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Orange County North Carolina
Mark Chilton, Register of Deeds
BK **6643** PG **2048 - 2059 (12)**

Anna Wood

FOR MULTIPLE PIN SHEET

SEE BOOK 6643 PAGE 2047

DECLARATION OF RESTRICTIVE COVENANTS

Prepared by: D. Michael Parker, P.O. Box 100, Hillsborough, NC 27278
Return to: Glen H. Tellefsen, 1209 Indian Trail, Raleigh, NC 27609

PIN NUMBERS: 9888-18-6463; 9888-28-2424; 9888-38-1408; 9888-38-5259; 9888-38-1408; 9888-48-7113; 9888-39-1576; 9888-39-7466 and 9888-49-5322

48-1148
NORTH CAROLINA

ORANGE COUNTY

DT THIS DECLARATION OF RESTRICTIVE COVENANTS, made this 11th of February, 2019, by **GLEN H. TELLEFSEN** and **COURTNEY TELLEFSEN**, a married couple, **JOHN U. TATE** and **JENNIFER TATE**, a married couple; **NANCY E. HIGHT**, a single person; **BRENDAN T. KIRWAN** and **HANNAH B. KIRWAN**, a married couple and **CHARLES E. BOATRIGHT** and **PAMELA L. BOATRIGHT**, a married couple, and **THOMAS D. MOORE** and **JUDITH E. MOORE**, a married couple, and **TIMOTHY M. PRIDGEN** and **STEFANIE J. PRIDGEN**, a married couple; (hereinafter collectively called "Declarants");

WITNESSETH:

THAT, WHEREAS, Glen H. Tellefsen and John U. Tate are the owners of the tract or parcel of land located in Little River Township, Orange County, North Carolina, containing 10.01 acres, more or less, and designated as Tract 8 as shown on the plat of survey recorded in Plat Book 121, page 29 of the Orange County Registry and to which plat reference is hereby made for a more particular description of the same (**PIN #9888-18-6463**);

AND, WHEREAS, Glen H. Tellefsen and John U. Tate are also the owners of the tract or parcel of land located in Little River Township, Orange County, North Carolina,

containing 23.29 acres, more or less, and designated as Tract 6 as shown on the plat of survey recorded in Plat Book 121, page 29 of the Orange County Registry and to which plat reference is hereby made for a more particular description of the same **(PIN #9888-28-2424)**;

AND, WHEREAS, Timothy M. Pridgen and Stefanie J. Pridgen, are the owners of a tract or parcel of land located in Little River Township, Orange County, North Carolina, designated as Lot 4, containing 10.005 acres, more or less, as shown on the plat of survey recorded in Plat Book 120, page 20 of the Orange County Registry and to which plat reference is hereby made for a more particular description of the same **(PIN #9888-38-1408)**;

AND, WHEREAS, Glen H. Tellefsen and John U. Tate are also the owners of the tract or parcel of land located in Little River Township, Orange County, North Carolina, containing 14.90 acres, more or less, and designated as Lot 3 as shown on the plat of survey recorded in Plat Book 120, page 61 of the Orange County Registry and to which plat reference is hereby made for a more particular description of the same **(PIN #9888-38-5259)**;

AND, WHEREAS, Thomas D. Moore and Judith E. Moore, are the owners of a tract or parcel of land located in Little River Township, Orange County, North Carolina, designated as Lot 2, containing 13.00 acres, more or less, as shown on the plat of survey recorded in Plat Book 120, page 61 of the Orange County Registry and to which plat reference is hereby made for a more particular description of the same **(PIN #9888-48-1148)**;


AND, WHEREAS, Nancy E. Hight is the owner of a tract or parcel of land located in Little River Township, Orange County, North Carolina, designated as Tract 1, containing 10.30 acres, more or less, as shown on the plat of survey recorded in Plat Book 118, page 26 of the Orange County Registry and to which plat reference is hereby made for a more particular description of the same **(PIN #9888-48-7113)**;

AND, WHEREAS, Brendan T. Kirwan and Hannah B. Kirwan, are the owners of a tract or parcel of land located in Little River Township, Orange County, North Carolina, designated as Lot 12-R containing 20.010 acres, more or less, as shown on the plat of survey recorded in Plat Book 119, page 159 of the Orange County Registry and to which plat reference is hereby made for a more particular description of the same **(PIN #9888-39-1576)**;

AND, WHEREAS, Charles E. Boatright and Pamela L. Boatright, are the owners of a tract or parcel of land located in Little River Township, Orange County, North Carolina, designated as Lot 14, containing 10.005 acres, more or less, as shown on the plat of survey recorded in Plat Book 119, page 159 of the Orange County Registry and to which plat reference is hereby made for a more particular description of the same **(PIN #9888-39-7466)**;

AND, WHEREAS, Glen H. Tellefsen and John U. Tate are also the owners of the tract or parcel of land located in Little River Township, Orange County, North Carolina, containing 36.01 acres, more or less, and identified on the Orange County Land Records as PIN #9888-49-5322, and being that remaining parcel of the land shown on Plat book 83, page 127, Orange County Registry after the subdivision of the various tracts and lots hereinabove described and excepting the parcels designated as Lot 5, containing 10.003 acres, more or less, and Tract 9-R, containing 62.00 acres, more or less, Plat Book 121, page

29 of the Orange County Registry and to which plat reference is hereby made for a more particular description of the same (~~PIN #9888-08-7968~~);

(PIN# 9888-08-7988) 
 AND, WHEREAS, the Declarants desire to establish a general scheme of development for said property in order to protect all future owners of all lots that may be subdivided from any of the above described lands from potentially undesirable habits and practices on the part of all future owners of said lots;

AND, WHEREAS, these restrictions, provisions and covenants shall inure to the benefit of and pass and run with said property, and each and every lot or parcel that may hereafter be subdivided therefrom, and shall apply to and bind the heirs, successors and assigns of the Declarants in perpetuity except by amendment hereof as set forth herein;

NOW, THEREFORE, for the purposes set forth above, the Declarants hereby declare that the real property described in and referred to in Article I hereof is and shall be held, transferred, sold and conveyed subject; to the protective covenants, restrictions and provisions set forth below.

ARTICLE I

The real property which is and transferred, sold and conveyed subject to covenants, restrictions and provisions set various articles of this declaration is located in Little River Township, Orange County, North Carolina particularly described as follows:

Those tracts or parcels of land located in Little River Township, Orange County, North Carolina, and described as follows:

1. Tract 8 as shown on the plat of survey recorded in Plat Book 121, page 29 of the Orange County Registry and to which plat reference is hereby made for a more particular description of the same (PIN #9888-18-6463);
2. Tract 6 as shown on the plat of survey recorded in Plat Book 121, page 29 of the Orange County Registry and to which plat reference is hereby made for a more particular description of the same (PIN #9888-28-2424);
3. Lot 4, containing 10.005 acres, more or less, as shown on the plat of survey recorded in Plat Book 120, page 20 of the Orange County Registry and to which plat reference is hereby made for a more particular description of the same (PIN #9888-38-1408);
4. Lot 3 as shown on the plat of survey recorded in Plat Book 120, page 61 of the Orange County Registry and to which plat reference is hereby made for a more particular description of the same (PIN #9888-38-5259);

5. Lot 2, containing 13.00 acres, more or less, as shown on the plat of survey recorded in Plat Book 120, page 61 of the Orange County Registry and to which plat reference is hereby made for a more particular description of the same **(PIN #9888-48-1148)**;
6. Tract 1, containing 10.30 acres, more or less, as shown on the plat of survey recorded in Plat Book 118, page 26 of the Orange County Registry and to which plat reference is hereby made for a more particular description of the same **(PIN #9888-48-7113)**;
7. Lot 12-R containing 20.010 acres, more or less, as shown on the plat of survey recorded in Plat Book 119, page 159 of the Orange County Registry and to which plat reference is hereby made for a more particular description of the same **(PIN #9888-39-1576)**;
8. Lot 14, containing 10.005 acres, more or less, as shown on the plat of survey recorded in Plat Book 119, page 159 of the Orange County Registry and to which plat reference is hereby made for a more particular description of the same **(PIN #9888-39-7466)**;
9. The tract or parcel of land located in Little River Township, Orange County, North Carolina, containing 36.01 acres, more or less, and identified on the Orange County Land Records as PIN #9888-49-5322, and being that remaining parcel of the land shown on Plat book 83, page 127, Orange County Registry after the subdivision of the various tracts and lots hereinabove described and excepting the parcel designated as Lot 5, containing 10.003 acres, more or less, as shown on the plat of survey recorded in Plat Book 120, page 20 of the Orange County Registry **(PIN #9888-49-5322)**

ARTICLE II

1. No mobile homes shall be permitted, single or double wide.
2. No structure of temporary character such as a tent, shack or camper units shall be used as dwelling, either temporarily or permanent.
3. There shall be no commercial raising of animals or fowl. All pens or housing for any domestic animals kept for personal use shall be regularly cleaned. Only one animal of a large species shall be allowed per acre.
4. Trees and natural vegetation within ten feet of all interior common lot lines shall be left undisturbed except as required for access driveway, utilities and ordinary maintenance. This restriction shall not apply to the original perimeter boundary lines of the property shown on the plat of survey recorded in Plat Book 83, page 187 of the Orange County Registry.
5. No junked or disabled automobiles or salvage materials shall be allowed to remain on any lot and all motor vehicles with titles must have a current license and registration.

6. No communications towers shall be allowed except with the prior written approval of Glen H. Tellefsen and John U. Tate.
7. All garbage shall be stored in receptacles which are picked up and disposed of weekly.
8. All building material residue shall be removed from any lot and shall not be allowed to remain on, buried or deposited on any lot or other property within the development so as to maintain a clean, neat, orderly, attractive community.
9. If the owners of the property, or any of them, or their heirs, successors and assigns shall violate or attempt to violate any of the covenants herein, it shall be lawful for any other person or persons owning any real property situated in said development or subdivision to prosecute any proceeding at law or in equity against the persons or person violating or attempting to violate any such covenant and either to prevent him or them from so doing or to recover damages or other dues for such violation. Any and all remedies at law and in equity shall be available to the person or party seeking enforcement including without limitation, restraining order and injunctive relief and monetary damages. These Restrictive Covenants shall be liberally construed in favor of the person or party seeking enforcement. In the event that any owner should seek enforcement of the restriction contained herein, the prevailing party shall be entitled to recover the costs including their reasonable attorney fees and any court costs and other expenses in addition to any other remedy at law or in equity to which they may be entitled. The enforcement rights set forth herein may be exercised by the owners of any of the lots created from the above described property regardless of the plat on which such lots may be shown, it being intent that any owner of any part of the above described property shall have the right of enforcement against any other owner of any of the above described property.
10. These Restrictive Covenants may be amended by the recordation of a written instrument bearing the signatures of the ten record owners of not less than seventy percent (70%) of all the lots created by the subdivision of the property described above. For purposes of determining the number of votes, each lot as designated at the time of the vote by the Orange County Land Records and Tax Office as a separate taxable lot shall be entitled to and counted as a single vote.
11. These covenants shall be appurtenant to and shall run with the title to each of the lots within said subdivision for a period of twenty-five years from the date of these covenants are duly recorded in the Office of the Register of Deeds of Orange County, North Carolina, after which time they shall automatically extend for successive periods of ten (10) years, unless an instrument signed by not less than seventy percent (70%) of the owner of the lots existing at that time has been recorded in said office agreeing to any change in these covenants, in whole or on part.

12. The invalidation of anyone of these covenants by judgment or court order shall in no way affect any of the other restrictions contained herein, which shall remain in full force and affect.

IN TESTIMONY WHEREOF, the Declarants have hereunto set their hands and seals, the day and year first above written.

 (SEAL)
 GLEN H. TELLEFSEN

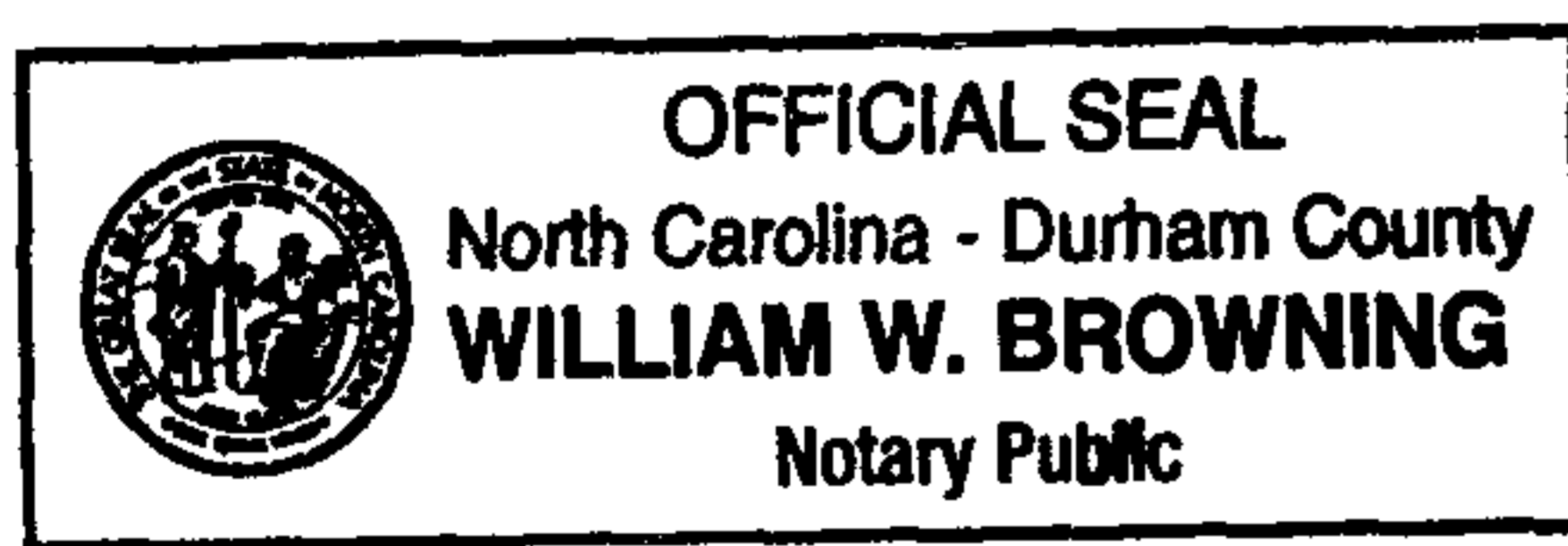
 (SEAL)
 COURTNEY TELLEFSEN

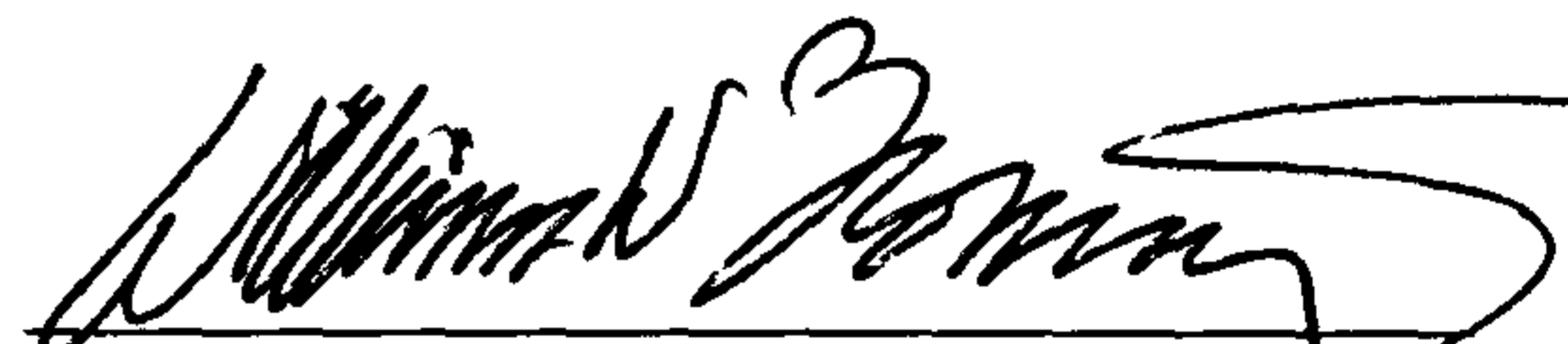
STATE OF NORTH CAROLINA

COUNTY OF DURHAM

I, William W. Browning Notary Public of the aforesaid County and State, do hereby certify that **GLEN H. TELLEFSEN** and wife, **COURTNEY TELLEFSEN**, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal, this the 11th day of February, 2019.




 NOTARY PUBLIC
William W. Browning
 (PRINT OR TYPE NAME OF NOTARY public)

My commission expires: 01/21/22

John U. Tate (SEAL)
JOHN U. TATE

Jennifer Tate (SEAL)
JENNIFER TATE

STATE OF NORTH CAROLINA

COUNTY OF Wake

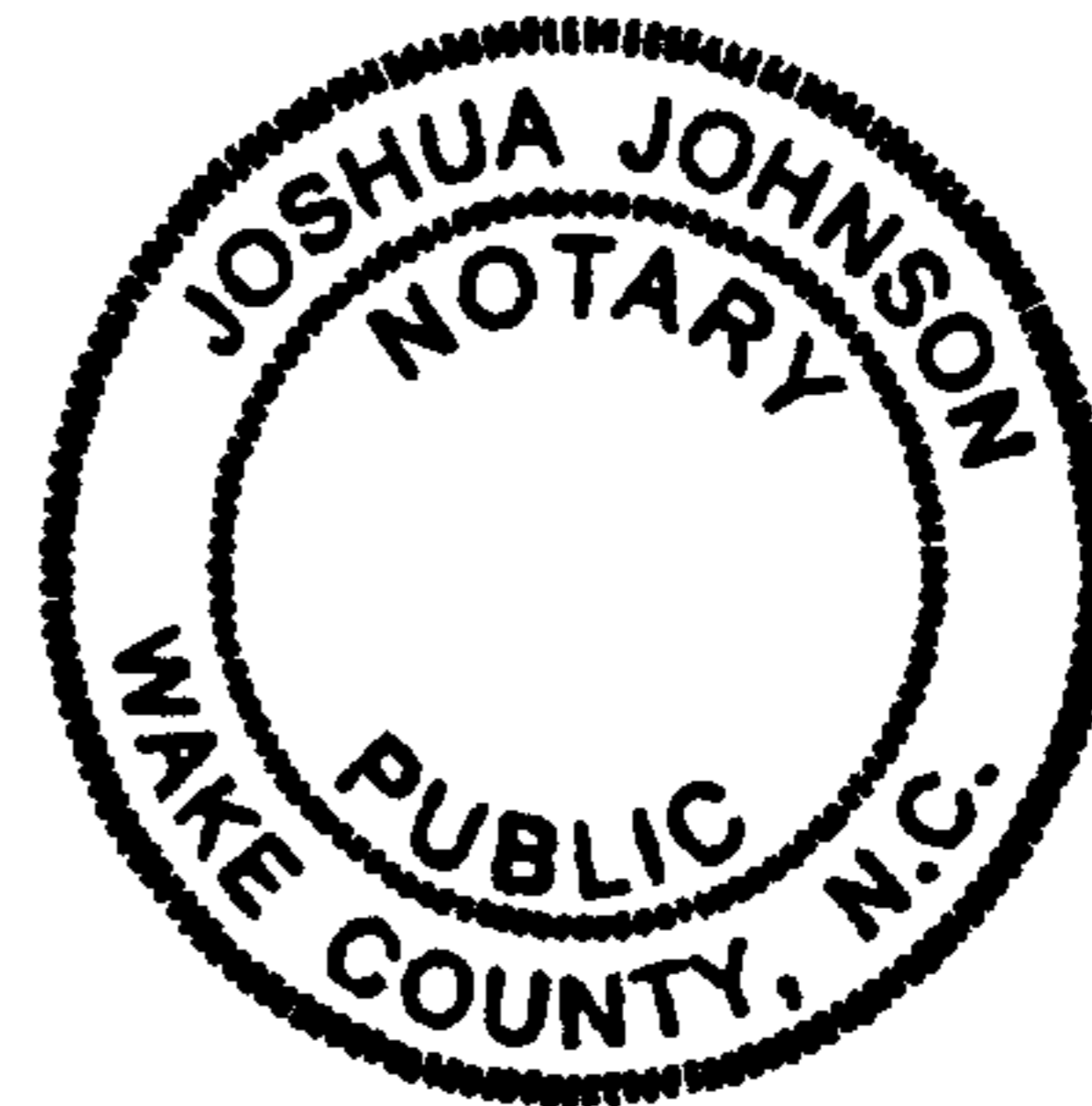
I, Joshua Johnson, Notary Public of the aforesaid County and State, do hereby certify that **JOHN U. TATE** and wife, **JENNIFER TATE**, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal, this the 12 day of February, 2019.

Joshua Johnson
NOTARY PUBLIC

Joshua Johnson
(PRINT OR TYPE NAME OF NOTARY public)

My commission expires: 8-27-20



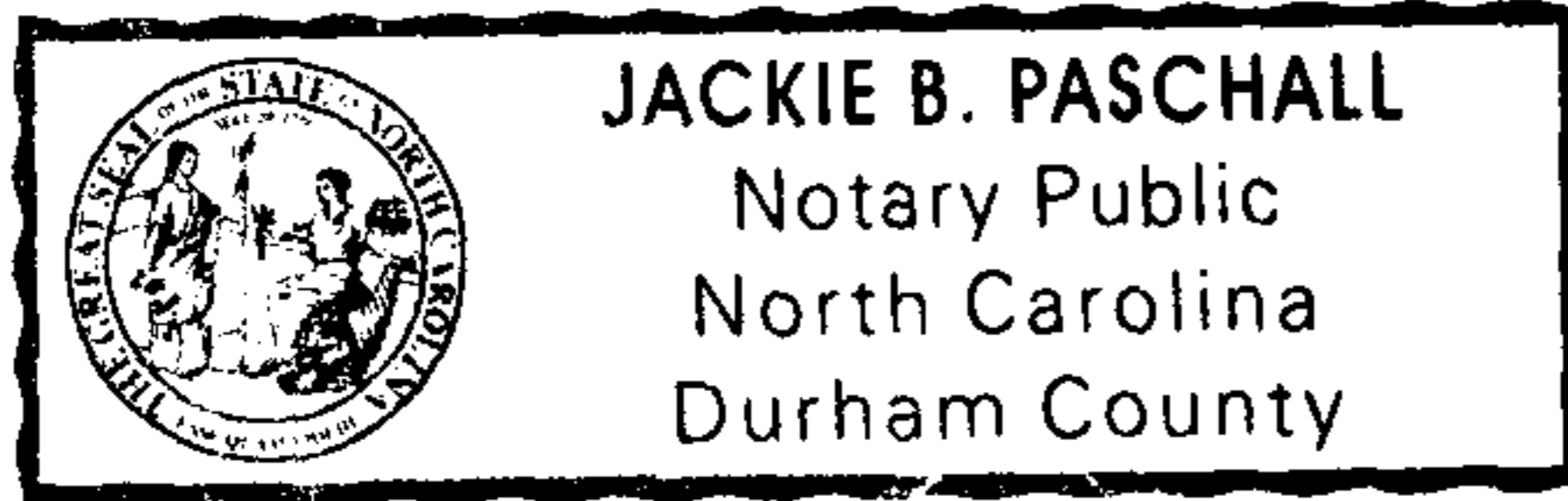
Nancy E. Hight (SEAL)
NANCY E. HIGHT (unmarried)

STATE OF NORTH CAROLINA

COUNTY OF Durham

I, Jackie B Paschall Notary Public of the aforesaid County and State, do hereby certify that **NANCY E. HIGHT (unmarried)**, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal, this the 13 day of February, 2019.



Jackie B Paschall
NOTARY PUBLIC

Jackie B Paschall
(PRINT OR TYPE NAME OF NOTARY public)

My commission expires: 01-04-2023

WORD/Tellefsen Restrictive Covenants

Brendan T. Kirwan (SEAL)
BRENDAN T. KIRWAN

Hannah B. Kirwan (SEAL)
HANNAH B. KIRWAN

STATE OF NORTH CAROLINA

COUNTY OF Durham

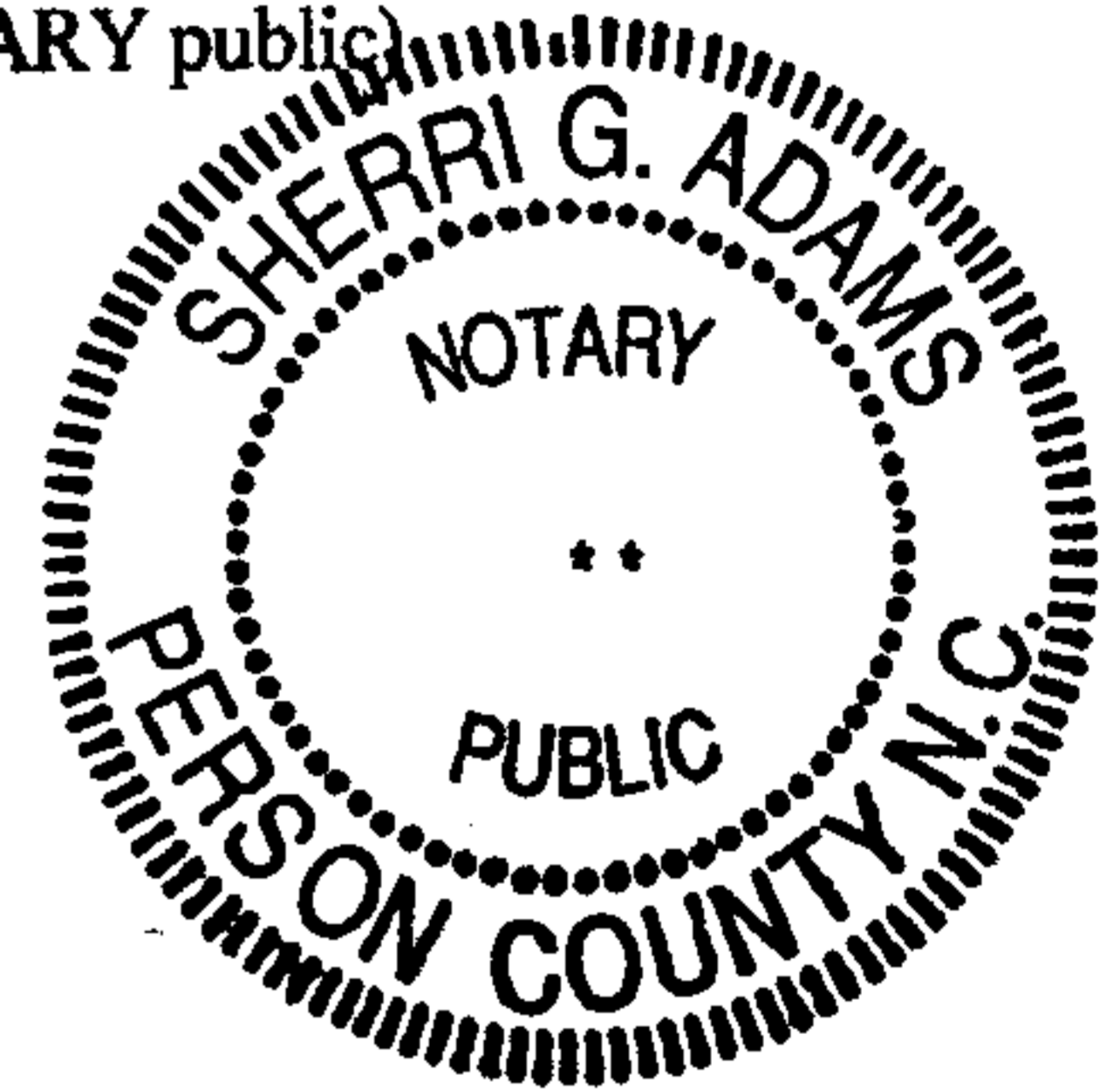
I, Sherrri Adams, Notary Public of the aforesaid County and State, do hereby certify that **BRENDAN T. KIRWAN** and **HANNAH B. KIRWAN** personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal, this the 7th day of August, 2019.

Sherrri G. Adams
NOTARY PUBLIC

Sherrri G. Adams
(PRINT OR TYPE NAME OF NOTARY public)

My commission expires: 12/2/23





CHARLES E. BOATRIGHT




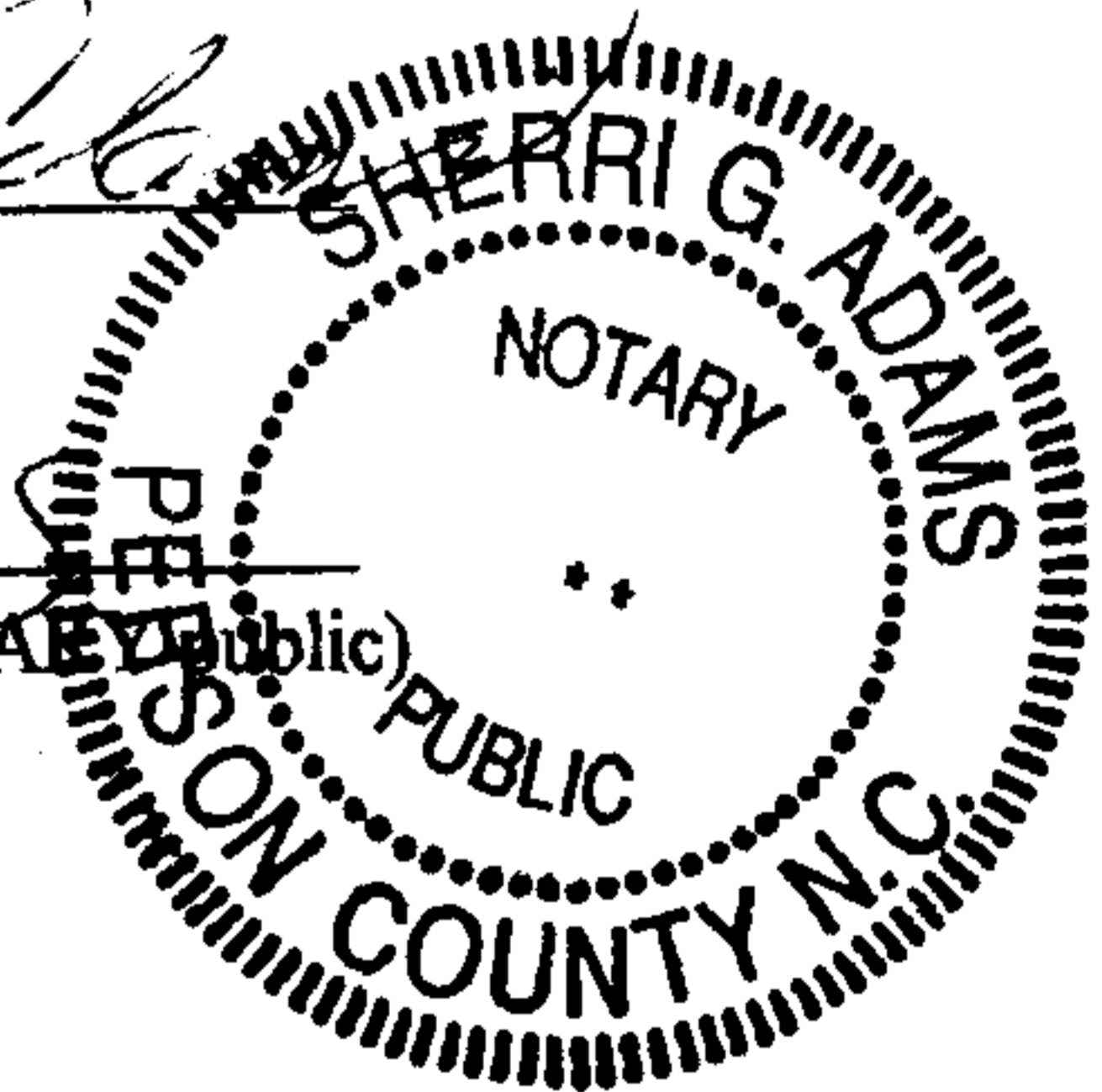
PAMELA L. BOATRIGHT

STATE OF NORTH CAROLINA

COUNTY OF Durham

I, Sherri Adams, Notary Public of the aforesaid County and State,
do hereby certify that **CHARLES E. BOATRIGHT** and **PAMELA L. BOATRIGHT**
personally appeared before me this day and acknowledged the due execution of the
foregoing instrument.

Witness my hand and seal, this the 7th day of August, 2019.


NOTARY PUBLIC
Sherri Adams
(PRINT OR TYPE NAME OF NOTARY PUBLIC)


My commission expires: 12/2/23

Thomas D. Moore (SEAL)
THOMAS D. MOORE

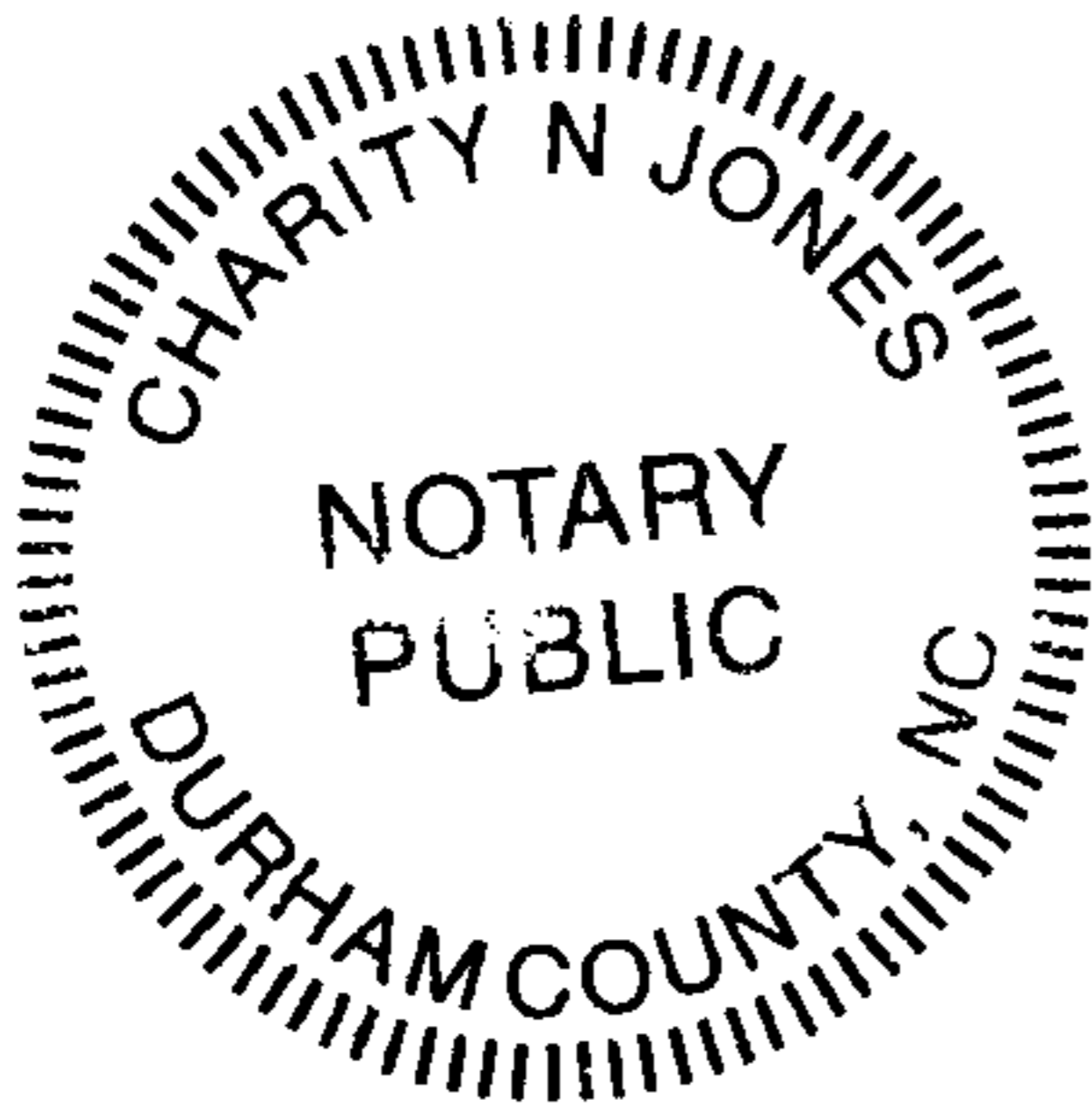
Judith E. Moore (SEAL)
JUDITH E. MOORE

STATE OF NORTH CAROLINA

COUNTY OF Durham

I, Charity N. Jones Notary Public of the aforesaid County and State, do hereby certify that **THOMAS D. MOORE** and wife, **JUDITH E. MOORE**, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal, this the 4th day of September, 2019.



Charity N. Jones
NOTARY PUBLIC

Charity N. Jones
(PRINT OR TYPE NAME OF NOTARY public)

My commission expires: May 30, 2023

Timothy M. Pridgen (SEAL)
TIMOTHY M. PRIDGEN

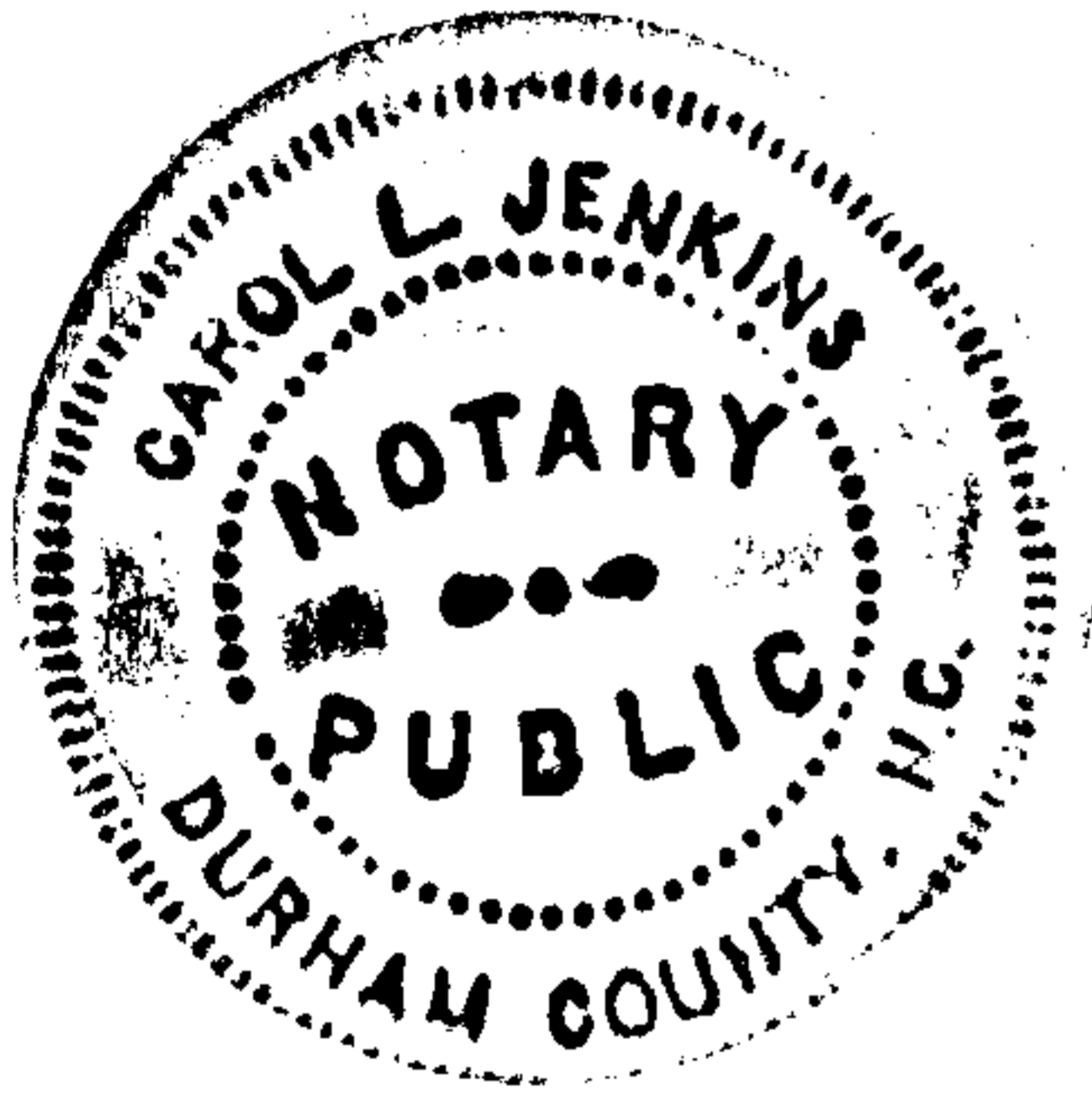
Stefanie J. Pridgen (SEAL)
STEFANIE J. PRIDGEN

STATE OF NORTH CAROLINA

COUNTY OF PERSON

I, CAROL L JENKINS, Notary Public of the aforesaid County and State,
do hereby certify that **TIMOTHY M. PRIDGEN** and **STEFANIE J. PRIDGEN**
personally appeared before me this day and acknowledged the due execution of the
foregoing instrument.

Witness my hand and seal, this the 7TH day of Nov, 2019.



Carol L Jenkins
NOTARY PUBLIC

CAROL L JENKINS
(PRINT OR TYPE NAME OF NOTARY public)

My commission expires: 2/19/2022

WORD/Tellefsen Restrictive Covenants