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NORTH CAROLINA,

WAKE COUNTY.

PROTECTIVE COVENANTS OF
ADDITIONS TO MEDFIELD ESTATES
BOOK OF MAPS 1966, PAGE 114

KNOW ALL MEN BY THESE PRESENTS: THAT BRYANT CORPORATION DOES HEREBY COVENANT AND AGREE WITH ALL PERSONS, FIRMS OR CORPORATIONS NOW OWNING OR HEREAFTER ACQUIRING ANY PROPERTY IN THE AREA HEREINAFTER DESCRIBED, THAT THOSE LOTS HEREINAFTER DESIGNATED AS THEY ARE SHOWN ON A MAP OF ADDITIONS TO MEDFIELD ESTATES RECORDED IN THE OFFICE OF THE REGISTER OF DEEDS OF WAKE COUNTY, NORTH CAROLINA, IN BOOK OF MAPS 1966, PAGE 114, ARE HEREBY SUBJECTED TO THE FOLLOWING RESTRICTIONS AS TO USE THEREOF, RUNNING WITH SAID PROPERTY BY WHOMSOEVER OWNED, TO WIT:

1. A BUILDING UNIT SHALL CONSIST OF A TRACT OF LAND HAVING A WIDTH AT THE BUILDING SETBACK LINE OF NOT LESS THAN 85 FEET AND AN AREA OF NOT LESS THAN 12,000 SQUARE FEET. A LOT REFERS TO LOTS No. 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111 AND 112, AND EVERY PART THEREOF, ACCORDING TO A MAP OF ADDITIONS TO MEDFIELD ESTATES BY JOHN A. EDWARDS, ENGINEER, RALEIGH, NORTH CAROLINA, DATED JUNE 30, 1966, AND RECORDED IN THE WAKE COUNTY REGISTRY IN BOOK OF MAPS 1966, PAGE 114. THE OWNERS OF SAID LOTS OR BUILDING UNITS MAY VARY THE LINES OF SAID LOTS EXCEPT AS OTHERWISE PROVIDED HEREIN BUT MAY NOT REDUCE THE SIZE OF ANY BUILDING UNIT TO LESS THAN THE ABOVE WIDTH OR AREA, AND MAY NOT RESUBDIVIDE THE LOTS IN SUCH MANNER THAT THE NUMBER OF LOTS WITHIN THE SUBDIVISION WILL BE INCREASED.

2. NO LOT SHALL BE USED EXCEPT FOR RESIDENTIAL PURPOSES. NO BUILDING SHALL BE ERECTED, ALTERED, PLACED OR PERMITTED TO REMAIN ON ANY BUILDING UNIT OTHER THAN ONE DETACHED SINGLE-FAMILY DWELLING NOT TO EXCEED $2\frac{1}{2}$ STORIES IN HEIGHT, A PRIVATE GARAGE FOR NOT MORE THAN THREE CARS AND OUTBUILDINGS NECESSARY TO RESIDENTIAL USE; PROVIDED, HOWEVER, THAT A DWELLING MAY BE ERECTED ON ANY OF THE AFORESAID LOTS, REGARDLESS OF THE NUMBER OF SQUARE FEET OR WIDTH.

3. NO DWELLING SHALL BE PERMITTED ON ANY BUILDING UNIT WHICH HAS A GROUND FLOOR AREA OF THE MAIN STRUCTURE, EXCLUSIVE OF ONE STORY OPEN PORCHES AND GARAGES, OF LESS THAN 1200 SQUARE FEET FOR A ONE-STORY BUILDING, NOR OF LESS THAN 1000 SQUARE FEET FOR A DWELLING OF MORE THAN ONE STORY.

4. EXCEPT AS OTHERWISE EXPRESSLY PROVIDED HEREIN, NO BUILDING SHALL BE LOCATED NEARER THAN 35 FEET TO THE FRONT LOT LINE NOR NEARER THAN 25 FEET TO ANY SIDE STREET LINE. NO BUILDING SHALL BE LOCATED NEARER THE UNIT LINE OF AN ADJACENT UNIT THAN 10 FEET EXCEPT THAT NO SIDE YARD SHALL BE REQUIRED FOR A GARAGE OR OTHER PERMITTED NECESSARY BUILDING LOCATED 90 FEET OR MORE FROM THE FRONT LOT LINE. FOR THE PURPOSES OF THIS COVENANT, EAVES, STEPS AND OPEN PORCHES SHALL NOT BE CONSIDERED AS PART OF A BUILDING; PROVIDED, HOWEVER, THAT THIS SHALL NOT BE CONSTRUED TO PERMIT ANY PORTION OF A BUILDING OR A BUILDING UNIT TO ENCROACH UPON ANOTHER UNIT. THE WORD "EAVES" FOR THE PURPOSE OF THIS COVENANT SHALL BE DEEMED TO INCLUDE CARPORTS OPEN ON THE SIDE OPPOSITE THE HOUSE AND ON BOTH ENDS AND SUPPORTED ON SAID SIDE AND ENDS BY NOT MORE THAN SIX POSTS. IN THE EVENT THAT A DWELLING IS CONSTRUCTED NEARER TO THE ADJACENT UNIT LINE THAN IS PERMITTED BY THIS PARAGRAPH BUT NOT NEARER THAN FIVE FEET TO SUCH LINE, SUCH VIOLATION MAY BE WAIVED BY THE EXECUTION AND RECORDATION IN THE WAKE COUNTY REGISTRY OF AN INSTRUMENT IN WRITING SIGNED BY BRYANT CORPORATION, IF IN EXISTENCE, AND THE OWNERS OF THE ADJACENT BUILDING UNIT ON THE SIDE ON WHICH THE VIOLATION OCCURS. UPON EXECUTION AND RECORDATION OF SUCH WAIVER, SAID VIOLATION SHALL NOT THEREAFTER BE DEEMED EXISTING.

5. EASEMENTS FOR INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE FACILITIES ARE RESERVED OVER THE REAR TEN FEET OF EACH LOT. IN THE EVENT THAT THE OWNER OF ANY LOT SHALL ACQUIRE LAND ADJACENT TO AND IN THE REAR OF SUCH LOT, SUCH LOT OWNER MAY RELOCATE THE EASEMENT HEREIN ESTABLISHED OVER THE REAR LOT LINE TO CONFORM TO THE INCREASE OF THE

SIZE OF HIS LOT AND NEW IMPROVEMENTS ERECTED THEREON PROVIDED THAT SUCH RELOCATION IS DONE AT HIS OWN EXPENSE AND DOES NOT INTERFERE WITH THE RIGHTS OF THE OWNERS OF OTHER PROPERTY WITHIN THIS SUBDIVISION IN SERVICES RENDERED BY THE EASEMENT HEREIN CREATED. SUCH RELOCATED EASEMENT SHALL BE THE SAME WIDTH AS THE ORIGINAL EASEMENT.

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. NO STRUCTURE OF A TEMPORARY CHARACTER, TRAILER, BASEMENT, SHELL HOUSE, TENT, SHACK, GARAGE, BARN, OR OTHER OUTBUILDING SHALL BE USED ON ANY LOT AT ANY TIME AS A RESIDENCE, EITHER TEMPORARILY OR PERMANENTLY.

8. 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 OR MAINTAINED FOR ANY COMMERCIAL PURPOSE.

9. IN ORDER TO MAINTAIN THE ARCHITECTURAL BEAUTY OF THIS SUBDIVISION AND TO GUARD AGAINST THE ERECTION THEREIN OF POORLY DESIGNED OR PROPORTIONED STRUCTURES, NO BUILDINGS SHALL BE ERECTED OR ALLOWED TO REMAIN ON ANY BUILDING UNIT, NOR SHALL ANY ALTERATIONS OF ANY BUILDING ON ANY BUILDING UNIT BE MADE UNTIL THE PLOT PLAN SHOWING THE LOCATION OF SAID BUILDING ON THE BUILDING UNIT AND THE PLANS AND SPECIFICATIONS SHOWING THE TYPE AND EXTERIOR LINES THEREOF HAVE BEEN SUBMITTED TO AND APPROVED IN WRITING BY AN OFFICER OF BRYANT CORPORATION OR A COMMITTEE APPOINTED BY THE BOARD OF DIRECTORS OF SAID CORPORATION. IN THE EVENT SAID OFFICER OR COMMITTEE FAILS TO APPROVE OR DISAPPROVE SUCH DESIGN OR LOCATION WITHIN 30 DAYS AFTER SAID PLANS OR SPECIFICATIONS HAVE BEEN SUBMITTED AS HEREIN REQUIRED, OR IN ANY EVENT, IF NO SUIT TO ENJOIN THE ERECTION OF SUCH BUILDING OR THE MAKING OF SUCH ALTERATIONS HAS BEEN COMMENCED PRIOR TO THE COMPLETION THEREOF, SUCH APPROVAL WILL NOT BE REQUIRED, AND THIS COVENANT SHALL BE DEEMED TO HAVE BEEN FULLY COMPLIED WITH. SUCH OFFICER OR MEMBERS OF SUCH COMMITTEE SHALL NOT BE ENTITLED TO ANY COMPENSATION FOR SERVICES PERFORMED PURSUANT TO THIS COVENANT. NO APPROVAL OF PLOT PLANS OR PLANS AND SPECIFICATIONS BY AN OFFICER OR COMMITTEE SHALL BE DEEMED PERMISSION TO VIOLATE THESE COVENANTS REGARDLESS OF THE FACT THAT THE PLOT PLAN AND/OR PLANS AND SPECIFICATIONS CLEARLY INDICATE THE VIOLATION; AND NO SUCH APPROVAL BY SUCH OFFICER OR COMMITTEE SHALL CREATE AN ESTOPPEL AGAINST BRYANT CORPORATION OR ANY OTHER PERSON IN THE ENFORCEMENT OF THESE COVENANTS. IN THE EVENT THAT BRYANT CORPORATION IS DISSOLVED OR ITS CHARTER IS SUSPENDED AND REMAINS SUSPENDED FOR A PERIOD OF SIX MONTHS, THIS PARAGRAPH NUMBER 9 OF THESE COVENANTS SHALL TERMINATE.

10. THESE COVENANTS SHALL RUN WITH THE LAND AND BE BINDING ON ALL PARTIES AND PERSONS CLAIMING UNDER THEM UNTIL JANUARY 1, 2000, ON WHICH DATE THEY SHALL AUTOMATICALLY EXPIRE.

11. ENFORCEMENT OF THESE COVENANTS SHALL BE BY PROCEEDINGS AT LAW OR IN EQUITY AGAINST ANY PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY COVENANT EITHER TO RESTRAIN VIOLATION OR TO RECOVER DAMAGES.

12. INVALIDATION OF ANY ONE OF THESE COVENANTS BY JUDGMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN TESTIMONY WHEREOF, BRYANT CORPORATION HAS CAUSED THIS INSTRUMENT TO BE SIGNED IN ITS CORPORATE NAME BY ITS PRESIDENT, ATTESTED BY ITS SECRETARY AND SEALED WITH ITS CORPORATE SEAL, ALL BY AUTHORITY DULY GIVEN BY ITS BOARD OF DIRECTORS, THIS THE 25TH DAY OF JULY, 1966.

BRYANT CORPORATION

BY Hobart Bullock
PRESIDENT

ATTEST:

Eleanor L. Baily
SECRETARY

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NORTH CAROLINA,
WAKE COUNTY.

BOOK 1725 PAGE 193

I, Mystice B. Wilder, NOTARY PUBLIC, DO HEREBY CERTIFY THAT ELEANOR S. BAILEY PERSONALLY CAME BEFORE ME THIS DAY AND ACKNOWLEDGED THAT SHE IS SECRETARY OF BRYANT CORPORATION, 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 HERSELF AS ITS SECRETARY.

WITNESS MY HAND AND NOTARIAL SEAL, THIS 25th DAY OF JULY, 1966.

Mystice B. Wilder
NOTARY PUBLIC

MY COMMISSION EXPIRES: 6.5.68

STATE OF NORTH CAROLINA
Wake County

The foregoing certificate of Mystice B. Wilder
A Notary Public of Wake County, State of N. C.
is adjudged to be correct. Let the instrument with the certificates, be registered.
WITNESS my hand this the 25 day of July 1966.

J. Bra. Byrd
Deputy Clerk Superior Court

Filed for Registration at 10:30 o'clock A M
JUL 25 1966 19___, and registered in the Office of the Register of Deeds for Wake County North Carolina, in Book 1725 Page 191
_____, 19___

J. A. Rowland
REGISTER OF DEEDS

Daisy L. Shewmake
DEPUTY

Probate .25 Paid
Registration 2.75