

NORTH CAROLINA

WAKE COUNTY

Property of Hershell Ray Ball, Jr.
and wife, Ellen Kay Ball and
Joan Herre Byers
Book of Maps 1978, Page 95

KNOW ALL MEN, by these presents that Hershell Ray Ball, Jr. and wife, Ellen Kay Ball and Joan Herre Byers as owners, being all of the persons owning or having any interest in those lands located in Buckhorn Township, Wake County, North Carolina, designated as Property of Hershell Ray Ball, Jr. and wife, Ellen Kay Ball, in accordance with survey of Bass, Nixon & Kennedy, Consulting Engineers, and recorded in Book of Maps 1978, Page 95, Wake County Registry, that said tracts are subjected to the following restrictions as to the use thereof, running with said properties by whomsoever, to wit:

1. All tracts shall be used for residential or agricultural purposes only. No part of said property shall be used for business or manufacturing purposes. There is specifically excluded from this provision any drilling or exploration for oil or gas which is provided for in that certain lease to Chevron Oil Company recorded in Book 2275, Page 686, Wake County Registry for the term of said lease only.
2. No noxious or offensive activity shall be carried on or permitted, nor shall anything be done thereon which may be or become an annoyance or a nuisance to the neighborhood or other owners property.
3. No structure of a temporary character, trailer, tent or shack shall be used upon the land at any time as a residence, either temporarily or permanently; provided, however, a trailer or mobile home may be used as a dwelling while a permanent residence is being constructed, provided further that the time shall not exceed 18 months.
4. The above referred to recorded map reflects a 60-foot access easement for ingress and egress purposes from these tracts to State Road 1142 and there is to be recorded in the Wake County Registry a Private Road Agreement between Hershell Ray Ball, Jr. and wife, and others, to which all purchasers shall take subject, wherein provision is made for joint maintenance of said access easement, and to which this property shall further be found and covenanted.
5. Enforcement of these covenants shall be by proceedings at law against any person violating or attempting to violate any covenant, and such action may be wither to restrain a violation or to recover damages.
6. These covenants are to run with the land and shall be binding on all parties claiming under them for a period of twenty-five years from the date of recording, after which time said covenants shall be

...ly extended for successive periods of ten years, unless instrument signed by a majority of the then owners of tracts been recorded agreeing to change said covenants in whole or in part.

IN TESTIMONY WHEREOF, the parties have hereunto set their hands and seals on this the 28th day of FEBRUARY, 1978.

Hershell Ray Ball, Jr.
Hershell Ray Ball, Jr.

Ellen Kay Ball
Ellen Kay Ball

Joan Herre Byers
Joan Herre Byers

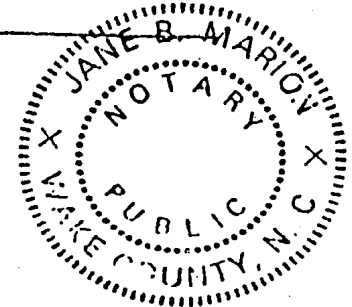
NORTH CAROLINA
WAKE COUNTY

I, the undersigned Notary Public, do hereby certify that Hershell Ray Ball, Jr. and wife, Ellen Kay Ball personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal this 27th day of February, 1978.

Jane B. Marion
Notary Public

My Commission Expires: 3-11-81



NORTH CAROLINA
WAKE COUNTY

I, the undersigned Notary Public, do hereby certify that Joan Herre Byers personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal this 28th day of February, 1978.

Jane B. Marion
Notary Public

My Commission Expires: 3-11-81

