

NORTH CAROLINA  
MACON COUNTY

DECLARATION

BOOK Q-23  
PAGE(S) 984-985  
RMR-7

The undersigned declares as follows:

1. The undersigned owns the following lots in Trimont Mountain Estates Subdivision or other real property:

LOT 1, BLOCK B; LOT 2, BLOCK B; BOTH IN  
DEED BOOK R-22 PAGE 239 MAP BOOK 3,  
PAGE 91, MACON COUNTY PUBLIC RECORDS

(insert exact lot, block, plat number and/or deed book and page number of each lot or tract listed).

2. Each lot or tract described hereinabove shall be owned, conveyed and used subject to the provisions of this Declaration. The provisions of this Declaration are intended to create real covenants and mutual and equitable servitudes upon each lot or tract encumbered by this or any similar declaration recorded in the Macon County Public Registry; are intended to create reciprocal rights between the respective owners of all such lots or tracts and all lots and tracts in Trimont Mountain Estates Subdivision as shown on the various recorded plats thereof; are intended to create privity of contract and privity of estate between the owners of all such lots and tracts and their heirs, successors and assigns; and are intended to operate as covenants running with the land for the benefit of each and every other lot or tract so encumbered and all lots and tracts within Trimont Mountain Estates Subdivision as shown on the various recorded plats thereof and the respective owners of each, present and future. The provisions of this Declaration shall be enforceable by each owner of each such lot and tract and by Trimont Mountain Estates Community Association, Inc. through and including December 31, 2050.

3. Each lot and tract shall be used for residential purposes only and each residence or house shall contain at least 800 square feet of enclosed heated living space on the main floor and shall not exceed two stories in height, exclusive of basement.

4. No commercial, business or manufacturing establishment, factory, public garage, sanitarium or hospital of any kind will be erected, licensed or maintained on the above described lots and tracts. No junk or unlicensed vehicles may be kept or maintained, and no unsanitary, offensive or unsightly conditions will be allowed on the above described lots and tracts.

5. No trailer, mobile home, manufactured home, tent, shack or any other temporary structure shall be allowed on said lots and tracts. No recreational vehicles, campers or similar conveyances may be occupied on any lot or tract as a residence.

6. No livestock, poultry or other animals shall be kept or maintained on any lot or tract, except for normal household pets such as cats and dogs.

7. No building shall be erected on any lot or tract within fifteen feet of any boundary line or edge of any road or road right of way; provided however, the Board of Directors of Trimont Mountain Estates Community Association, Inc. shall have the power to grant variances from the setback requirements.

8. Where any driveway serving any lot or tract intersecting one of the subdivision roads crosses a ditch, a culvert shall be properly installed.

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9. Easements for the installation, maintenance, repair and replacement of sewer, water, telephone, electrical and other utility lines and facilities are hereby reserved and declared within the strip of land ten feet wide immediately inside the boundary of each lot and tract and within the right of way of each of the subdivision roads.

10. As used herein, words in the singular include the plural and vice-versa.

11. Invalidation of any one of these restrictive covenants or any part thereof by any court having jurisdiction shall not affect the validity of the other restrictive covenants, which shall remain in full force and effect.

IN TESTIMONY WHEREOF, the parties have hereunto set their hands and seals, this the day and year first above written.

Patricia A. Tuscany (SEAL)  
Patricia A. Tuscany  
(print or type name)

\_\_\_\_\_  
(SEAL)  
\_\_\_\_\_  
(print or type name)

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(SEAL)  
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(SEAL)  
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(print or type name)

STATE OF North Carolina  
COUNTY OF Macon

I, Tannie M. Runaldue, a Notary Public, do hereby certify that Patricia A. Tuscany, NIA, NIA, personally appeared before me and acknowledged the due execution by them of the foregoing and attached instrument for the purposes therein expressed.

WITNESS my hand and Notarial Seal, this the 29<sup>th</sup> day of September, 1999.



Tannie M. Runaldue  
Notary Public  
My commission expires: 4-30-2003

STATE OF NORTH CAROLINA  
COUNTY OF MACON  
Each of the foregoing certificate, or certificates, namely of Tannie M. Runaldue  
a Notary or Notaries Public of the County and state designated is certified to be correct and filed for registration on the 29<sup>th</sup> day of September, 1999 in book 6-23  
at page 184-185 at 2:45 o'clock A. M.  
JANET ROBERSON, REGISTER OF DEEDS  
BY Ruth Rodgers  
DEPUTY / ASSISTANT