

Prepared by and mail to: Stephen Barnwell

STATE OF NORTH CAROLINA  
COUNTY OF HENDERSON

RESTRICTIVE COVENANTS

THESE RESTRICTIVE COVENANTS made and entered into this day of April, 1986, by and among, ETOWAH DEVELOPMENT COMPANY, INC., hereinafter referred to as Developer, and all future purchasers and owners of property shown on plat recorded in Plat Cabinet A at Slide 239 of the Henderson County, North Carolina Registry, which property shall be hereinafter referred to as "Property".

W I T N E S S E T H:

WHEREAS Developer is the owner of all of that certain property described on plat recorded in Plat Cabinet A at Slide 239 of the Henderson County, North Carolina Registry; and,

WHEREAS, Developer desires for the benefit of said property and for the benefit of future owners of such property, that such property shall be developed and used exclusively and restricted as hereinafter set forth, and shall be subject to the restrictions contained hereinafter;

NOW, THEREFORE, in consideration of the premises and for the advantage which Developer hereto will receive as a result of said property being restricted, the Developer hereto and its successors in title, covenant and agree, and hereby restrict the above-referred to Property as follows:

1. All the property described on the aforementioned plat shall be known and described as residential property, and not more than one (1) mobile home or residence shall be placed upon each lot. Certain commercial operations compatible with residential purposes may be conducted and/or carried upon the above-described property subject to approval by the architectural committee hereinafter established. No livestock or poultry may be kept on the property.

2. No lot shall be used or maintained as a dumping ground for rubbish, trash, garbage, and all waste shall be kept in sanitary containers. All equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

3. No mobile home shall be erected or placed on any lot within 15' of the front lot line nor within 10' of the side lot line.

4. Any mobile home placed upon the property shall be subject to the approval of the architectural committee as hereinafter provided. Within one (1) year of the placement of any mobile home upon the property, such mobile home shall be underpinned with a material approved by the architectural committee.

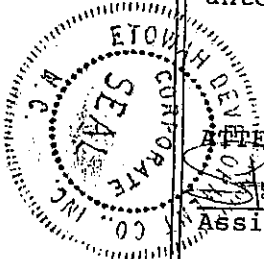
5. No junk or abandoned automobile, boat, travel trailer, or other item of personal property of comparable size shall be placed and/or maintained upon the above-described property. For purposes of this restriction, any item of personal property requiring licensing and/or registration by proper authorities for its intended use shall be deemed to be abandoned upon lapse of such licensing and/or registration by more than thirty (30) days.

6. Each property...

and regulations pertaining to the improvement and/or use of the property. Such committee shall be appointed by Developer until such time as Developer shall dispose of all lots; thereafter, such committee shall consist of three (3) property owners elected annually on the 1st day of June for each year by the then current owners of the property. For the purposes of voting, each lot shall be entitled to cast one (1) vote. A majority vote of the architectural committee shall be required for the implementation of any rule and/or regulation, and/or any approval required pursuant to these restrictive covenants.

IN WITNESS WHEREOF, the undersigned Developer has hereunto set its hand and seal the day and year first above written.

By Benjamin F. Smith (SEAL)  
President  
Etowah Development Company, Inc.



ATTEST:  
Steph Barlow  
Assistant/Secretary

(Corporate Seal)

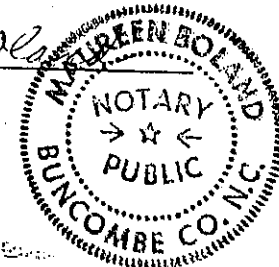
STATE OF NORTH CAROLINA  
COUNTY OF BUNCOMBE

The undersigned notary public of said County and State, does hereby certify that STEPHEN BARLOW personally came before me this day and acknowledged that he is the Secretary of ETOWAH DEVELOPMENT COMPANY, INC., a North Carolina 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 her as its Secretary.

WITNESS my hand and notarial seal this 30<sup>th</sup> day of April, 1985.

Maureen Boland  
Notary Public

My commission expires:  
5-14-90



North Carolina, Henderson County The foregoing certificate of

Maureen Boland  
Notary Public (Notaries Public) is/are certified to be correct. This

instrument presented for registration and recorded in this office this 1<sup>st</sup> day of May 1986 at 2:30 P.M. in Book 676 Page 613

Quincy H. Maxwell by: Maureen Boland  
Register of Deeds (Assistant) (Deputy)