

PROTECTIVE COVENANTS - THE DOWNS
formerly Kingswood East, Chapel Hill

TRIANGLE TOWNSHIP
Durham County, N. C.

MAY 1972

Lots 1, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, as recorded in Book of Maps 67, Page 84, Durham County Registry and known as Kingswood East as per map and survey by Smith and Smith, Surveyors, Apex, North Carolina dated April, 1971.

The intent of these covenants is to assure that all of the property owners and residents in this planned area will have maximum privacy, be able to utilize the land efficiently, and will be allowed to enjoy to the fullest the natural beauty of the countryside.

1. A building area or unit is defined as an area of land not less than two acres.
2. No building unit shall be used except for residential purposes. No structure shall be erected or allowed to remain on any building unit except one detached single family dwelling not exceeding two and one-half stories in height, which may be used and occupied as a residence for a single family, together with an apartment to be occupied by members of the same family, or domestic servants. There may also be located upon said building unit a private garage which may include quarters for servants of the occupants of dwelling and for storage facilities.
3. No building shall be located on any building unit which has a ground floor area of the main structure, exclusive of open porches and garages, of less than 1600± square feet for a dwelling of less than one story, and 1000 square feet on first floor for a dwelling of more than one story.
4. No building shall be located nearer than 75 feet to the front line, or nearer than 75 feet to a side street line. No building shall be located nearer than 50 feet to an interior lot line. For the purpose of this covenant eaves, steps, and open porches shall not be considered as a part of the building, provided, however, that this shall not be construed to permit any portion of a building on a building unit to encroach upon another building unit.
5. No obnoxious or offensive activity shall be carried on upon any building unit, nor shall anything be done thereon which may be or become any annoyance to the neighborhood.

682 6. No animals, livestock, or poultry--except horses, ponies, and household pets--shall be raised, bred, or kept on any building unit.

7. No structure for the keeping of animals shall be constructed on any unit of less than four acres and any out building shall be located at least 200 feet from right-of-way line of the public street or road and 100 feet from an adjacent property line. No out building shall be located between the dwelling and the street or public road.

8. No structure of a temporary character, trailer, basement, tent, shack, garage, barn or other out building shall be used on any building unit at any time as a residence either temporarily or permanently.

9. No building unit shall be used or maintained as a dumping ground for rubbish, and no junk automobiles shall be allowed upon said property. Trash, garbage, or other waste shall not be kept except in sanitary containers.

10. All individual water supply systems, and sewer disposal systems shall be constructed and equipped in accordance with layouts approved by the Durham County Health Department or other agency having jurisdiction.

11. No building shall be constructed or used whereby imitation siding or other inferior materials are visible from the exterior of said structure.

12. Landscaping of areas not used for structures shall be done in a manner to preserve the natural forest or improve on the existing natural beauty, and prevent soil erosion. Only areas for lawns, gardens, pools, and play yards shall be cleared.

13. An easement is reserved over 10' along the property side lines and front lines for utility installation and maintenance or for drainage purposes.

These restrictions or any changes herein, made as herein provided, are to run with the land and shall be binding on all parties and persons claiming under them until January 1, 2029, A.D., at which time the said covenants and restrictions shall terminate. However, the restrictions herein contained may be extended in whole or in part for any definite additional period of time by a written declaration of the owners of two thirds of the lots within the area restricted hereby, and provided such declaration is recorded in the Office of the Register of Deeds for Durham County, North Carolina, within six months prior to January 1, 2020, A. D.

Enforcement shall be by proceedings at law or in equity against any persons violating or attempting to violate any covenants either to restrain violation or to recover damages.

Invalidation of any one of these covenants by judgment or court order shall in no way affect any of the other provisions which shall remain in full force and effect.

J. D. Powell (SEAL)
J. D. Powell

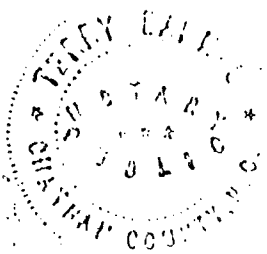
Mabel M. Powell (SEAL)
Mabel M. Powell

STATE OF NORTH CAROLINA, Chatham County

I, Jerry Barnes do hereby certify that J. D. Powell and Mabel M. Powell, his wife, personally appeared before me this day and acknowledged the due execution of the annexed instrument. Let the instrument with this certificate be registered.

This the 2nd day of June, A.D., 1972

Jerry Barnes (SEAL)
my commission expires 1-7-77



NORTH CAROLINA - DURHAM COUNTY

I, Jerry Barnes
Public, of Chatham Co. attested
My notarial seal is Certified to be correct. Let this
instrument with all certificates be registered.

WITNESS my hand this 30 day of June 1972
Mildred D. Brait
Register of Deeds

FILED
BOOK 390 PAGE 684

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A. J. GRESHAM
REGISTER OF DEEDS
DURHAM COUNTY, N. C.