

SEP 13 11 17 AM '08

STATE OF NORTH CAROLINA
COUNTY OF VANCE

LAW OFFICE
RECORDS

DECLARATION OF COVENANTS
AND RESTRICTIONS

WHEREAS, the undersigned own all of the property shown on plat of Waddill Way prepared by John Lee Hamme revised the 5th day of Aug., 1988 and recorded in Map Book 4 at Page 733 Vance County Registry; and

WHEREAS, the undersigned desire to subject the ten lots numbered 1 through 10 on said plat to the following covenants, conditions and easements,

NOW, THEREFORE, the undersigned will subject Lots 1 through 10 as shown on plat of Waddill Way recorded in Map Book 4 at Page 733 to the following restrictions which shall be covenants running with the land and shall be binding upon all parties who may purchase said lots, their heirs and assigns, until the 1st day of January, 2009 and cannot be altered or changed prior to that date without the written consent of the undersigned, their heirs and assigns:

1. Each lot shall be utilized for residential purposes only and only one single family residence (and garage or storage facility) may be erected or maintained on the land herein conveyed.
2. No lot may be subdivided without the written consent of the Grantors herein, their heirs and assigns.
3. No residence shall be erected or maintained on any lot which contains less than 2,200 square feet of living area excluding porches and garages. The plans and specifications for any residence must be submitted to and approved in writing by the undersigned, their heirs, assigns or their agent before construction shall be commenced. It is the intention of the undersigned that the homes on Waddill Way generally be in keeping with the residences now located in the Coleman Place Development and on Sidney Hill. Approval of plans and specifications shall not be unreasonably withheld.
4. The location of any residence, garage, or storage facility to be erected on any lot shall be approved in writing by the undersigned, their heirs, assigns or agent, provided no residence or building may be located nearer than 40 feet to any street right of way line, or 15 feet to any side or interior line or

Declaration of Covenants and Restrictions

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40 feet to any rear lot line. For the purpose of this restriction eaves, steps and open porches shall not be considered as a part of the residence. No garage or outbuilding may be located within 50 feet of the adjoining property utilized by the Henderson Country Club for its golf course, and all garbage or trash containers or other similar facilities shall be so screened as not to be visible from the golf course.

No garage shall be permitted on any lot that accommodates more than two cars and no detached garage shall at any time be used for human habitation temporarily or permanently. The storage facility shall be similar to those normally used for lawn and garden tools.

5. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot except that dogs, cats and other household pets may be kept, provided they are not kept, bred or maintained for any commercial purpose.
6. Adequate off-street parking shall be provided by each lot owner for the parking of their automobiles.

Easements for utilities to serve the lots on Waddill Way are expressly reserved 10 feet in width along Waddill Way and for sanitary sewer as shown on plat of the Waddill Way Property above referred to. Further this lot is subject to a contract right with Carolina Power & Light Company for the installation of street lighting which requires a continuing monthly payment to Carolina Power & Light Company for each residential customer until the property is annexed by the City of Henderson.

The invalidation of any one of these covenants or any part thereof by judgment or Court Order shall not affect any of the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned owners have this the 4th day of August, 1988 executed the foregoing Declaration of Covenants and Restrictions.

Clare B. Waddill (SEAL)
Clare B. Waddill

SOUTHERN NATIONAL BANK OF NORTH
CAROLINA, TRUSTEE UNDER THE WILL
OF EDMUND L. WADDILL

By: Arthur S. Gilbert
Vice President

(CORPORATE SEAL)
ATTEST: [Signature]
Secretary

Carey P. Cooper (SEAL)
Carey P. Cooper

Genevieve W. Rand (SEAL)
Genevieve W. Rand

Kenan Rand (SEAL)
Kenan Rand

STATE OF NORTH CAROLINA
COUNTY OF VANCE

I, a Notary Public of the County and State aforesaid, do hereby
certify that Clare B. Waddill personally appeared before me this day
and acknowledged the due execution of the foregoing Deed for the
purpose therein expressed.

Witness my hand and notarial seal this the 15th day of August,
1988.

NOTARY PUBLIC
VANCE COUNTY, NC

[Signature]
Notary Public
My commission expires: 5-30-93

STATE OF NORTH CAROLINA
COUNTY OF Robeson

I, a Notary Public of the County and State aforesaid, do hereby
certify that Dees Jenkins personally appeared before
me this day and acknowledged that he is Asst Secretary of Southern National
Bank of North Carolina, a National Banking Association, which is the
duly appointed and acting Trustee Under the Will of Edmund L. Waddill,
and that by authority duly given and as the act of the association, the
foregoing instrument was signed in its name as Trustee by its Vice
President, sealed with its corporate seal, and attested by himself
as its Secretary.

Asst
Witness my hand and notarial seal this the 12th day of September,
1988.

Melinda H. Nodgett
Notary Public
My commission expires: 10-14-1990

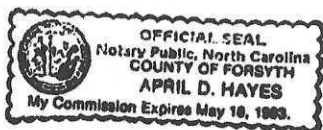
Declaration of Covenants and Restrictions

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STATE OF NORTH CAROLINA
COUNTY OF Forsyth

I, a Notary Public of the County and State aforesaid, do hereby certify that Carey P. Cooper personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and notarial seal this the 1st day of September 1988.



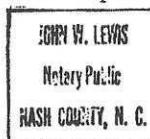
April D. Hayes
Notary Public
My commission expires: May 10, 1993

STATE OF NORTH CAROLINA
COUNTY OF NASH

I, a Notary Public of the County and State aforesaid, do hereby certify that Genevieve W. Rand and husband, Kenan Rand, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and notarial seal this the 17 day of August 1988.

John W. Lewis
Notary Public
My commission expires: 3-22-92



STATE OF NORTH CAROLINA
COUNTY OF VANCE

The foregoing certificates of Karen Louthen, Notary Public of Vance County, North Carolina, Melinda G. Hedgepeth, Notary Public of Robeson County, North Carolina, April D. Hayes, Notary Public of Forsyth County, North Carolina, and John W. Lewis, Notary Public of Nash County, North Carolina, are certified to be correct. This instrument was presented for registration and recorded in this office in Book 640, Page 617.

This 13 day of September, 1988 at 11:17 o'clock A. M.

SARAH H. HALE
REGISTER OF DEEDS

BY: Kimberly R. Dodson
Deputy Register of Deeds