

DEED 47L PAGE 0773

THE SAID REMAINING PROPERTY IN ANY WAY, EITHER DIRECTLY, INDIRECTLY OR BY IMPLICATION BY THESE RESTRICTIONS. THE OWNERS RESERVING THE RIGHT TO RESTRICT THE REMAINING PROPERTY, IF AT ALL, AT SUCH TIME AND IN THEIR DISCRETION AS MAY BE ADVISABLE.

1. DESCRIPTION OF PROPERTY SUBJECT TO RESTRICTIONS:

All that certain piece or parcel of land in the County of Spartanburg, State of South Carolina, shown and designated as follows:

SEE PLAT BOOK 84, PAGE 725:

It is specifically understood and agreed that the owners herein specifically reserve all the remaining real estate described in Plat Book 79, Page 392, free and clear from these restrictions and such real estate to bear such restrictions and covenants as the grantors herein deem advisable or bear no restrictions and covenants as the grantors herein deem advisable.

2. RESIDENTIAL USE OF PROPERTY:

All lots shall be used for residential purpose only. No more than one single family dwelling shall be allowed on any lot. No building or structures shall be erected, placed, altered or permitted to remain on any lot other than buildings incident to the residential use of such lot.

3. EXTERIOR SIDING AND PLANS AND SPECIFICATIONS:

No residence shall be constructed with a block or aluminum exterior and all plans and specifications shall be subject to the written approval of the developers herein.

4. STREETS:

All grantees of lots in the hereinbefore cited subdivision shall have the right of ingress and egress and customary use of the streets as shown on said plat. The grantors do not covenant nor agree or bind themselves, their heirs, executors or assigns, to open or maintain any such proposed streets but dedicate them as shown for the benefit of any such grantees: Nor do the grantors herein obligate themselves, their heirs or assigns, for the regulation of traffic or pedestrian use thereon. Grantors, their heirs, successors and assigns reserve the right to extend the streets into future development of remaining tract.

5. BUILDING LINE REQUIREMENTS FOR RESIDENTIAL AND RELATED STRUCTURES:

No dwelling shall be located on any lot nearer to the front line or nearer to the side street line than the minimum building setback lines shown on the recorded plat, or nearer than 10 feet to any interior lot line. Any detached garage or carport must be located to the rear of the main dwelling. No other buildings such as hobby shops, tool storage buildings, and etc., may be located nearer than 200 feet from front line.

(a) Minor Deviations. Any deviation from the building line requirements set forth herein, not in excess of 10% thereof, shall not be construed to be a violation of said building line requirements.

(b) Subdivision of Lots. One or more lots (as shown on said plat) or parts thereof, may be subdivided or combined to form one single building lot by the developer or its successors. However, this may be done only in a matter to enlarge an adjoining lot and no part of any lot as shown on plat shall be considered as a building lot, and in such event the building line requirements prescribed above shall apply to such lots. No residents shall be constructed on any subdivided lot smaller than the original lot on the recorded plat.

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(c) Corner Lots. Lot one shall face state 197 or state road S42-197. The owners reserve to themselves, their heirs, successors and assigns the right to determine at the time of the transfer of remaining corner lots which street the home thereon shall face.

7. DWELLING BUILDING COST AND AREA REQUIREMENTS.

No dwelling shall be erected or placed on any of said lots so as to have a heated living area (exclusive or uncovered porches, stoops and terraces, and attached garages or carports) or less than 1600 square feet.

8. WALLS, FENCES, HEDGES & DELIVERY RECEPTACLES.

(a) No wall, hedge, mass planting or other similar obstruction exceeding three feet in height shall be erected or permitted to remain between the front street line and the applicable minimum building setback line.

(b) The lower branches of trees in sight line approaches to any street or street intersection shall not be permitted to obstruct the view of the same.

9. USE OF OUTBUILDINGS AND SIMILAR STRUCTURES:

No structure of a temporary nature shall be erected or permitted to remain on any lot, and no trailer, mobile home, shack, tent, garage, barn or any other structure of a similar nature shall be used as a residence, either temporarily or permanently.

10. SIGN BOARDS:

No sign boards of any description shall be displayed upon any lot with the exception of signs "For Rent" or "For Sale", which signs shall not exceed 2 x 3 feet in size, except name plates not to exceed 24" in size and 12" in height may be placed in yard.

11. LIVESTOCK:

No animals, livestock or poultry of any kind shall be raised, bred, or maintained on any lot, except family pets of the owner or occupants of the dwelling thereon. Such pets to be confined to property.

12. OFFENSIVE ACTIVITIES:

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

13. EASEMENTS:

The grantors (for themselves, their successors and assigns) reserve a right-of-way over, along and under the following portions of each lot:

- (a) as shown on the above mentioned plat;
- (b) the rear and front 10 feet;
- (c) 5 feet adjoining each side line.

These rights-of-way are for the installation of underground utilities including but not limited to telephone, electricity, water, gas and other related utilities; drainage and other facilities and equipment necessary or useful for furnishing service to the property shown on the said plat or other property (now, formerly or hereafter owned by grantors or their successors) adjacent thereto or in the proximity thereof; this restriction does not apply to road or street rights-of-way.

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15. UNINTENTIONAL VIOLATION OF RESTRICTIONS:

In the event of the unintentional violation of any of the foregoing restrictions with respect to any lot, the grantors, or their successors, reserve the right (by and with the mutual written consent of the owner or owners for the time being of such lot) to change, amend or release any of the foregoing restrictions as the same may apply to that lot. Any change shall require signature of all recorded lotowners.

16. UNSIGHTLY MATERIALS:

No trash, rubbish, debris, junk, stored materials, wrecked or inoperable vehicles or vehicles without wheels or similar unsightly items shall be allowed to remain on any lot outside an enclosed structure. However, the foregoing shall not be construed to prohibit temporary deposits of trash, rubbish and debris for pick-up by governmental or other similar garbage and trash removal service units.

17. UTILITIES:

All utilities, including but not limited to, electricity, telecable, water, gas and similar related utilities shall be underground. This restriction shall not apply to the road or street right-of-way.

18. PRE-FABRICATED OR OFF-SITE MANUFACTURED HOME:

Pre-fabricated or off-site manufactured home as one unit or two half units shall not be allowed in the subdivision.

19. TRUCKS:

Transfer trucks, cabs or similar type trucks or trailers used for the transfer of goods intra-state or inter-state shall not be allowed in the subdivision overnight.

20. MORTGAGE FORECLOSURES OR OTHER LIENS:

Should any mortgage or other lien of any type be foreclosed on the property or any portion of the same to which this instrument refers, then the title acquired by such foreclosure and the persons or person who thereupon and thereafter become the owners of such property shall be subject to and bound by all of the covenants and restrictions enumerated herein.

22. MISCELLANEOUS:

(a) All unoccupied lots are to be kept mowed and neat in appearance. In the event grantee fails to provide for reasonable care of unoccupied lots the grantors and or their successors reserve the right to mow same at grantees expense;

(b) All water to be supplied by public utility. No wells allowed;

(c) All sewage to be septic tank or public utility, if the same is made available;

(d) Garbage disposal containers either to be underground or enclosed;

(e) All driveways either to be asphalt, cement or gravel;

(f) All vegetable gardens to be located in the rear of the main dwelling;

(g) No asbestos; or cinder block or brick; or cement block or cement brick exterior shall be allowed.

23. EFFECTIVE PERIOD AND ENFORCEMENT OF RESTRICTIONS:

The foregoing restrictions shall be construed to be covenants running with the land and shall be binding and effective