

NORTH CAROLINA  
NEW HANOVER COUNTY

I, Foster Edwards, Clerk of the Superior Court of New Hanover County, North Carolina, do hereby certify that the foregoing is a true, accurate and correct copy of the judgment entered in the case entitled "NCSHC v Alfred Wade, et al" as taken from and compared with the original appearing on file in my office.

Let said instrument with this certificate be recorded.

WITNESS my hand and official seal, this 1 day of Sept 1961

Lois J Ward, Asst.  
Clerk of Superior Court  
New Hanover County

By stipulation of counsel for the petitioners and counsel for respondent, made in open court, this judgment is signed out of term and out of the County and out of the District, and, by the terms of said stipulation, have the same legal effect as though signed in term and in the County and in the District, said signing being effective as of the 11th day of August, 1961.

This 11th day of August, 1961

S/ M. C. Paul  
Judge

Received and recorded Sept 1, 1961,  
at 11:50 and verified

N L Black  
Register of Deeds

J H HOBBS, ET UX, ET AL : STATE OF NORTH CAROLINA  
DECLARATION OF RESTRICTIONS :  
BROOKDALE ACRES : COUNTY OF NEW HANOVER DECLARATION OF RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS, that we, J H HOBBS and wife, Mildred B Hobbs, and A H Harrell and wife, Rosa Mae Harrell, all of New Hanover County, North Carolina, who are all of the owners of all of the lots and tracts in that certain subdivision in Cape Fear Township, New Hanover County, North Carolina, known as Brookdale Acres, as the same are shown on a map or plat of said subdivision prepared by C W Bloome, Jr., Registered Land Surveyor, which is recorded in Map Book 7 at Page 52, of the New Hanover County Registry, in order to promote a uniform and harmonious development of said subdivision, do hereby covenant and agree to and with each other and with all person, firms, or corporations, now owning or hereafter acquiring any of the above mentioned lots or tracts, that the use of all of said land is hereby made subject to the following restrictions or restrictive covenants, which shall run with the land, and be binding upon said lots or tracts and whomsoever owns the same, to-wit:

- 1 Said lots or tracts of land shall be used for residential purposes, and other uses normally normally incidental to the use of the land for residential purposes only
- 2 No noxious or offensive trade or activity shall be carried on or maintained on any of said lots or tracts of land, nor shall any use be made of any portion of said land which may be or might become an annoyance or nuisance to the neighborhood
- 3 No dwelling costing less than \$5,000 00 shall be permitted on any lot or tract of land, and no house trailer or mobile home shall be used on any lot or tract as a residence, either temporarily or permanently
- 4 No surface closets or outhouse shall be kept or maintained on any of the lots or tracts; and sewerage disposal shall be by septic tank only which shall comply with the requirements of the North Carolina State Board of Health, until such time as a general sewerage disposal system may be installed. No part of the land shall be used or maintained as a dumping ground for rubbish, garbage, trash, or other waste, and such materials may not be kept on the tract except in sanitary containers. All incinerators or other equipment for storage or disposal of such materials shall be kept in a clean and sanitary condition
- 5 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 WITNESS WHEREOF, the parties have hereunto set their hands and seals, this the 31 day of August, 1961

A. H. Harrell (SEAL)  
Rosa Mae Harrell (SEAL)  
J. H. Hobbs (SEAL)  
Mildred B. Hobbs (SEAL)

STATE OF NORTH CAROLINA :  
COUNTY OF NEW HANOVER :

I, T A Crews, a Notary Public in and for the State and County aforesaid, do hereby certify that J H Hobbs and wife, Mildred B Hobbs, and A H Harrell and wife, Rosa Mae Harrell, personally appeared before me this day, and acknowledged the due execution of the foregoing instrument for the purposes therein set out

WITNESS my hand and Notarial Seal, this the 31 day of August, 1961.

Notarial Seal

T A Crews  
Notary Public

My commission expires: 11-21-61

STATE OF NORTH CAROLINA  
NEW HANOVER COUNTY

The foregoing Certificate of T A Crews Notary Public of New Hanover County, is adjudged to be correct, Let the

*Emu*

Instrument with the Certificate be recorded This the 1 day of Sept 1961 Dr by Elkins & Calder

Ethel A Brown  
Dy Clerk Superior Court

Received and recorded Sept 1, 1961,  
at 12:00 and verified

*P L Black*  
Register of Deeds

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GUY WILLIAM PROSPER, ET UX :  
TO STATE OF NORTH CAROLINA  
MERLESS BASS, ET UX, WARRANTY DEED  
COUNTY OF NEW HANOVER  
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THIS INDENTURE, made and entered into this the 31 day of August, 1961, by and between GUY WILLIAM PROSPER and wife, MARGARET B PROSPER, of New Hanover County, North Carolina, parties of the first part, and Merless Bass and wife, Allene Bass, of New Hanover County, North Carolina, parties of the second part,

**W I T N E S S E I H:**

The parties of the first part, for and in consideration of the sum of ONE HUNDRED DOLLARS, and other valuable considerations, to them in hand paid by the parties of the second part, the receipt whereof is hereby acknowledged, have given, granted, bargained and sold, allend, and conveyed, and by these presents do hereby give, grant, bargain and sell, alien, convey, and confirm unto the parties of the second part, and unto their heirs and assigns forever, all of that certain lot of land, situate, lying and being in the City of Wilmington, New Hanover County, North Carolina, more particularly described as follows:

All of Lot 27 in Block 1 of Sunset Park Subdivision, as the same is shown on a map recorded in Book 70 at Pages 107, 108, 109 and 110 of the New Hanover County Registry, and being the same property conveyed to the parties of the first part by deed recorded in Book 582 at Page 553 of the New Hanover County Registry

TO HAVE AND TO HOLD the above granted and described premises, together with all and singular, the rights, privileges, easements, tenements, and appurtenances thereunto belonging, or in anywise appertaining, unto the parties of the second part, their heirs and assigns, in fee simple, forever, however, to restrictions of record, 1961 ad valorem taxes, and to the lien of that deed of trust made by the parties of the first part to Charles H Ball, Trustee, and H V Higley, as Administrator of Veterans Affairs, dated August 26, 1957, in the original amount of \$8 100 00, which is recorded in Book 610 at Page 70 of the New Hanover County Registry, which said deed of trust and the promissory note it was given to secure the parties of the second part assume and agree to pay

And the parties of the first part, for themselves, their heirs, executors, and administrators, covenant to and with the parties of the second part, their heirs and assigns, that they are seized in fee of the above granted and described premises, with the exception of the aforementioned restrictions, that they have good right to sell and convey the same, that the same are free and clear from any and all encumbrances, save and except the above noted taxes and deed of trust, and that they will and their heirs, executors, and administrators shall Warrant and Defend the title to the same against the lawful claims and demands of any and all persons whomsoever.

IN TESTIMONY WHEREOF, the parties of the first part have hereunto set their hands and seals, this the day and year first above written

U S DOC STAMPS \$ 1.10

Guy William Prosper (SEAL)  
Margaret B. Prosper (SEAL)

STATE OF NORTH CAROLINA  
COUNTY OF NEW HANOVER :

I, T A Crews, a Notary Public in and for the State and County aforesaid, do hereby certify that Guy William Prosper and wife, Margaret B Prosper, personally appeared before me this day, and acknowledged the due execution of the foregoing instrument

WITNESS my hand and Notarial Seal, this the 31 day of August, 1961

Notarial Seal  
My commission expires 11-21-61

T A Crews  
Notary Public

STATE OF NORTH CAROLINA  
NEW HANOVER COUNTY

The foregoing certificate of T A Crews Notary Public of New Hanover County, is adjudged to be correct Let the Instrument with the Certificate be recorded This the 1 day of Sept 1961 Dr by Elkins & Calder,

Ethel A Brown  
Dy, Clerk Superior Court

Received and recorded Sept 1, 1961,  
at 12- and verified

*P L Black*  
Register of Deeds

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CAST-A-WAY CORPORATION :  
TO STATE OF NORTH CAROLINA :  
JAMES E FLOYD, ET UX :  
BILL OF SALE :  
COUNTY OF NEW HANOVER :  
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KNOW ALL MEN BY THESE PRESENTS, that Cast-A-Way Corporation, a corporation duly created, organized and existing under and by virtue of the laws of North Carolina, with its principal office in the Town of Carolina, Beach, New Hanover County, North Carolina, has this 31st day of August, 1961, in consideration