

STATE OF NORTH CAROLINA  
COUNTY OF NEW HANOVER

DECLARATION OF RESTRICTIONS  
CRESTWOOD, SECTION FOUR

THIS DECLARATION OF RESTRICTIONS, made this the 14 day of July, 1966, by F-G-S, INC., a North Carolina Corporation with its principal office and place of business in Wilmington, North Carolina, CAPE FEAR WOOD CORPORATION, a North Carolina Corporation with its principal office and place of business in Elizabethtown, North Carolina, and ACME WOOD CORPORATION, a North Carolina Corporation with its principal office and place of business in Riegelwood, North Carolina;

WITNESSETH:

WHEREAS, F-G-S, Inc. is the owner of all of the lots in Section 4 of Crestwood, the same being Lot 18 of Block 1, Lots 1 through 6 of Block 3, and Lots 1 through 4 of Block 4, as shown upon the map of Section 4 of said subdivision recorded in the New Hanover County Registry in Map Book 9 at Page 36; and

WHEREAS, it is the desire of F-G-S, Inc., for itself, its successors and assigns, to declare the following restrictions to be applicable to said lots, in order to provide for a uniform development of said property in order to preserve its value and to protect the present and future owners thereof; and

WHEREAS, the said Cape Fear Wood Corporation and the said Acme Wood Corporation have executed this instrument for the purpose of consenting to the restrictions hereinafter set out, and for the purpose of ratifying and approving said map; and

WHEREAS, it is the intent of all of the parties of this instrument that the restrictions hereinafter set forth shall supersede all of the restrictions set out in that instrument entitled "Agreement Concerning Restrictions and Drainage Easement" recorded in the New Hanover County Registry in Book 723 at Page 451, with respect to all lots in Section 4 of Crestwood, as shown upon said map, but that the restrictions set forth in said agreement shall remain in full force and effect as to all of the remaining property described in said agreement, unless modified or superseded by the parties hereto;

NOW, THEREFORE, the said F-G-S, Inc., Cape Fear Wood Corporation, and Acme Wood Corporation for themselves, their successors and assigns, do hereby declare that the following restrictions shall apply to all lots in Section 4 of Crestwood, the same being Lot 18 of Block 1, Lots 1 through 6 of Block 3, and Lots 1 through 4 of Block 4, as shown upon said map, and that said restrictions shall be binding upon all parties claiming title to any of said lots under F-G-S, Inc., Cape Fear Wood Corporation, or Acme Wood Corporation:

1. All of the lots in this subdivision shall be used for residential purposes only, and no dwelling shall be erected on any residential plot other than one detached single family dwelling not to exceed two and one-half stories in height, and a one or two car garage.

2. No building shall be erected nearer the front street line than fifty feet on any residential lot in this subdivision, and no building shall be erected

nearer an adjacent property line than ten feet. For any lot having a street on more than one side, the side having the least street frontage shall be considered to be the front street line.

3. No lot shall be re-subdivided unless a part of the subdivided lot becomes a part of a whole lot, and the remainder of the subdivided lot becomes a part of another whole lot.

4. No trailer, basement, tent, shack, garage, barn, or other out-building erected on any of said property may at any time be used as a residence. No obnoxious or offensive activity shall be carried on upon any lot nor shall anything be done thereon which may be or may become an annoyance or nuisance to the neighborhood.

5. The design and plan of all of the buildings which shall be erected or moved onto any lot will be subject to the approval of F-G-S, Inc. or its duly appointed agent. Upon written request by a lot owner for approval of a design or plan, F-G-S, Inc., or its agent shall have ten days within which to approve or disapprove the plans. In the event of failure to approve or disapprove within ten days such approval will not be required, but in any event the design and plan of the proposed building must be in harmony with the existing structures in the section. It is the express intention of the developer to maintain in this section a uniform plan of development with respect to design, size, type, cost, and general appearance of the structures to be erected on the lots therein.

No dwelling with an interior area of less than 1100 square feet of living space (exclusive of garages) shall be constructed on any lot; provided that in cases where the area is not more than ten per cent below the minimum above set out, F-G-S, Inc., or its duly appointed agent may, at its option, approve the construction of the dwelling if it is in conformity with the general development of the subdivision.

All dwellings must be constructed of stone, brick, or brick veneer. Garages on dwelling lots must be constructed of the same materials as specified for the dwellings.

6. These covenants and restrictions are to run with the land and shall be binding on all parties or persons claiming under them until June 1, 1984, after which time all of the covenants and restrictions listed herein may be waived or released by the consent of the owner or owners of a majority of the lots hereby restricted.

7. Until such time as municipal sewage is available, sewage disposal shall only be by septic tank to meet the approval of the North Carolina State Board of Health.

8. If the parties hereto or any of them, or their heirs and assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any other person owning any real property situate in said subdivision or development to prosecute a proceeding at law or in equity against the person or persons violating or attempting to violate any such covenant and either to prevent him or them from so doing or to recover damages or other dues for such violation.

IN TESTIMONY WHEREOF, the said F-G-S, Inc., Cape Fear Wood Corporation, and Acme Wood Corporation have caused this instrument to be signed in their corporate names by their Presidents, attested by their Secretaries, and sealed with their corporate seals, all on the day and year first above set forth.



*[Signature]*  
Secretary

F-G-S, INC.

By: *[Signature]*  
President



*[Signature]*  
Secretary

CAPE FEAR WOOD CORPORATION

By: *[Signature]*  
President



*[Signature]*  
Secretary

ACME WOOD CORPORATION

By: *[Signature]*  
President

STATE OF NORTH CAROLINA

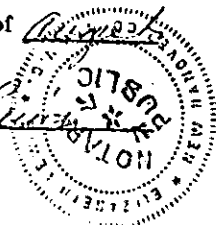
COUNTY OF NEW HANOVER

I, Elizabeth Lewis, a Notary Public in and for the State and County aforesaid, certify that Joseph Freedland personally came before me this day and acknowledged that he is Secretary of F-G-S, INC., a North Carolina Corporation, with its principal office in Wilmington, North Carolina 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 Joseph Freedland as its Secretary.

WITNESS my hand and Official Seal, this the 1st day of April 1966.

My commission expires: April 24, 1968

*[Signature]*  
Notary Public



STATE OF SOUTH CAROLINA

COUNTY OF HORRY

I, Bernice H. Jones, a Notary Public in and for the State and County aforesaid, certify that N. W. Cox personally appeared before me this day and acknowledged that he is Secretary of CAPE FEAR WOOD CORPORATION, a North Carolina Corporation, with its principal office in Elizabethtown, North Carolina, 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 N. W. Cox as its Secretary.

WITNESS my hand and Official Seal, this the 14 day of July, 1966.

Bernice H. Jones  
Notary Public



My commission expires: \_\_\_\_\_ of the Governor

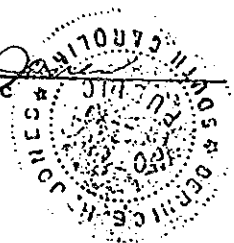
STATE OF SOUTH CAROLINA

COUNTY OF HORRY

I, Bernice H. Jones, a Notary Public in and for the State and County aforesaid, certify that N. W. Cox personally came before me this day and acknowledged that he is Secretary of ACME WOOD CORPORATION, a North Carolina Corporation with its principal office in Riegelwood, North Carolina, 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 N. W. Cox as its Secretary.

WITNESS my hand and Official Seal, this the 14 day of July, 1966.

Bernice H. Jones  
Notary Public



My commission expires: \_\_\_\_\_ of the pleasure of the Governor.

My commission expires:

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

The Foregoing Certificates of Elizabeth Lewis, Notary Public of New Hanover County, North Carolina and Bernice H. Jones, Notary Public of Horry County, South Carolina, are adjudged to be correct. Let the instrument with the Certificates be recorded. Drawn by Lloyd S. Elkins, Jr. This the 10 day of July, 1966.

Wernice H. Jones  
Clerk of Superior Court

Received and Recorded

AUG 10 1966 . 3:26 P. M.

Paul Blanchard Register of Deeds