

NORTH CAROLINA

FRANKLIN COUNTY

AMENDED RESTRICTIVE COVENANTS FOR
ROYAL ACRES SUBDIVISION

THIS AMENDED DECLARATION OF PROTECTIVE COVENANTS, made this the 15th day of August, 1997, by WADE MOORE EQUIPMENT COMPANY, A NORTH CAROLINA CORPORATION with its principal office in Franklin County, hereinafter called "Declarant" and JEFFREY R. ATKINS AND WIFE, RHONDA ATKINS; MIKE MONKUSBY; CHARLES T. WHITAKER AND WIFE; MARY CHARLES WHITAKER; JOHN P. CLIFT AND WIFE, KAREN CLIFT; ANN BARNES AND HUSBAND, ROBBIN BARNES; CHARLES TAYLOR AND WIFE, CASSIE TAYLOR; DAVID PERKINS AND WIFE, SHEILA PERKINS; GEORGE D. BLEVINS AND WIFE, JANE BLEVINS; BRIAN J. HOOLAHAN AND WIFE, LISA HOOLAHAN; TIMOTHY MCKIBBEN AND WIFE, SHELLY MCKIBBEN; LARRY G. GRAY; KENNETH PIKE AND WIFE, JILL PIKE; JOSEPH O. FRANK AND WIFE, FLORENCE FRANK; ERIC JACKSON AND WIFE, KAREN JACKSON; RAYMONEL J. HART AND WIFE, MARIAM HART; DAVID P. HODGKINS AND WIFE, ELIZABETH HODGKINS; JAMES A. BEARD AND WIFE, DIANE BEARD; TERRY CLAY AN WIFE, ELLEN CLAY; TERRY S. OAKES AND WIFE, CYNTHIA OAKES; FRANK RAY AND WIFE, SYLVIA RAY AND PAUL A. BLAND AND WIFE, LINDA H. BLAND;

WITNESSETH:

THAT WHEREAS, the parties hereto are all of the owners of lots within Royal Acres Subdivision, Franklin County, North Carolina, as shown on Plat of William T. Dement, Jr., Registered Land Surveyor, dated January 24, 1986, and being entitled, "Subdivision Plat of Royal Acres Subdivision, a copy of said plat being recorded in Plat Record Cabinet 3, Slide 17B in the office of the Register of Deeds of Franklin County, North Carolina; and,

WHEREAS, there currently exist certain Restrictive Covenants for Royal Acres Subdivision as the same are recorded in Book 869, Page 531 of the Franklin County Registry and as amended by that certain document recorded in Book 897, Page 204-205, of the Franklin County Registry; and,

WHEREAS, the parties hereto desire to amend and replace the prior recorded Restrictive Covenants for Royal Acres Subdivision for the mutual benefit and enjoyment of all owners of lots within Royal Acres Subdivision;

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NOW, THEREFORE, for a valuable consideration, the receipt of which is hereby acknowledged, each of the parties hereto joins together with the other and promulgate the following as the Amended Restrictive Covenants for Royal Acres Subdivision, Harris Township, Franklin County, North Carolina, to-wit:

1. No lots shall be used except for residential purposes. No buildings shall be erected, altered, placed or permitted to remain on any lot, other than one detached single-family dwelling, a private garage and other structures for use in connection with said dwelling; provided, that any such structures shall be designed, constructed and maintained in keeping with the style and design of said building. No mobile home or modular home shall be placed on any lot located within Royal Acres Subdivision.

2. All dwellings must be set back at least forty (40) feet from the edge of the road right-of-way. On cul-de-sacs, all dwellings shall be set back to a point where the lot width is at least one hundred (100) feet; Declarant may waive this provision in cases where, in its opinion, such set back renders the lot unusable or works a hardship on the owner.

3. No dwelling shall be permitted on any lot with less than 1450 square feet of living space, exclusive of porches, garages, and terraces, and no dwelling shall be constructed with any exterior finish other than brick, brick veneer, stone, imitation stone, wood or a material equal to or superior to the above mentioned, or a combination of any of these, it being the intention and purpose of this covenant to assure that all dwellings shall be of a quality of workmanship and material substantially of the same or better than that which can be purchased on the date of this deed and to eliminate the possibility of the construction of a house built solely of cement block.

4. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other out building shall be used on any lot at any time, as a residence, either temporarily or permanently.

5. All driveways installed from abutting roadways must use a pipe of sufficient size to insure proper drainage, and in no event shall said drainage pipe be less than fifteen (15) inches in diameter.

6. No noxious or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

7. Limited agricultural privileges, such as private gardening and the tending of private orchards and vineyards, shall be

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permitted. No one shall be permitted at any time to keep or raise animals for commercial purposes, and no pigs, chickens, cows or goats shall be permitted on any lot.

8. The lots of the subdivision shall not be re-subdivided, except that the Declarant reserves the right to adjust the location of the various lot lines as may be necessary to insure the usability of a particular lot or group of lots.

9. Each lot shall have its own well or other approved water source and septic tank or other approved waste disposal system. All water sources and all waste disposal systems must comply with the standards set forth by the Franklin County Health Department. All trash and garbage must be disposed of by a method approved by the Franklin County Health Department or through a duly franchised waste disposal service operating in Franklin County. No dumping shall be permitted on the property.

10. The developer reserves the right to subject the real property in this subdivision to a contract with Carolina Power & Light Company for the installation of underground electric cables which may require an initial contribution and/or the installation of street lighting, which will require a continuing monthly payment to Carolina Power & Light Company by the Owner of each building.

11. These covenants shall run with and be a part of the title to the property.

12. These Protective Covenants shall remain in full force and effect and are binding on the property until June 30, 2016, after which they shall be automatically extended for successive periods of five (5) years each, unless by a vote of the majority of the lot owners in the subdivision, and by the consent of the Declarant, it is agreed to change, modify or abolish the covenants.

13. These Protective Covenants may be enforced by individual lot owners, the Declarant or the Royal Acres Property Owners Association. That these Restrictive Covenants may be amended at a meeting of the Royal Acres Subdivision Property Owners Association by a vote of two-thirds (2/3) of the property owners present at said meeting and voting, provided, however, that each property owner in Royal Acres Subdivision shall be notified in writing of the meeting of the association and shall be furnished a copy of the proposed amendments by certified mail, return receipt requested, at least ten (10) days prior to the date of the meeting.

14. All building plans must be approved by the developer until such time as the developer has sold all lots within the subdivision. That after all lots have been sold, then the Property Owners Association shall appoint a building committee to approve

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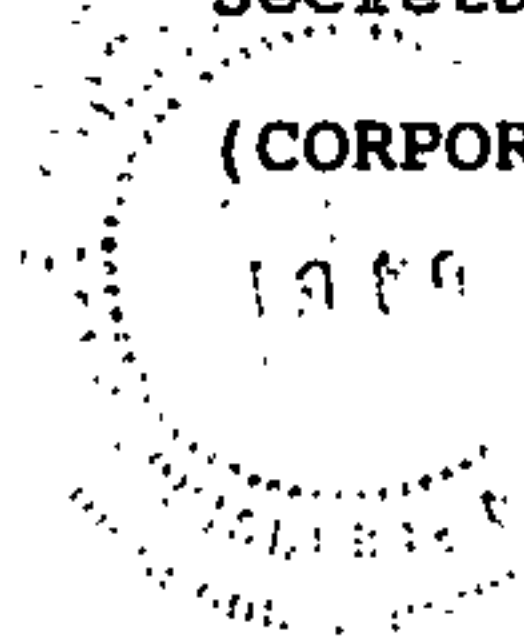
building plans to include storage buildings, detached garage or any permanent structure; that the purpose of said review procedure is to insure that all of the Restrictive Covenants are complied with and that the structures are generally in keeping with the overall development and existing structures within the subdivision; that approval of said plans will not be unreasonably held and that neither the developer nor the building committee shall have twenty (20) days from the receipt of said plan to approve or reject the same; if they are not rejected in said twenty days, then they are deemed to be approved.

WADE MOORE EQUIPMENT COMPANY

By: William W. Moore (SEAL)
President

ATTEST Betty Jo Redmond
Secretary

(CORPORATE SEAL)



Jeffrey R. Atkins (SEAL)
Jeffrey R. Atkins

Rhonda Atkins (SEAL)
Rhonda Atkins

Mike Monkusky (SEAL)
Mike Monkusky

Charles T. Whitaker (SEAL)
Charles T. Whitaker
Christopher (C.T.W.)

Mary Charles Whitaker (SEAL)
Mary Charles Whitaker

John P. Clift (SEAL)
John P. Clift

Karen S. Clift (SEAL)
Karen Clift

____ (SEAL)

Ann Barnes (SEAL)
Ann Barnes

Rollin Barnes (SEAL)
Rollin Barnes

Charles Taylor (SEAL)
Charles Taylor

Cassie Taylor (SEAL)
Cassie Taylor

David B. Perkins (SEAL)
David Perkins

Sheila Perkins (SEAL)
Sheila Perkins

George D. Blevins (SEAL)
George D. Blevins

Jane Blevins (SEAL)
Jane Blevins

Brian J. Hoolahan (SEAL)
Brian J. Hoolahan

Lisa Hoolahan (SEAL)
Lisa Hoolahan

Timothy McKibben (SEAL)
Timothy McKibben

Shelly McKibben (SEAL)
Shelly McKibben

Larry G. Gray (SEAL)
Larry G. Gray

Kenneth Pike (SEAL)
Kenneth Pike

Jill Pike (SEAL)
Jill Pike

Joseph O. Frank (SEAL)
Joseph O. Frank

Florence Frank (SEAL)
Florence Frank

Eric R. Jackson (SEAL)
Eric Jackson

Vicky B. Jackson (SEAL)
Vicky ~~Karen~~ Jackson

Raymond J. Hart (SEAL)
Raymond J. Hart

Miriam D. Hart (SEAL)
Miriam Hart

David P. Hodgkins (SEAL)
David P. Hodgkins

Elizabeth Hodgkins (SEAL)
Elizabeth Hodgkins

James A. Beard (SEAL)
James A. Beard

Diane B. Beard (SEAL)
Diane Beard

Terry L. Clay (SEAL)
Terry Clay

Ellen Clay (SEAL)
Ellen Clay

Perry S. Oakes (SEAL)
Perry S. Oakes

Cynthia Oakes (SEAL)
Cynthia Oakes

Frank Ray (SEAL)
Frank Ray

Sylvia Ray (SEAL)
Sylvia Ray

Paul A. Bland (SEAL)
Paul A. Bland

Linda H. Bland (SEAL)
Linda H. Bland

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STATE OF North Carolina
COUNTY OF Franklin

I, Chris R. Mullins, a Notary Public, do hereby certify that Betty Jo Redmond personally came before me this day and acknowledged that she is Secretary of WADE MOORE EQUIPMENT COMPANY and that, by authority duly given and as the act of the Corporation, the foregoing instrument was signed in its name and by its President, sealed with its corporate seal and attested by himself as its Secretary.

Witness my hand and notarial seal, this the 15th day of August, 1997.

Chris R. Mullins

Notary Public

My Commission expires: 4-30-02
(SEAL)

STATE OF NORTH CAROLINA, FRANKLIN COUNTY

The foregoing certificate(s) of Chris R. Mullins, and Sandra Williams,
& annexed

is/are certified to be correct.

Notar(y) (ies) Public,

This instrument was presented for registration this day and hour and duly recorded in the office of the Register of Deeds of Franklin County, N.C., in Book 1078, Page(s) 749-762.

This 15th day of August, A.D., 19 97, at 3:40 o'clock P. M.

MARTHA D. SHEARIN, REGISTER OF DEEDS

By:

[Signature]
Asst. Deputy Register of Deeds

STATE OF NORTH CAROLINA
COUNTY OF FRANKLIN

I, a Notary Public of the County and State aforesaid, certify that Jeffrey R. Atkins and wife, Rhonda Atkins, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 16 day of August, 1996.

Sandra Williams (SEAL)
Notary Public

My Commission expires: 3-2-99
(SEAL)

STATE OF NORTH CAROLINA
COUNTY OF FRANKLIN

I, a Notary Public of the County and State aforesaid, certify that Mike Monkusky, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 16 day of August, 1996.

Sandra Williams (SEAL)
Notary Public

My Commission expires: 3-2-99
(SEAL)

STATE OF NORTH CAROLINA
COUNTY OF FRANKLIN

I, a Notary Public of the County and State aforesaid, certify that Charles T. Whitaker and wife, Mary Charles Whitaker, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 16 day of August, 1996.

Sandra Williams (SEAL)
Notary Public

My Commission expires: 3-2-99
(SEAL)

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STATE OF NORTH CAROLINA
COUNTY OF FRANKLIN

I, a Notary Public of the County and State aforesaid, certify that John P. Clift and wife, Karen Clift, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 16 day of August, 1996.

Sandra Williams (SEAL)
Notary Public

My Commission expires: 3-2-99
(SEAL)

STATE OF NORTH CAROLINA
COUNTY OF FRANKLIN

I, a Notary Public of the County and State aforesaid, certify that Ann Barnes and husband, Rollin Barnes, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 16 day of August, 1996.

Sandra Williams (SEAL)
Notary Public

My Commission expires: 3-2-99
(SEAL)

STATE OF NORTH CAROLINA
COUNTY OF FRANKLIN

I, a Notary Public of the County and State aforesaid, certify that Charles Taylor and wife, Cassie Taylor, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 16 day of August, 1996.

Sandra Williams (SEAL)
Notary Public

My Commission expires: 3-2-99
(SEAL)

STATE OF NORTH CAROLINA
COUNTY OF FRANKLIN

I, a Notary Public of the County and State aforesaid, certify that David Perkins and wife, Sheila Perkins, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 16 day of August, 1996.

Sandra Williams (SEAL)
Notary Public

My Commission expires: 3-2-99
(SEAL)

STATE OF NORTH CAROLINA
COUNTY OF FRANKLIN

I, a Notary Public of the County and State aforesaid, certify that George D. Blevins and wife, Jane Blevins, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 16 day of August, 1996.

Sandra Williams (SEAL)
Notary Public

My Commission expires: 3-2-99
(SEAL)

STATE OF NORTH CAROLINA
COUNTY OF FRANKLIN

I, a Notary Public of the County and State aforesaid, certify that Brian J. Hoolahan and wife, Lisa Hoolahan, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 16 day of August, 1996.

Sandra Williams (SEAL)
Notary Public

My Commission expires: 3-2-99
(SEAL)

STATE OF NORTH CAROLINA
COUNTY OF FRANKLIN

I, a Notary Public of the County and State aforesaid, certify that Timothy McKibben and wife, Shelly McKibben, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 16 day of August, 1996.

Sandra Williams (SEAL)
Notary Public

My Commission expires: 3-2-99
(SEAL)

STATE OF NORTH CAROLINA
COUNTY OF FRANKLIN

I, a Notary Public of the County and State aforesaid, certify that Larry G. Gray, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 16 day of August, 1996.

Sandra Williams (SEAL)
Notary Public

My Commission expires: 3-2-99
(SEAL)

STATE OF NORTH CAROLINA
COUNTY OF FRANKLIN

I, a Notary Public of the County and State aforesaid, certify that Kenneth Pike and wife, Jill Pike, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 16 day of August, 1996.

Sandra Williams (SEAL)
Notary Public

My Commission expires: 3-2-99
(SEAL)

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STATE OF NORTH CAROLINA
COUNTY OF FRANKLIN

I, a Notary Public of the County and State aforesaid, certify that Joseph O. Frank and wife, Florence Frank, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 16 day of August, 1996.

Sandra Williams (SEAL)
Notary Public

My Commission expires: 3-2-99
(SEAL)

STATE OF NORTH CAROLINA
COUNTY OF FRANKLIN

I, a Notary Public of the County and State aforesaid, certify that Eric Jackson and wife, Karen Jackson, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 16 day of August, 1996.

Sandra Williams (SEAL)
Notary Public

My Commission expires: 3-2-99
(SEAL)

STATE OF NORTH CAROLINA
COUNTY OF FRANKLIN

I, a Notary Public of the County and State aforesaid, certify that Raymond J. Hart and wife, Miriam Hart, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 16 day of August, 1996.

Sandra Williams (SEAL)
Notary Public

My Commission expires: 3-2-99
(SEAL)

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STATE OF NORTH CAROLINA
COUNTY OF FRANKLIN

I, a Notary Public of the County and State aforesaid, certify that David P. Hodgkins and wife, Elizabeth Hodgkins, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 16 day of August, 1996.

Sandra Williams (SEAL)
Notary Public

My Commission expires: 3-2-99
(SEAL)

STATE OF NORTH CAROLINA
COUNTY OF FRANKLIN

I, a Notary Public of the County and State aforesaid, certify that James A. Beard and wife, Diane Beard, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 16 day of August, 1996.

Sandra Williams (SEAL)
Notary Public

My Commission expires: 3-2-99
(SEAL)

STATE OF NORTH CAROLINA
COUNTY OF FRANKLIN

I, a Notary Public of the County and State aforesaid, certify that Terry Clay and wife, Ellen Clay, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 16 day of August, 1996.

Sandra Williams (SEAL)
Notary Public

My Commission expires: 3-2-99
(SEAL)

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STATE OF NORTH CAROLINA
COUNTY OF FRANKLIN

I, a Notary Public of the County and State aforesaid, certify that Terry L. Oakes and wife, Cynthia Oakes, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 16 day of August, 1996.

Sandra Williams (SEAL)
Notary Public

My Commission expires: 3-2-99
(SEAL)

STATE OF NORTH CAROLINA
COUNTY OF FRANKLIN

I, a Notary Public of the County and State aforesaid, certify that Frank Ray and wife, Sylvia Ray, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 16 day of August, 1996.

Sandra Williams (SEAL)
Notary Public

My Commission expires: 3-2-99
(SEAL)

STATE OF NORTH CAROLINA
COUNTY OF FRANKLIN

I, a Notary Public of the County and State aforesaid, certify that Paul A. Bland and wife, Linda H. Bland, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 16 day of August, 1996.

Sandra Williams (SEAL)
Notary Public

My Commission expires: 3-2-99
(SEAL)

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