

STATE OF NORTH CAROLINA
NEW HANOVER COUNTY

THE FOREGOING certificate of William F. Wagner, notary public of New Hanover County is adjudged to be correct. Let the instrument with the certificate be recorded.
This the 5 day of April 1963

Ethel A. Brown, Dy
Clerk Superior Court

Received and recorded April 5, 1963
at 4:15 P.M. and verified.

A. W. J. C. C. C.
Register of Deeds

R. C. FOWLER, ET AL : STATE OF NORTH CAROLINA : DECLARATION OF RESTRICTIONS
DECLARATION OF RESTRICTIONS : COUNTY OF NEW HANOVER : CLEAR BROOK ESTATES
CLEAR BROOK ESTATES :
RESTRICTIONS :

KNOW ALL MEN BY THESE PRESENTS, that we, R.C. Fowler and wife Myrtle C. Fowler, Bobby Lee Fowler, and wife, Patricia L. Fowler, Robert E. Calder, Trustee, and E. Warren Edwards and wife, Irene W. Edwards, all of New Hanover County, North Carolina, who are the owners of all of the lots in that certain subdivision in Harnett Township, New Hanover County, North Carolina, known as CLEAR BROOK ESTATES, AS SHOWN upon that Map of said subdivision prepared by C.W. Bloom, Jr., Registered Land Surveyor, recorded in Map book 7, at page 96 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 persons, firms, or corporations hereafter acquiring any of the above-mentioned lots, that the use of all lots shown upon said map or plat is hereby made subject to the following restrictions or restrictive covenants, which shall run with the land, and be binding upon said lots and whomsoever owns the same, to wit:

1. No lot or lots shall be put to any use other than for residential purposes. No portion of any lot or lots shall be used for a roadway, either public or private, except that a portion of any lot may be used as a driveway incidental to the normal use of such lot for residential purposes.
2. No building shall be erected, altered, placed upon, or permitted to remain on any lot other than one detached single family dwelling not to exceed two stories in height, and a private garage for not more than two cars. No such garage shall be more than one story in height and shall never be used for living quarters of any kind, either for guests, members of the family or servants, and the construction or maintenance of so-called "garage apartments" on any lots is expressly prohibited.
3. No dwelling containing less than twelve hundred square feet of floor space of living area, excluding garage areas and carport areas, shall be permitted on any lot, nor shall any building of any kind be erected, altered, placed upon or permitted to remain on any lot, the exterior finish of which is not constructed of either brick, brick-veneer, or stone; however this does not prohibit the use of wood, and other standard building materials in the construction of the roof, windows and doors, gables, upper stories, etc.
4. No building or structure of any kind shall be located on any lot nearer than 20 feet from any side line. No building or structure of any kind shall be located on Lots 1, 43, 44, 45 and 46 nearer than 40 feet from the front line of said lot; and no building or structure of any kind shall be located on any other lot nearer than 50 feet from the front line of said lot. Dwellings constructed on Lots 30, 49, 50, 58, 67, 74, 82 and 87 shall face east; dwellings constructed upon Lots 59, 66, 75, 88 and 92 shall face West; any dwelling constructed upon lot 81 shall face Southwest; and any dwelling constructed upon lot 38 shall face North.
5. No culvert or pipe shall be placed in any street or road, ditch or drain unless it in all respects meets the standards set by the State Highway and Public Works Commission.
6. No commercial trade or activity or any noxious trade or activity whatsoever 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.
7. No structure of a temporary character, trailer, mobile home, tent, shack, garage, garage apartment, barn or other outbuilding shall be used on any lot as a residence, either temporarily or permanently, either for the owners of said lot or for servants or any other persons.
8. No hogs, cattle, sheep, goats, horses, poultry or other livestock shall be raised, bred or kept on any lot. However, dogs, cats or other household pets may be kept provided they are not kept, bred or maintained for any commercial purpose.
9. No lot or area shall be used or maintained as a dumping ground for rubbish, trash, garbage or other waste, and such materials may not be kept on any lots, except in sanitary containers. All incinerators or other equipment for the storage or disposal of such materials shall be kept in a clean and sanitary condition.
10. No surface closets or out-houses shall be kept or maintained on any lot, and sewage 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 sewage disposal system may be installed.
11. There shall be no change in the layout of any lot or lots as shown on the map above referred to, and no lot shall be subdivided unless such part of a subdivided lot becomes a part of a whole lot, and the remaining part of such subdivided lot becomes a part of another whole lot.
12. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them for a period of Ten years from the date hereof; after which time said covenants shall be automatically extended for successive periods of ten years unless an instrument in writing signed by the owner or owners of a majority in amount of the lots in said subdivision is recorded which changes said covenants in whole or in part.