

NORTH CAROLINA

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WAKE COUNTY

THIS DECLARATION, MADE this 17th day of January, 1972, by REALTY SALES AND INVESTMENT COMPANY, INC., a North Carolina corporation with its registered office in the City of Raleigh, North Carolina, hereinafter called Declarant;

WITNESSETH: That

WHEREAS, The Declarant is the owner of the real property described in Article I of this Declaration and is desirous of subjecting said real property to the protective covenants hereinafter set forth, each and all of which is and are for the benefit of such property and for each owner thereof, and shall inure to the benefit of and pass and run with said property, and each and every lot or parcel thereof, and shall apply to and bind the successors in interest and any owner thereof.

ARTICLE I

The real property which is, and shall be held, transferred, sold and conveyed subject to the protective covenants set forth in the Articles of this Declaration is located in the County of Wake, State of North Carolina, and is more particularly described as follows:

Being Lots 228 to 245 inclusive, as shown on plat of Section 12, Green Pines Subdivision, recorded in Book of Maps 1972 , Volume I , Page 96 , in the office of the Register of Deeds of Wake County, North Carolina.

ARTICLE II

None of said numbered lots shall be used for business, manufacturing or commercial purposes; and no structure shall be erected or allowed to remain on any lot except one detached single family dwelling not exceeding two stories and an attic in height and a garage which may include quarters for servants of the occupants of the dwelling, except that on any of said lots that are owned by a party operating a utility system furnishing water to occupants of lots in said subdivision, there may be placed equipment used in conjunction with the water system.

ARTICLE III

No structure shall be erected or allowed to remain on any lot in said Green Pines Subdivision which lot has a width of less than 80 feet at the minimum building setback line; nor shall any structure be erected or allowed to remain on any lot having an area of less than 15,000 square feet, provided, however, that a structure may be erected on any lot as shown on Map of Section 12, Green Pines Subdivision, recorded in Book of Maps 1972 , Volume I , at Page 96 Wake County Registry.

ARTICLE IV

No dwelling shall be erected or allowed to remain on any lot if the ground floor area of the main structure exclusive of one story open porches and garages shall be less than;

1200 square feet in the case of one story structure
without finished basement or,
1100 square feet in the case of one and one-half story
structures or,

900 square feet in the case of two story structures, or 1100 square feet plus 200 square feet of basement in the case of split-level or single level structures with basement.

ARTICLE V

No building shall be erected or allowed to remain on said property closer than 30 feet to the front lot line nor closer than 20 feet to any side street line; nor shall any building be erected or allowed to remain nearer than 10 feet to an interior lot line. This restriction shall not apply to a detached garage that may be placed on the back part of any of said lots. Declarant reserves the right to waive minor violations of the setback and side line requirements set forth in this paragraph. (Violations not in excess of 10% of the minimum requirements shall be deemed minor.)

ARTICLE VI

No residence of a temporary character shall be erected or allowed to remain on any lot, and no trailer, basement, tent, shack, garage, barn or other outbuilding erected on any lot shall be used as a residence, either permanently or temporarily.

ARTICLE VII

No animals or fowls shall be kept or allowed to remain on said property other than household pets, nor shall anything be done on any of said property which is a nuisance or any annoyance to the community.

ARTICLE VIII

These covenants are to run with the land and shall be binding on all parties and all persons claiming under them until October 1, 2022. If the parties hereto, or any of them, or their heirs, successors, or assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any other person or persons owning any real property situated in said Green Pines Subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant, and either or prevent it, her, him or them from so doing to recover damages or other dues for such violation.

ARTICLE-IX

The invalidation of any one or more of the foregoing covenants and restrictions by judgement, court order, or otherwise shall not in anywise effect any of the other covenants and restrictions which shall remain in full force and effect as herein provided for.

IN TESTIMONY WHEREOF, The Declarant has caused this instrument to be signed in its corporate name by its President, attested by its Assistant Secretary, and its corporate seal to be hereto affixed, all by order of its Board of Directors duly given, the day and year first above written.

REALTY SALES AND INVESTMENT COMPANY, INC.

BY:

William B. Wilson
PRESIDENT


ASSISTANT SECRETARY

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NORTH CAROLINA

WAKE COUNTY

I, Faye V. Buffaloe, a Notary Public in and for the said State and County aforesaid, do hereby certify that R. J. McCamy, Jr. personally came before me this day and acknowledged that he is Assistant Secretary of Realty Sales and Investment Company, a corporation, and that, by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal, and attested by himself as its Assistant Secretary.

Witness my hand and Notarial Seal, this 24th day of July, 1972.



Faye V. Buffaloe
Notary Public

NORTH CAROLINA—WAKE COUNTY

The foregoing certificate

of Faye V. Buffaloe

(are) certified to be correct. This instrument was presented for registration and recorded in this office in Book 2089, Page 371.

This 24 day of July, 1972, at 4:10 o'clock P. M.

By Mary S. Peoples
J. A. ROWLAND, Register of Deeds
Deputy Register of Deeds