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KATHY YOUNG
Register Of Deeds

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STATE OF NORTH CAROLINA)	DECLARATION OF COVENANTS
)	CONDITIONS AND RESTRICTIONS,
)	FOR MOUNTAIN SHADOWS
)	SUBDIVISION, RECORDED IN BOOK <u>7</u> ,
)	PAGE <u>433</u> , STOKES CO. REGISTRY
)	
COUNTY OF STOKES)	

THIS DECLARATION made this the 3rd day of December, 2003, TOWNHOME CONSTRUCTION, INC., hereinafter called "Declarant".

WITNESSETH:

WHEREAS, the Declarant is the owner of the real property described in Clause I of this Declaration, and is desirous of subjecting the real property described in said Clause I to the restrictions, covenants, reservations, provisions and easements hereinafter set forth, each and all of which is and are for the benefit of said property and for such owners thereof, and shall inure to the benefit of and pass with said property, and each and every parcel thereof and shall apply to and bind the successors in interest, and any owner thereof;

NOW, THEREFORE, the Declarant hereby declares that the real property described in and referred to in Clause I hereof is, and shall be held, transferred, sold and conveyed subject to the conditions, restrictions, covenants, reservations, provisions and easements hereinafter set forth.

CLAUSE I

The real property is and shall be conveyed, transferred and sold subject to the conditions, restrictions, covenants, reservations, provisions and easements with respect to the various portions thereof, set forth in the various clauses and subdivisions of this Declaration; is located in Stokes County, North Carolina, and more particularly described as follows:

The subdivision property of Townhome Construction, Inc. known as Mountain Shadows, as surveyed by Slate Surveying Co. and as appears in Plat Book 7, Page 433, in the Office of the Register of Deeds of Stokes County, North Carolina, to which express reference is made for a more particular description.

The Declarant may, from time to time, subject additional real property to the conditions, restrictions, covenants, reservations, provisions and easements herein set forth by appropriate references hereto.

CLAUSE IIGENERAL PURPOSES OF DECLARATION

The real property described in Clause I hereof is subject to the covenants, restrictions, conditions, reservations, provisions, and easements hereby declared to insure the best use and the most appropriate development and improvement of each residential lot thereof; to protect the owners of residential lots against such improper use of surrounding residential lots as will depreciate the value of their property; to preserve, so far as practicable, the natural beauty of said property; to guard against the erection thereon of poorly designed or proportioned structures, and structures built of improper or unsuitable materials; to insure the highest and best development of said property; to encourage and secure the erection of attractive homes thereon with appropriate locations thereof on residential lots; and to prevent haphazard and inharmonious improvement of residential lots; to secure and maintain proper setbacks from streets, and adequate free spaces between structures; and in general, to provide adequately for a high type and quality of improvement in said property and thereby to enhance the values of investments made by purchasers of residential lots thereof.

(a) All lots in Mountain Shadows shall be for residential use and no part of any lot shall be used for public streets, road or alley. The foregoing notwithstanding, the Declarant for itself and its successors and assigns specifically reserves the right to maintain a model residence on one or more lots for purposes of displaying housing types to prospective buyers, and to maintain sales agents in said models. Declarant may maintain said models for so long as Declarant, its successors or assigns, has any lots or homes for sale within Mountain Shadows.

(b) No building shall be erected, altered, placed, or permitted to remain on any lot, other than a detached, single family dwelling, not to exceed two (2) stories in height and a private main level and/or basement garage for not more than four (4) automobiles, three (3) automobiles per garage level and a maximum of one (1) detached storage building of new construction not to exceed 400 square feet. Any additions, including room additions, garage additions, attached or detached storage buildings and/or outbuildings are allowed; however, the structure must conform substantially to the permanent residence in exterior design, including roof, siding, brick, color, and exterior finish. Any outbuildings shall be constructed or placed at least ten (10) feet from any property line and are limited to the rear yard only.

(c) The Declarant reserves the right to make such modifications and exceptions to the restrictions and reservations herein created so long as such exceptions, modifications and alterations promote the orderly and harmonious development of the property subjected hereto.

(d) No business, profession, professional clinic, or other trade activity shall be carried on upon said lots or in any building erected thereon, except Builder's model home, nor shall anything be done thereon which may be or become an annoyance to the neighborhood.

(e) No residence of a temporary character shall be erected or allowed to remain on said property and no trailer, basement, tent, shack, garage, barn or other outbuilding erected on said property shall be used as a residence permanently or temporarily, except that construction vehicles and construction and/or sales trailers of a temporary nature may be authorized in writing by the Declarant, its successors and assigns, for so long as Declarant, its successors and assigns, is constructing residences on any lots within the property. Camping trailers may be parked on a lot if the trailer is owned by the homeowner and the camping trailer is parked behind the residence so that it cannot be visible from the roadway.

(f) No stable or barn for domestic animals shall be erected or be allowed to remain on said lots. No swine or other livestock shall be kept on the premises. Household pets may be kept for non-commercial purposes on the properties, if they are properly confined and do not constitute a nuisance.

(g) All plans, specifications, and builders must be approved in writing by the Declarant.

(h) No property in the subdivision shall be used for the sale or display of any new or used automobiles, nor shall junk automobiles or other junk be allowed to accumulate on any lot of the subdivision. No tractor-trailers shall be parked on any lots except for the temporary loading and unloading of household goods.

(i) All owners of property in the subdivision in the subject of this declaration, shall be required to contract with some garbage pickup service for the removal of garbage at least once per week until such time as a municipal garbage pickup system becomes available.

(j) The Declarant reserves and retains an easement extending five (5) feet to each side of all property lines shown on the recorded plat, for the installation of utility lines, sewer lines, drainage lines, and ditches, for the benefit of the lots or any land adjacent thereto owned by the Declarant. The right to use such easements(s) may be granted by the Declarant to utility companies for specific use without the Declarant's disposing of its right to use or to grant additional parties an easement for one or more reserved uses. The Declarant reserves the right to dispose of or to release the easement(s) if not theretofore specifically granted, by the execution of a written release to be recorded in the Office of the Register of Deeds, Stokes County, North Carolina.

(k) No drainage ditches or swales constructed within the rights-of-way of streets bordering any lot may be filled or altered in such a manner that impedes the flow of water within the rights-of-ways and/or which impedes the flow of water to a catch basin, drainage easement or stream and/or which results in water flowing from any lot on to the adjacent street pavement.

(l) Fences will be permitted only if maintained in a good state of repair and cannot be greater than six (6) feet in height. Wood or vinyl privacy fences are specifically prohibited. Any fences erected can only extend behind the dwelling from the back corner of the dwelling to the back property line.

(m) Outdoor pet lots are allowed only if they are 400 square feet or less, the fencing must be chain-link, and they must be placed within fifty (50) feet of the back property line of the lot.

(n) No solar panels may be installed that are visible from any street in the subdivision.

(o) No T.V. or video satellite dishes exceeding 18 inches in diameter may be placed or installed on any lot and shall not be visible from the street. No C.B., Radio or T.V. antennas may be placed on any lot.

(p) No portions of any building erected on any Property shall have exposed concrete blocks on the exterior foundation.

(q) All dwellings shall be stick-built and contain no less than 1600 square feet of heated and finished floor space for a one-level dwelling or 2200 square feet of heated and finished floor space for a two-level dwelling. The square footage of floor space herein referred to shall be exclusive of porches, garages, breezeways, terraces, and basement areas. No lots of the restricted property are allowed to be sub-divided in any way. No modular or log homes of any kind are permitted.

(r) The discharge of firearms of any type on any lot or within the subdivision is specifically prohibited.

(s) All off street driveways shall be concrete or asphalt.

(t) Any restrictions, covenants or conditions herein set forth may be extended, removed, modified or changed by securing the written consent of the Declarant, its successors or specific assigns, which written consent shall be duly executed, acknowledged, and recorded in the Office of the Register

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STATE OF NORTH CAROLINA)
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COUNTY OF STOKES)

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The foregoing certificates are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

KATHY YOUNG REGISTER OF DEEDS OF STOKES COUNTY
Jim Overstreet Deputy/Assistant-Register of Deeds

Prepared by:

Michael R. Bennett, Esquire
STOVER & BENNETT
Post Office Box 775
King, NC 27021