Department.
 8. **Tanks.** No elevated tanks of any kind shall be erected, placed, or permitted on any part of such premises. Any tanks for use in connection with any residence constructed on such premises, including tanks for storage of fuels, must be buried.
 9. **Utility Lines, and Radio and Television Antennas.** All electrical service and telephone lines shall be placed underground and no outside electrical lines shall be placed overhead. Television satellite dish antennas must be located in the rear yard behind the main building.
 10. **Signs.** No sign or billboard of any kind shall be erected or allowed to remain on any lot other than a "For Sale", "For Rent", or a name and address sign, which shall not be larger than two feet(2) by four feet(4).
 11. **Fences.** Any fence forward of the building setback line shall not be in excess of three (3) feet high. Rear yard fencing behind the building setback line shall not be in excess of six (6) feet high. All fencing must be built with first calls materials and kept in neat condition. No chain link fencing shall be allowed. All fencing shall have framework facing owner property (no exposed framework that may be seen from street or adjacent property).
 12. **Mailboxes.** Each home constructed on the property shall have a mailbox that will completely blend in with the development of the subdivision.

13. **Driveway.** Each home constructed on the property shall have a concrete paved driveway of not less than ten (10) feet in width, extending from a front or side street to the dwelling.
14. **Division of Lots.** No lot or lots shall be subdivided into parcel or parcels unless it be for the sole purpose of enlarging the properties of adjoining property owners where a vacant lot lies between them. In every case approval must be granted by the Architectural Committee. Following a request, the committee must act within thirty (30) days or the request shall automatically be granted.
15. **Subdivision Ingress.** No lot or lots or parts thereof shall be used as rights-of-way providing ingress or egress over, across and into the property being developed by George R. Denning and Annie Sue Bogue Denning from outside adjoining property without the written consent of George R. Denning and Annie Sue Bogue Denning.
16. **Refuse.** All garbage, trash or other refuse shall be kept in clean and covered receptacles located either in the rear of said homes or in a building, or other enclosed structure, so that the contents thereof shall not be visible from the street. It shall be the duty of all lot owners to see that their garbage, trash and other refuse is systematically and weekly collected by a refuse collector.
17. **Lot Mowing.** The owner of each lot shall keep the lot mowed regularly, including that area from the lot line to the edge of the paved street, and clear of any unsightly objects.
18. **Repair Work on Premises.** No major mechanical or repair work performed on any motor vehicle shall be done in the subdivision, and no inoperable or unlicensed motor vehicles shall be parked on any lot for more than thirty (30) days. The purpose of this restriction is to prohibit any junked cars from being located in the subdivision.
19. **Nuisances.** No lot shall be used in whole or in part for the storage of rubbish of any character whatsoever, nor for the storage of any property or thing that will cause such lot to appear in an unclean or untidy condition or that will be obnoxious to the eye; nor shall any substance, thing, or material be kept upon any lot that will emit foul or obnoxious odors, or that will cause such noise that will or might disturb the peace, quiet, comfort, or serenity of the occupants of surrounding property.
20. **Animals.** No livestock, fowl, or animal of any kind shall be kept or allowed to remain within the subdivision except usual household pets (for non-commercial purposes) in reasonable numbers. No commercial breeding or housing of animals of any kind shall be allowed on the property.
21. **Easements.** Developers reserve the right to subject the above described property to a contract with Tri County for the installation and maintenance of underground electrical cables and/or the installation of street lighting.
22. **Architectural Committee.** In order to provide for the orderly development and placement of structures on the lots in this subdivision and to maintain and provide for the architectural beauty and the development of the subdivision, no building shall be erected or allowed to remain on said property, nor any alteration of any building on said property be made until the plans have been approved by the Architectural Committee hereinafter provided for. The plans shall be submitted and approved in the following manner:

PRELIMINARY PLOT PLAN AND ARCHITECTURAL DESIGN:

The owner or proposed builder shall submit to the architectural committee preliminary plans which shall show:

- a. Floor plan and exterior design of all structures.
- b. Plat plan of the lot, including:
 - (1) Location of residence and outbuildings.
 - (2) Driveway and walks.
 - (3) Clothes lines, garbage cans, air conditioning condensers, utility lines, etc.
 - (4) Garages and all other outbuildings.
 - (5) Proposed patios, swimming pools.
 - (6) Outdoor lights, mail boxes, name signs.
 - (7) Proposed house or pens for pets.

The architectural committee shall review plat plans, counsel with owner and make such modifications as may be required to accomplish:

- a. Style of architecture to conform or blend with other structures in the subdivision.
- b. Placement and setbacks of houses to enhance the lot and conform with the lots of adjoining owners.
- c. Burial of all storage tanks underground.
- d. Underground utilities.
- e. Concealment by walls or hedges of all condensers, garbage cans, utility areas and yards for pets.
- f. Coordination and standardization of yard lights, mail boxes and name signs for enhancement of the beauty of the subdivision.

FINAL PLOT PLAN AND ARCHITECTURAL DESIGN:

The owner or proposed builder shall submit a final plot plan, including working drawings, for all structure for approval by the architectural committee. The architectural committee shall approve the final plans before a building permit is obtained or construction commenced.

The architectural committee shall be selected by George R. Denning and Annie Sue Bogue Denning and shall consist of not more than three (3) persons. If the architectural committee shall fail to act on the approval of plans and specifications submitted within thirty (30) days, the plans and specifications shall be considered approved, provided they do not violate any other restriction herein contained.

23. **Enforcement.** These covenants may be enforced by the Developers or any lot owner within the restricted area, who may prosecute at law or in equity against any person or persons violating or attempting to violate any such covenant.
24. **Severability.** In the event any one or more of the foregoing covenants, conditions, reservations, or restrictions shall be declared for any reason, by a court of competent jurisdiction, to be null and void, such judgement or decree shall not in any manner whatsoever affect, modify, change, abrogate or nullify any of such covenants, conditions, reservations, and restrictions not so declared to be void, but all of the remaining covenants, conditions, reservations, and restrictions not so expressly held to be void shall continue unimpaired and in full force and effect.

IN WITNESS WHEREOF, GEORGE R. DENNING and wife, ANNIE SUE BOGUE DENNING, have hereunto set their hands and seals, this the 29th day of June, 2005.

George R. Denning (SEAL)
GEORGE R. DENNING

Annie Sue Bogue Denning (SEAL)
ANNIE SUE BOGUE DENNING

NORTH CAROLINA
WAYNE COUNTY

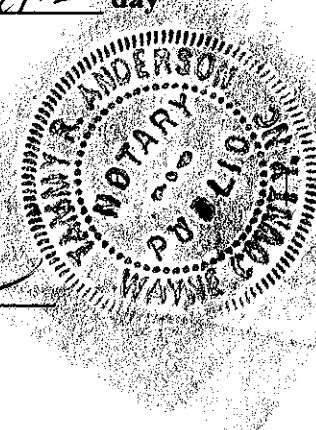
I, the undersigned Notary Public in and for the State and Wayne County, do hereby certify that GEORGE R. DENNING and wife, ANNIE SUE BOGUE DENNING, personally appeared before me this day and acknowledged the due execution of the foregoing Restrictive Covenants. Witness my hand and notarial seal, this 29th day of June, 2005.

My commission expires:

December 20, 2009

(Notary Seal)

Tammy R. Anderson
Notary Public
Tammy R. Anderson



Return to:

NORTH CAROLINA - Wayne County

The foregoing certificate of Tammy R. Anderson
a notary public is certified to be correct.
This instrument and this certification are duly registered at the date and time and in the book and page shown on the first page hereof.

LOIS J. MOORING, Register of Deeds

By *Frances Wiggo*
Deputy/Assistant Register of Deeds