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BY: CAROL HUGHLEY
DEPUTY



2016004929

NEW HANOVER COUNTY, NC

TAMMY THEUSCH BEASLEY

REGISTER OF DEEDS

NC FEE \$26.00

DECLARATION OF RESTRICTIVE COVENANT

Mail after recording to: Demarest Neighborhood Association Inc.,
c/o CEPCO, 1628 Doctors Circle, Wilmington, N.C. 28401

This instrument was prepared by: Martin Griess, CEPCO, HOA Management, Wilmington, N. C. 28401

Brief description for index: Demarest Landing, Middle Sound Loop Road, Wilmington, NC 28411

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER **STORMWATER RESTRICTIVE COVENANT**

WHEREAS, Demarest Neighborhood Association, a North Carolina non-profit corporation, New Hanover County, Wilmington, North Carolina (hereinafter referred to as the "Declarant") is the owner of NCDENR Permit No. SW8 941208, regarding the Demarest Landing Subdivision (hereinafter referred to as the "Property"), Low Density Subdivision Stormwater Permit, located in New Hanover County, North Carolina.

WHEREAS, in consideration of the issuance of the required authorizations and permits for the installation of stormwater systems in accordance with the State of North Carolina Department of Environment and Natural Resources Division of Water Quality within and about the Property and for other good and valuable consideration and for resource, environmental and other values, the sufficiency of which is hereby acknowledged, Declarant has agreed to place the following covenants on the Property for the uses and purposes provided herein.

NOW THEREFORE, Declarant hereby declares that the Property shall be held, transferred, conveyed, leased, occupied, and otherwise disposed of and used subject to the following covenants, which shall run with the land:

Return To: Jason Ferree

- a. To ensure ongoing compliance with State Stormwater Management Permit Number SW8 941208, as issued by the Division of Water Quality under NCAC 2H.1000 February 6, 1995, Modified January 25, 1996 and Modified February 25, 1998;
- b. The State of North Carolina is made a beneficiary of these covenants to the extent necessary to maintain compliance with the Stormwater Management Permit.
- c. These covenants are to run with the land and be binding on all persons and parties claiming under them.
- d. The covenants pertaining to stormwater may not be altered or rescinded without the express written consent of the State of North Carolina, Division of Water Quality.
- e. Alteration of the drainage as shown on the approved plans may not take place without the concurrence of the Division of Water Quality.
- f. The Maximum built-upon area per lot is as follows in accordance with the NCDENR Permit No. SW8 941208 Modified February 25, 1998:

Lots 2, 3, 10-13, 20-23, 28-31, 40, 41 and 47 @ 4,400 sq. ft.;

Lots 4-7, 9, 14-19, 24-26, 32-37, 45, 46 and 49 @ 4,628 sq. ft.;

Lot 8 @ 5,500 sq. ft.;

Lot 1 @ 5,775 sq. ft.;

Lots 27 and 39 @ 5,875 sq. ft.;

Lot 38 @ 6,275;


And Lot 48 @ 6,875;

The Clubhouse is limited to 25,933 sq. ft.;

This allotted amount includes any built-upon area constructed within the lot property boundaries, and that portion of the right-of-way between the front lot line and the edge of the pavement. Built upon area includes, but is not limited to, structures, asphalt, concrete, gravel, brick, slate, coquina and parking area, but does not include raised, open wood decking, or the water surface of swimming pools.

- g. All runoff on the lot must drain into the permitted system. This may be accomplished through providing roof drain gutters, which drain to the street, grading the lot to drain toward the street, or grading perimeter swales and directing them into the pond or street. Lots that will naturally drain into the system are not required to provide these measures.
- h. Built-upon area in excess of the permitted amount will require a permit modification.

Demarest Neighborhood Association Inc.

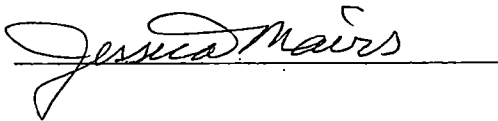


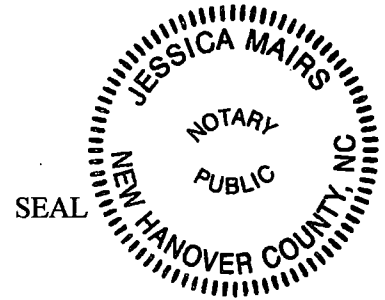
Jason Ferree, President

I, Jessica Mairs, a Notary Public for the State of NC

County of New Hanover do hereby certify that Jason Ferree personally
appeared before me this 22nd day of February, 2016, and acknowledged the due
execution of the foregoing Stormwater Restrictive Covenant.

Witness my hand and official seal,





My commission expires: 04/16/2017

TAMMY THEUSCH
BEASLEY
Register of Deeds

New Hanover County Register of Deeds

216 NORTH SECOND STREET • WILMINGTON, NORTH CAROLINA 28401
Telephone 910-798-4530 • Fax 910-798-7751



State of North Carolina, County of NEW HANOVER
Filed For Registration: 02/23/2016 01:26:43 PM
Book: RB 5950 Page: 976-979
4 PGS \$26.00
Real Property \$26.00
Recorder: CAROL HUGHLEY
Document No: 2016004929

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