

egress and regress. Specifically, grantor may acquire adjoining lands and thereby reserves the right to convey a non-exclusive road right of way or easement and utilities easement over and across the existing roads in the above described lands.

THE ABOVE DESCRIBED TRACT shall be subject to the following covenants and restrictions yet shall be appurtenant to and run with the above described tracts or parcels of land:

1. Mobile homes are not allowed in the subdivision; only single-family residences will be permitted in the subdivision. Under roof construction shall be a minimum of 396 square feet. No metal structures may be used as outbuildings and no metal buildings or structures may be erected on any of the lots or property. The outside dwelling house paint and color shall be one of which blends with the environment. Any outbuildings shall also blend with the environment and the home. Specifically, all exterior surfaces shall be covered in a fashion to blend with the natural environment of the subdivision, including but not limited to paint, stucco, stone, brick, wood or wood-like materials in earth tones. Roofing materials must be factory painted metal (no original tin or unfinished tin roofs allowed), slate, cedar shakes, or shingles. No white, light or bright – colored roofing shall be allowed.
2. No inoperable vehicle or vehicle without current registration and licensing shall be allowed to remain within the subdivision.
3. Each dwelling shall be equipped with a septic tank and field lines that conform with the sanitation and health laws of Cherokee County, North Carolina and the State of North Carolina. Installation of said septic tank facilities shall be the responsibility of the property owner. No outdoors toilets shall be erected or maintained on any lot.
4. No livestock, including cattle, mules, horses, sheep, hogs or goats shall be kept in the subdivision.
5. No commercial activity shall be carried on within the subdivision, particularly no auto repair business.
6. Each property owner shall provide proper containers for garbage and said containers shall be kept in areas not generally visible from the road. Noxious or offensive activities shall not be carried on upon any lot, nor shall anything be done thereon tending to cause embarrassment, discomfort, annoyance, or nuisance to the neighborhood. All lots shall be kept free of accumulations of brush, trash, junk, building materials, inoperable automobiles or other unsightly things.
7. No animals or livestock may be kept in the subdivision. Dogs, Cats and other household pets are permitted so long as they are kept within the lot boundary lines and are not kept, raised or bred for commercial purposes. Provided further, however, that each owner shall be responsible to control his/her animals, to prevent them from becoming a nuisance to other parcel owners. In the event that any animal shall become a nuisance, to the extent is interfering with the enjoyment of any parcel in the subdivision, the property owners in the subdivision shall have the right to require that the owner of the offending animal restrain and control the animal or animals to prevent any further disturbances, and upon failure to so comply, to take whatever measures are necessary.
8. Prior to any outbuildings and/or storage sheds being constructed and/or placed upon the above described lot, the design or architectural appearance and features must be approved by the developer, or the successor in interest and/or the assigns of the developer, or if the developer has completed the development, the property owner's association. Outbuildings and/or storage sheds must match the pitch of the home roof, siding of the home and must not be larger than the home. Only one outbuilding shall be allowed on the above described property. This restriction shall not apply to the developer, or the successor in interest and/or the assigns of the developer.
9. Clear cutting trees shall not be allowed on the above described property without permission from the developer and/or his assigns or successors in interest.

FOR SOURCE OF TITLE reference Deed Book 1732, Page 798, Cherokee County, North Carolina Registry.