

STATE OF NORTH CAROLINA
COUNTY OF DAVIE

PROTECTIVE COVENANTS

THIS DECLARATION OF PROTECTIVE COVENANTS, Made and published this 14th day of April, 1973, by Hope Bros. Builders, Inc., a North Carolina corporation, with its principal office in Statesville, Iredell County, North Carolina;

WITNESSETH:

That whereas, Hope Bros. Builders, Inc. is the owner of a certain described tract of land known and designated as "OAKLAND HEIGHTS", the same lying and being in Calahan Township, Davie County, North Carolina, and being more particularly described as follows:

Being all of Lots Nos. One (1) through Twenty-one (21) and Lots Nos. Thirty (30) through Ninety-eight (98), both inclusive of "OAKLAND HEIGHTS", a plat of which is duly recorded in Plat Book 4, Pages 122 and 123 of the plat records for Davie County, North Carolina, and to which maps reference is hereby made for a full and complete description of said property, and being the identical tract of land conveyed by Thomas L. Brawley and wife, Beatrice T. Brawley to Hope Bros. Builders, Inc. by deed dated October 4, 1972, and recorded in Book 87, page 546, Davie County Registry.

And whereas, it is to the interest, benefit and advantage of Hope Bros. Builders, Inc., owner, and to each and every person, firm or corporation who shall hereafter purchase any lot or lots in said subdivision that certain protective covenants governing and regulating the use and occupancy of the same be established, set forth and declared to be covenants running with the land;

NOW, THEREFORE, for and in consideration of the premises and of the benefits to be derived by Hope Bros. Builders, Inc., Owner, and each and every subsequent owner of any of the lots in said subdivision, the said Hope Bros. Builders, Inc. does hereby set up, establish, promulgate and declare that the following protective covenants shall apply to all of said lots and to all persons owning said lots, and are hereby subjected to the following restrictions and covenants and to the use thereof, and running with said lots and property, to wit:

1. No lot shall be used except for residential purpose. No building shall be erected, altered, placed, or permitted to remain on any lot other than one detached single-family dwelling not to exceed two and one-half stories in height and a private garage for not more than two cars.
2. There shall be a minimum of 1,000 square feet of heated floor space in each house.
3. No building shall be located on any lot nearer to the front lot line than 30 feet or nearer than 10 feet to each side lot line, or nearer than 15 feet to any side street line, notwithstanding the foregoing limitations. No structure shall be built or placed on any building lot in violation of any zoning ordinances now in effect.
4. No obnoxious or offensive trade shall be carried on upon any lot, or building plot, nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood, or which may be injurious or detrimental to the health of the adjacent neighbors, or which may be in violation of the authority having jurisdiction in regard to health and sanitation.
5. No trailer, mobile home, basement, tent, shack, garage, or other out-building shall at any time be used as a residence temporarily or permanently, nor shall any structure of a temporary character be used as a residence, nor shall any garage apartment or sleeping trailer be maintained upon the premises or used as a residence, except such garage apartment as may be used as a servant's quarters.
6. No sign of any kind shall be displayed to the public view on any lot except one professional sign of not more than one square foot, one sign of not more than five square feet advertising the property for sale or rent, or signs used by a builder to advertise the property during the construction and sales period.
7. No oil drilling, oil development operations, oil refining, quarrying or mining operations of any kind shall be permitted upon or in any lot, nor shall oil wells, tanks, tunnels, mineral excavations or shafts be permitted upon any lot. No derrick or other structure designed for use in boring for oil or natural gas shall be erected, maintained or permitted upon any lot.
8. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot, except that dogs, cats or other household pets may be kept provided that they are not kept, bred, or maintained for any commercial purposes.
9. No lot shall be used or maintained as a dumping ground for rubbish. Trash, garbage or other waste shall not be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.
10. No individual sewerage disposal system shall be permitted on any lot unless such system is located, designed, and constructed in accordance with the standards, requirements and recommendations of the North Carolina Department of Public Health and by the duly constituted health authorities of Davie County,