

2009000320 00076

FORSYTH CO, NC FEE \$17.00

PRESENTED & RECORDED:

01-06-2009 02:59 PM

C. NORMAN HOLLEMAN

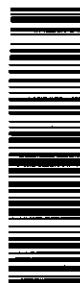
REGISTER OF DEEDS

BY: BETTY C CAMPBELL

DPTY

BK: RE 2867

PG: 3943-3944



Prepared by/return to: Brant H. Godfrey (Box 90)

NORTH CAROLINA)
)
FORSYTH COUNTY)

**DECLARATION OF RESTRICTIVE
COVENANT FOR
TAX BLOCK 4609, LOT 3B
DEED BOOK 2722, PAGE 2283**

KNOW ALL MEN BY THESE PRESENTS: Whereas WESTVIEW DEVELOPMENT COMPANY, a North Carolina Corporation having its principal office in Forsyth County, North Carolina (hereinafter "Declarant"), is the owner of certain real property as described in Deed Book 2722, page 2283, Forsyth County Registry, and informally known as Tax Block 4609, Lot 3B, Forsyth County Tax Maps as presently constituted, and whereas Declarant desires to impose certain restrictions and conditions upon present and future owners of said real property;

NOW, THEREFORE, Declarant hereby covenants and agrees, for itself and its successors and assigns, with all persons, firms, corporations, or other parties hereafter acquiring title to any portion of said real property which adjoins Elizabeth Butner Foster (Deed Book 1865, page 3152, Forsyth County Registry) and/or Lissara Partners, LLC (Deed Book 2225, page 1504, Forsyth County Registry), both now or formerly, that such portion of the said real property is hereby subjected to the following restriction, said restriction to be appurtenant to and to run with such portion of said real property, by whomsoever owned:

No residential structure shall be placed upon the above-described property at an elevation lower than seven hundred seventy-four feet (774').

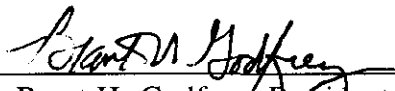
The foregoing restriction shall remain in full force and effect until January 1, 2038, at which time said restriction shall be automatically extended for successive periods of ten (10) years.

If any owner of such portion of said real property adjoining the properties of Foster and/or Lissara Partners, LLC, both now or formerly, subject to this Declaration or their heirs, assigns, or successors in title, shall violate or attempt to violate the restriction herein, it shall be lawful for any other person, persons, firms or corporations owning any portion of said real property referenced herein and more fully described in Deed Book 2722, page 2283, Forsyth County Registry, or the North Carolina Department of Environment and Natural Resources (NCDENR), or its designee, to prosecute any proceeding at law or in equity against the person or

persons, firms and corporations, violating or attempting to violate any such restriction, and either prevent him or them from so doing or to recover damages for such violations.

IN WITNESS WHEREOF, Westview Development Company has caused this instrument to be signed in its corporate name by its duly authorized officer by authority of its Board of Directors, this 19th day of December, 2008.

WESTVIEW DEVELOPMENT COMPANY

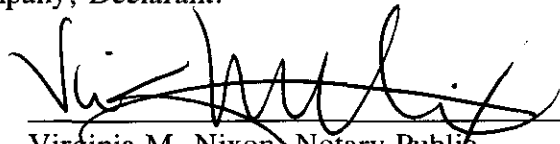
By: 
Brant H. Godfrey, President

NORTH CAROLINA - FORSYTH COUNTY

I certify that the following person personally appeared before me this day, that I have personal knowledge of the identity of said person, and that he acknowledged to me that he signed the foregoing document: Brant H. Godfrey, President, Westview Development Company, Declarant.

Date: 12/19/08

[Stamp or Seal]


Virginia M. Nixon, Notary Public
My Commission expires 6/28/2012

