

NORTH CAROLINA

PROTECTIVE COVENANTS, PRIVATE ROAD
MAINTENANCE PROVISIONS AND RESERVATION
OF EASEMENTS FOR
ALLEN ACRES SUBDIVISION

FRANKLIN COUNTY

THIS DECLARATION of Protective Covenants, Private Road Maintenance Provisions and Reservation of Easements made this the 19 day of July, 1989, by Allen Acres Subdivision

W I T N E S S E T H:

THAT WHEREAS, the Declarants are the owners of certain real property hereinafter described, and desire to subject said real property to certain Protective Covenants and Private Road Maintenance Provisions as hereinafter set forth, and further desire to reserve unto themselves the right to grant certain utility service easements to utility companies furnishing services to the property;

NOW, THEREFORE, the Declarant hereby declares that the real property hereinafter described is and shall be held, transferred, sold and conveyed subject to the Protective Covenants and Private Road Maintenance Provisions hereafter set out. The real estate which is the subject of these Protective Covenants and Private Road Maintenance Provisions is described as Lot No. 2 and Lots No. 4 through 30, inclusive, of Allen Acres Subdivision, Franklinton Township, Franklin County, N. C., as shown on map of the subdivision made by William T. Dement, Jr., R.L.S., March 27, 1989, and recorded in Plat Record file 3, slide 89-133, Franklin County, N. C. Registry. The Protective Covenants are as follows:

1. No inoperable or junk motor vehicles or equipment of any kind may be located on the property.

2. The property is restricted to use for residential and limited agricultural purposes such as private gardening, and only one dwelling or residence may be located on each lot.

3. The lots in the subdivision shall not be re-subdivided.

4. No livestock or animals, except horses, may be raised or kept for commercial purposes, and no hogs shall be permitted on the property.

5. In the event a mobile home is placed on the property, the same shall be fully underskirted and firmly anchored within 60 days.

6. No incomplete or junk type structures shall be permitted on the property.

7. All driveways installed from abutting roadways must use a pipe of sufficient size to insure proper drainage and in any event shall be not less than 15 inches in diameter.

8. All water wells and septic tanks must comply with the standards set forth by the Franklin County Health Departments.

9. All buildings, mobile homes and other structures must comply with the building set back lines shown on the recorded plat of the subdivision.

10. These Protective Covenants shall remain in full force and effect and be binding on the property until June 1, 2009, after which time they shall be automatically extended for successive periods of 5 years each, unless by a vote of the majority of lot owners in the subdivision, it is agreed to change, modify or abolish the covenants.

11. No tobacco allotment has been allocated or transferred to any lot in the subdivision.

12. These Protective Covenants shall run with and be a part of the title to the property.

PRIVATE ROAD MAINTENANCE PROVISIONS

Lots Nos. 4 through 30 of Allen Acres Subdivision front on private roads as shown on the plat of the subdivision, which roads are dedicated for the use of the owners of all of the lots in the subdivision and the general public. There is hereby created an Allen Acres Property Owners' Association for the purpose of establishing rules and regulations governing the speed limits and for the maintenance and upkeep of such roads. Each of the owners of the lots numbered above shall be deemed a member of the Allen Acres Property Owners' Association, and shall be entitled to one vote per lot owned at the annual meeting of such association to be held on the 2nd Saturday of January of each year, beginning with the year 1991. At the annual meeting there shall be elected a Board of Directors for the association, consisting of 3 members, and the 3 members so elected shall be responsible for contracting and providing for the road maintenance and regulations. The costs of any repairs and maintenance contracted by the Board of Directors of the association shall be assessed equally to all of the above numbered lots. In the event a lot owner fails or refuses to pay his proportionate part of such road maintenance, the association may enforce such payment through civil action to be instituted for such purpose in the General Court of Justice of Franklin County, N. C. Titles to all lots in the subdivision shall extend to the centerline of the private roads which they adjoin. However, the Declarant herein, and its successors and assigns, reserve the right to grant a general road easement to the N. C. Department of Transportation, or other governmental authority, if it is desired that such private road be included in the public highway system.

RESERVATION OF UTILITY EASEMENTS

The Declarant hereby reserves the right to grant general utility service easements to any public utility desiring to provide service of such utilities to an individual lot owner.

IN TESTIMONY WHEREOF, the Declarants have set their hands and seals, the day and year first above written.

Durward D. Wilkins (SEAL)
Durward D. Wilkins

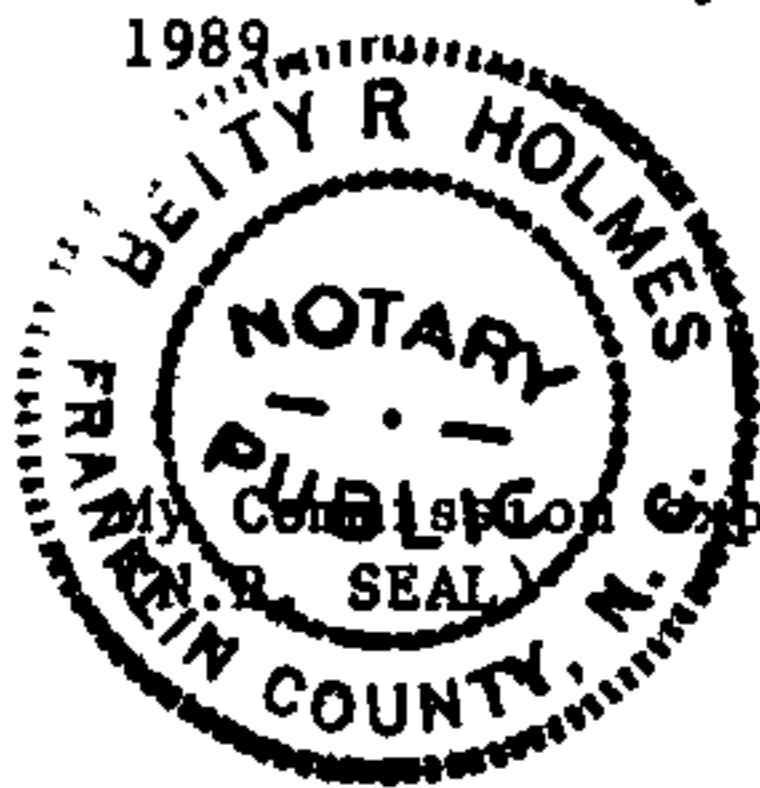
Grace A. Wilkins (SEAL)
Grace A. Wilkins

NORTH CAROLINA

FRANKLIN COUNTY

I, a Notary Public in and for the State and County aforesaid do hereby certify that Durward D. Wilkins personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal, this the 19th day of July, 1989.



NORTH CAROLINA

FRANKLIN COUNTY

Betty R. Holmes
Notary Public

NORTH CAROLINA - FRANKLIN COUNTY

Filed for registration the 19th

day of July, A.D. 1989

At 3:25 P.M. in Book 912

Page(s) 127-129

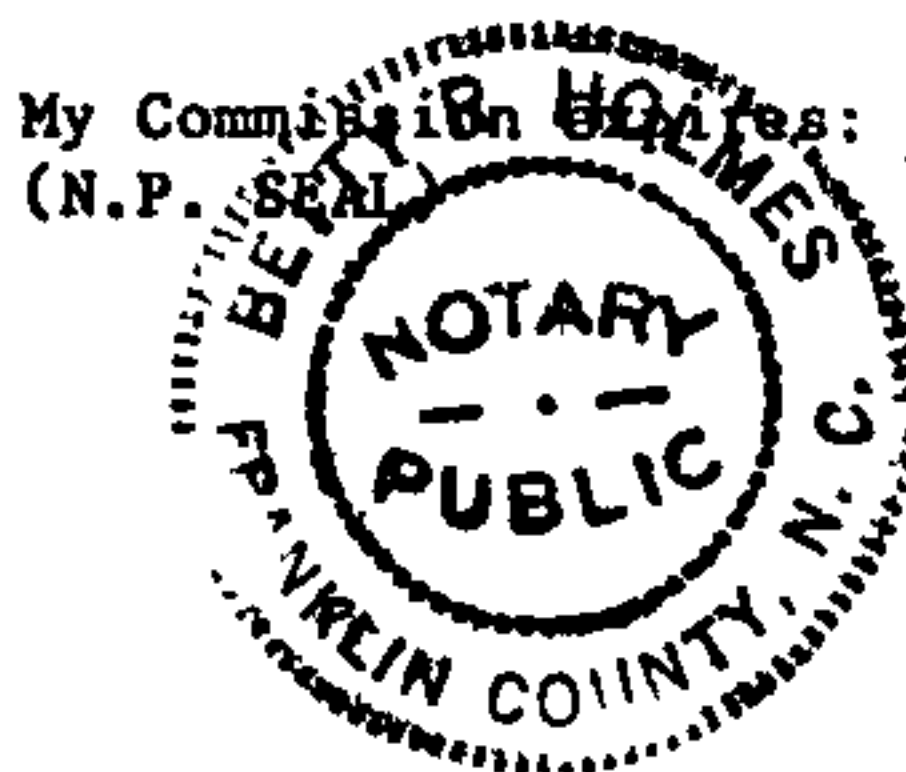
Martha D. Shearin
MARTHA D. SHEARIN, REGISTER OF DEEDS

By: Kay S. Hunt, Asst

I, a Notary Public in and for the State and County aforesaid do hereby certify that Grace A. Wilkins personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal, this the 19th day of July, 1989.

My Commission Expires: 30 April 1990
(N.P. SEAL)



North Carolina, Franklin County
The foregoing certificates of Betty R. Holmes, a Notary Public, are certified to be correct.
This the 19th day of July, 1989.

Martha D. Shearin
Martha D. Shearin, Register of Deeds

By: Kay S. Hunt, Asst