



2010030721 00038

FORSYTH CO, NC FEE \$23.00

PRESENTED &amp; RECORDED:

08-17-2010 10:25:00 AM

C. NORMAN HOLLEMAN

REGISTER OF DEEDS

BY: PATSY RUTH DAVIS

DPTV

BK: RE 2959

PG: 1904-1907

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

NORTH CAROLINA     )  
                                  )  
FORSYTH COUNTY     )

**DECLARATION OF RESTRICTIVE  
COVENANTS FOR  
TAX BLOCK 4609, LOT 3B**

**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 shown on the survey map entitled "Lissara On-Site and Off-Site Stream Preservation Buffers" dated January 22, 2008 by Coe Forestry and Surveying, more particularly described in Exhibit "A" attached hereto and by this reference incorporated herein, 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 part of said real property, that all of the said real property is hereby subjected to the following restrictions and conditions as to the use thereof, said conditions and restrictions to be appurtenant to and to run with said real property, by whomsoever owned.

The areas shown on the above-referenced survey of Tax Block 4609, Lot 3B are designated as stream preservation buffers and shall be maintained in perpetuity in their natural or mitigated condition. No person or entity shall perform any of the following activities within such stream preservation buffers:


- a. fill, grade, excavate or perform any other land disturbing activities other than as heretofore agreed to ("excepted area") by the U. S. Army Corps of Engineers, and which agreed to work may be repaired or replaced but not expanded as to size or use
- b. cut, mow, burn, remove, or harm any vegetation
- c. construct or place any roads, trails, walkways, buildings, mobile homes, signs, utility poles or towers, or any other permanent or temporary structures other than as heretofore agreed to ("excepted area") by the U. S. Army Corps of Engineers, and which agreed to work may be repaired or replaced but not expanded as to size or use
- d. drain or otherwise disrupt or alter the hydrology or drainage ways of the stream preservation buffer

- e. dump or store soil, trash, or other waste
- f. graze or water animals, or use for any agricultural or horticultural purpose
- g. except that one (1) driveway crossing shall be allowed within the length of "Stream Preservation Buffer A" for a maximum of seventy-five (75) feet at a location to be determined upon construction of a single-family residence on a future lot

This covenant is intended to ensure continued compliance with the mitigation condition of a Clean Water Act authorization issued by the United States of America, U.S. Army Corps of Engineers, Wilmington District, Action ID #200520968, and therefore may be enforced by the United States of America. This covenant is to run with the land, and shall be binding on the Owner, and all parties claiming under it.

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 16 day of AUGUST, 2010.

WESTVIEW DEVELOPMENT COMPANY

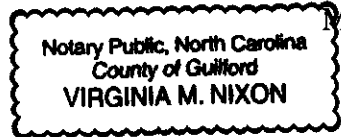
By:   
Brant H. Godfrey, President

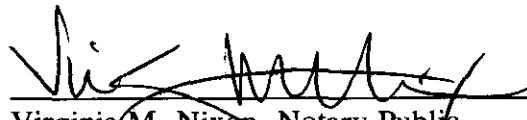
NORTH CAROLINA - FORSYTH COUNTY

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: 8/16/10

[Stamp or Seal]



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

**EXHIBIT "A"**

The following descriptions are the centerlines of stream preservation buffers extending a width of one-hundred (100) feet.

**BUFFER A:** BEGINNING at a point, said point being the centerline of a stream in the south line of Westview Development Company (Deed Book 2722, Page 2283, Forsyth County Registry) and the north line of Lissara Partners, LLC (Deed Book 2805, Page 4368, Forsyth County Registry), said point being South 85° 41' 50" East 376.47 feet from the northwestern corner of Lissara Partners, LLC (Deed Book 2805, Page 4368, Forsyth County Registry) and running thence from said Beginning point the following courses and distances: North 18° 43' 37" East 8.92 feet; North 88° 12' 48" East 18.01 feet; North 58° 01' 40" East 34.14 feet; North 5° 10' 57" West 14.82 feet; North 46° 49' 12" East 21.83 feet; North 20° 23' 38" East 39.48 feet; North 12° 56' 36" West 21.17 feet; North 36° 31' 54" East 20.36 feet; North 14° 53' 49" West 10.40 feet; North 27° 42' 15" East 17.38 feet; North 2° 03' 17" East 19.17 feet; North 13° 26' 12" East 20.32 feet; North 54° 24' 04" East 41.50 feet; North 5° 08' 30" East 30.06 feet; North 51° 06' 19" East 28.59 feet; North 88° 59' 14" East 12.39 feet; North 47° 15' 14" East 34.41 feet; North 79° 18' 56" East 14.21 feet; North 35° 19' 16" East 40.66 feet; North 65° 16' 05" East 18.27 feet; North 17° 56' 18" East 52.69 feet; North 85° 45' 35" East 19.91 feet; North 23° 19' 01" East 89.27 feet; North 30° 51' 49" East 38.71 feet; North 35° 00' 08" East 16.55 feet; North 7° 24' 44" East 36.03 feet; North 19° 50' 08" West 14.67 feet; North 21° 13' 51" East 20.25 feet; North 58° 01' 55" East 28.13 feet; North 33° 27' 50" East 50.84 feet; North 64° 59' 13" East 38.96 feet; North 34° 41' 45" East 27.70 feet; North 9° 46' 59" West 32.34 feet; North 11° 49' 44" East 42.24 feet; North 31° 50' 42" East 16.83 feet; North 9° 34' 48" East 63.07 feet; North 33° 41' 16" East 21.84 feet; North 49° 03' 13" East 30.12 feet; North 74° 16' 01" East 11.56 feet; North 53° 30' 18" East 16.07 feet; North 73° 32' 52" East 16.27 feet to a point.

**BUFFER H:** BEGINNING at a point, said point being the centerline of a stream in the south line of Westview Development Company (Deed Book 2722, Page 2283, Forsyth County Registry) and being North 85° 38' 40" West 422.10 feet from the northwestern corner of Lissara Partners, LLC (Deed Book 2805, Page 4368, Forsyth County Registry) and running thence from said Beginning point the following courses and distances: North 41° 14' 30" East 13.17 feet; North 7° 35' 07" East 25.67 feet; North 31° 19' 53" West 25.00 feet; North 7° 20' 51" East 18.35 feet; North 84° 46' 27" West 30.82 feet; North 61° 54' 32" West 17.07 feet; North 2° 18' 05" West 38.90 feet; North 19°-38'-34" West 19.41 feet; North 66° 07' 01" East 30.62 feet; North 39° 01' 11" East 36.23 feet; North 8° 03' 34" West 36.15 feet; North 6° 22' 06" West 33.10 feet; North 72° 18' 03" East 11.84 feet; North 36° 10' 42" East 29.42 feet; North 20° 07' 19" East 34.97 feet; North 5° 40' 43" West 39.16 feet; North 12° 18' 15" West 27.89 feet; North 8° 45' 01" East 33.56 feet; North 35° 19' 29" East 37.53 feet; North 45° 00' 51" East 50.53 feet to a point.

**This map is not a certified survey and has not been reviewed by a local government agency for compliance with any applicable land development regulations.**

