

2005045533 00086

FORSYTH CO, NC FEE \$20.00

PRESENTED & RECORDED:

07-15-2005 10:37 AM

DICKIE C WOOD

REGISTER OF DEEDS

By: SHANNON BOSTIC-GRIFFITH DPTY

BK: RE 2582

PG: 3983-3985

ENVELOPE

DRAFTED BY: T. DAN WOMBLE

**DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR THE CHASE AT KINGSTREE
PHASE II, SECTION 1**

THIS DECLARATION made on the date hereinafter set forth by HOMESTEAD-RICLIN/KINGSTREE, LLC hereinafter referred to as the "Declarant", for itself, its successors, grantees and assigns:

W I T N E S S E T H

WHEREAS, the Declarant is the owner of certain real property in Forsyth County, North Carolina, more particularly described as:

All of that certain parcel of land as shown on a plat entitled THE CHASE AT KINGSTREE, Phase II, Section 1, as recorded in Plat Book 47, Page 173, and revised in Plat Book 47, Page 194, in the Office of the Register of Deeds of Forsyth County, North Carolina, reference to which is hereby made for a more particular description. Further, that property described in Exhibit "A" attached hereto, said property being all of Phase II as now recorded and all future sections of Phase II.

Exhibit not attached when presented for recordation

AND WHEREAS, the Declarant will convey said properties, subject to certain protective covenants, conditions, restrictions, reservations, liens and charges as set forth in that certain document entitled, "DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE CHASE AT KINGSTREE" recorded in Deed Book 2105, Page 1174, Forsyth County Registry, which said document and the contents thereof is incorporated herein by reference and made a part hereof as fully as though the same were set out in its entirety. The foregoing notwithstanding, the Declarant reserves the right to amend any portion of the Restrictive Covenants as the same relates to the subject property, the right to amend being reserved in the original restrictions. The Declarant reserves all

easements shown on the recorded plat and the right to exercise architectural control as the same is set out in Article V of the original restrictions. Further the Declarant substitutes for Article VI, Paragraph 2 of the original restrictions the following new Article VI, Paragraph 2 to be applicable only to property referenced hereinabove and described in Exhibit "A" attached hereto, said property being all of Phase II, Section 1, and all future sections of Phase II:

2. No single family dwelling shall be built, erected, altered or used unless it shall contain at least the minimum number of square feet set forth below of heated and finished floor space, measured from outside wall lines, for the main body of the structure, exclusive of porches, garages, terraces and basements:

a. 1200 square feet, if the structure is a one-story dwelling;

b. 1500 square feet with a minimum of 750 square feet on the first(main entry level) floor, if the structure is a two story dwelling; and

c. 1400 square feet with a minimum of 1000 square feet on the main level, if the structure is a split foyer, split level or a one and one-half(1 ½)story dwelling.

NOW, THEREFORE, the Declarant hereby declares that all of the property described above shall be held, sold and conveyed as set forth in the said "DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE CHASE AT KINGSTREE" recorded in Deed Book 2105, Page 1174, Forsyth County Registry, subject to the changes set forth above, which as above stated is incorporated herein by reference for the purpose of enhancing and protecting the value, desirability and attractiveness of the real property. The said easements, covenants, conditions and restrictions shall run with the real property and shall be binding on all parties having and acquiring any right, title or interest in the described properties or any part thereof, and shall inure to the benefit of each owner thereof.

IN TESTIMONY WHEREOF, the parties hereto have hereunto set their hands and seals, this the 31st day of JANUARY, 2005.

Homestead-Riclin/Kingstree, LLC

By: Richard A. Riclin (SEAL)
Member/Manager

STATE OF NORTH CAROLINA
FORSYTH COUNTY

I, Sharon Moser, a Notary Public of said County and State hereby certify that Richard A. Dehart, Member/Manager OF HOMESTEAD-RICLIN/KINGSTREE, LLC personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this 31 day of January, 2005.

My commission expires:

3-22-09

Sharon Moser
NOTARY PUBLIC



Official Seal
Sharon Moser
Notary Public - North Carolina
Forsyth County
My Commission Expires
3-22-09

STATE OF NC - FORSYTH CO

The foregoing certificate(s) of:

Sharon Moser NP(s)
is certified to be correct at the date of recordation shown on the first page thereof,
Dickie C. Wood, Register of Deeds by: [Signature] Deputy Asst.