

STATEMENT OF RESERVATIONS, RESTRICTIONS & EXCEPTIONS

THIS INSTRUMENT is made subject to the following restrictive covenants:

1. Dwelling shall be a minimum of 1,000 sq. ft. for living purposes, excluding porches, basements, decks, garages, carports and other open areas. Any home built on said properties must be built according to specifications and standards that are acceptable and will meet with Federal Housing Authority rules and Swain County building codes.
2. No lot which is subdivided shall be considered subdivided until a plat of the subdivision is recorded. No lot shall be subdivided smaller than 5 acres. Each parcel is restricted to a one-family dwelling. Density also is allowed one house per 5 acres in clustered locations containing one acre sites. Example: Two houses on a ten acre site; each house on a one acre site adjacent within the ten acre tract. No dividing before fifth anniversary of recording of this document. Each and every paragraph of the covenants and restrictions apply to subdivided lots.
3. No occupancy until septic, well and pump have been inspected and approved by the Swain County Health Department.
4. ROADWAY: All forty (40) foot right of ways constructed through said development are reserved for the use of the lot owners in said development, and no obstruction or fences shall be placed within forty (40) feet of the centerline of said roadways, or within any turning areas.
5. No trailer, mobile home, modular home, tent or similar structure shall be erected, placed or permitted to remain upon any lot; provided, however, that this restriction shall not prohibit the storage of camper or recreational type trailers or motor homes upon any lot so long as said vehicles are not occupied or inhabited. Except during construction period of one year. Also must be located 40 feet from centerline of roadway.
6. All construction and exterior finish of home to be completed within one year from commencement of construction. All masonry block must be bricked, rocked, or stuccoed before deemed completed.
7. No debris, unoperative vehicles of any type, or any other unsightly accumulation on properties shall be permitted.
8. Portable toilets shall be furnished by builders during construction.
9. Lot owner is responsible for clearing all rubbish before, during and after construction and to seed or gravel any disturbed earth within 30 days of completion of construction. All disturbed slopes, banks, and road sides shall be seeded to prevent erosion.
10. If owner makes driveway connection with any road, said owner shall install a culvert of sufficient size in ditchline along said drive to carry normal flow of water to the ditchline through said culvert. Lot owner is responsible for placing platted roads back in condition they were before connecting driveway was made.
11. No obnoxious or offensive activities shall be allowed on properties.
12. No commercial activities or businesses of any type, and no drilling or mining shall be operated on said premises.
13. No animals, except ordinary household pets, such as dogs, cats, birds, horses, etc., shall be allowed provided that said pets are not kept, bred, or maintained for breeding or commercial purposes. Numbers of pets shall not be more than two.
14. Community road maintenance assessment: All homesite owners will be assessed a minimum of \$125.00 per year for maintenance of roads and common areas. This fee may be adjusted on a pro rata basis should maintenance costs require it.
15. Satellite receivers must be of the black mesh type unless otherwise approved by the Grantor.

16. Streams and springs: It is the intent of this restriction to insure that all streams located in Phase I continue in their present state; therefore, no damming, diverting or otherwise restricting the true flow of any stream shall be allowed. Springs shall not be used as a potable water source unless otherwise approved by the Grantor. Lots 1, 23, 24 excepted.

17. Setback Restrictions: Subject to the exceptions hereinafter mentioned, no building or any part thereof may project beyond setback lines, as follows: Except as provided in Paragraph 4 herein, 20 feet from all property lines.

18. Easements: Reasonable easements (min. 7.5 ft.) for installations and maintenance of utilities and drainage facilities are herewith reserved on all property lines and roadways. Within these easements, no structure, or other material shall be placed or permitted to remain which may damage or interfere with the installation and maintenance of utilities, or which may change the direction of flow of drainage channels in the easements.

19. These exceptions, reservations and restrictions may be enforced by the subdividers and any lot owner.