

STATE OF NORTH CAROLINA

COUNTY OF DAVIDSON

KNOW ALL MEN BY THESE PRESENTS, that 202 Davidson North Carolina 23, LLC, a Virginia limited liability company with its principal place of business in Roanoke, Virginia does hereby covenant and agree to and with all persons, firms or corporations hereafter acquiring any of the property hereinafter described:

Lying and being in Healing Springs Township, Davidson County, North Carolina and being a portion of Tract 1 (Less Deed Book 2610, Page 839) and all of Tract 2 as described in Deed Book 2451, Page 1767 as shown on Boundary survey for 2 Tracts located off Stoney Point Drive and being more particularly described as follows:

Revised Tract 1:

BEGINNING at a 1- 1/2" iron pipe found at the intersection of the property of Sterling C Wall et als (DB 2014. Pg 994), now or formerly, and Sterling C Wall et als (DB 2085, Pg 157), now or formerly, and running thence North 04-15-57 East 1405.62 feet to a 1-1/2" iron pipe found; thence running North 85-06-55 West 466.95 feet to a 1-1/2' iron pipe found; thence running North 04-36-15 East 1037.81 feet to a 1-1/2" iron pipe found; thence running alongside the property of SHK Timberlands of Lexington LLC (DB 2450, Pg 1), now or formerly, and running North 04-23-08 East 907.69 feet to a nail found in stone pile; thence running South 85-14-19 East 1397.60 feet to a 1" iron pipe found; thence running alongside the property of Thomason Development LLC (DB 2610, Pg 839), now or formerly, and running South 85-14-19 East 190.90 feet to a #4 rebar set; thence running South 04-35-32 West 555.47 feet to a calculated point; thence running with a curve to the right with a chord bearing and distance South 10-56-52 West 325.46 feet and with a radius of 1470.00 feet, and arc length of 326.12 feet to a calculated point; thence running South 17-18-12 West 951.00 feet to a calculated point; thence running with a curve to the left with a chord bearing and distance South 01-40-07 East 507.16 feet and with a radius of 780.00 feet and arc length of 516.55 feet to a #4 rebar set; thence running South 46-09-32 West 1387.39 feet to the point of the BEGINNING, and being 85.359 acres, more or less, on a physical survey for USA Land Group by Rogers Land Surveying, Zachery R. Rogers, PLS L-5194 and dated September 29, 2023.

Tract 2:

BEGINNING at a calculated point in a 60' public right-of-way Stoney Point Drive and running North 23-45-42 West 960.46 feet to a calculated point; thence running with a curve to the right with a chord bearing and distance North 03-13-45 West 505.06 feet and with a radius of 720.00 feet and arc length of 516.03 feet to a calculated point; thence running North 17-18-12 East 951.00 feet to a calculated point; thence with a curve to the left with a chord bearing and distance

North 10-56-52 East 338.74 feet and with a radius of 1530.00 feet and arc length of 339.44 feet to a calculated point; thence running North 04-35-32 East 2127.72 feet to a calculated point; thence running North 83-26-38 East 76.62 feet to a calculated point; thence running North 05-25-31 West 30.00 feet to a calculated point; thence running alongside a 100' right- of way of NC HWY 8 (PB48, Pg 98) and running South 88-22-46 East 121.68 feet to a #4 rebar set; thence running alongside the property of James Keith and Gail Ann Hall (DB 2493, Pg 2007), now or formerly, and running South 03-54-01 West 978.96 feet to a 2" flat iron rod found; thence running South 05-36-02 West 207.04 feet to a 1" iron pipe found; thence running South 05-31-44 West 164.75 feet to a 1" iron pipe found; thence running South 05-33-36 West 266.59 feet to a 1" iron pipe found; thence running South 86-09-55 East 259.69 feet to a 1" iron pipe found; thence running North 01-11-51 East 266.66 feet to a 1" iron pipe found; thence running North 01-11-51 East 174.11 feet to a #4 rebar set; thence running alongside Lot 1 (PB 22, Pg 6- DB 798, Pg 1274), and running South 85-50-42 East 98.82 feet to a 1" iron pipe found; thence running South 01-17-56 East 93.04 feet to a #4 rebar found; thence running South 00-38-43 East 12.08 feet to a 1" iron pipe found; thence running South 01-07-39 West 114.37 feet to a 1" iron pipe found; thence running South 00-06-42 West 105.91 feet to a 1" iron pipe found; thence running South 03-52-36 West 115.18 feet to a 1 1/2 iron rod found; thence running South 86-07-34 East 290.37 feet to a 1" iron pipe found; thence running South 85-44-19 East 48.34 feet to a #4 rebar found; thence running South 86-08-45 East 30.23 feet to a #3 rebar found; thence running South 30-17-19 West 230.68 feet to a #4 rebar found; thence running South 34-02-25 West 42.07 feet to a #4 rebar found; thence running South 33-53-23 West 236.15 feet to a calculated point; thence running South 32-12-58 West 203.64 feet to a 2" flat iron rod found by witness pipe; thence running South 32-30-39 West 448.77 feet to a nail found at the base of a 3/4" iron pipe found; thence running South 19-45-54 West 995.28 feet to a #4 rebar set; thence running South 33-53-24 East 328.12 feet to a nail found at the base of a 1" iron pipe found; thence running South 34-02-53 East 270.07 feet to a 1" iron pipe found; thence running South 33-34-27 East 372.65 feet to a 1" iron pipe found; thence running South 03-36-36 West 323.67 feet to a 1" iron pipe found; thence running South 84-49-42 East 612.20 feet to a 1" iron pipe found pinch; thence running South 84-25-06 East 543.44 feet to a 1" iron pipe found pinch; thence running North 03-43-32 East 287.43 feet to a 1" iron pipe found pinch; thence running South 87-23-02 East 144.52 feet to a 1" iron pipe found; thence running South 86-47-08 East 850.39 feet to a 1" iron pipe found; thence running South 86-46-07 East 849.74 feet to a 1" iron pipe found; thence running South 03-54-52 West 783.54 feet to a 1" iron pipe found; thence running South 03-55-39 West 352.51 feet to a bent axel found; thence running South 04-08-55 West 645.19 feet to a #6 rebar found; thence running South 01-49-02 West 443.99 feet to a 1-1/2" iron pipe found; thence running South 29-06-34 West 165.92 feet to a #4 rebar set; thence running North 30-16-55 West 1456.83 feet to a calculated point; thence with a curve to the left with a chord bearing and distance North 58-00-38 West 769.90 feet with a radius of 855.00 feet and an arc length of 798.62 feet to a calculated point; thence running North 84-22-02 West 1259.74 feet to a calculated point; thence with a curve to the right with a chord and distance North 54-51-21 West 743.68 feet and with a radius of 720.00 feet and an arc length of 781.48 feet to the point of the BEGINNING and being 119.442 acres, more or less, on a physical survey

for USA Land Group by Rogers Land Surveying, Zachery R. Rogers, PLS L-5194 and dated September 29, 2023,

Is hereby subjected to the following restrictions as to the use thereof, running with said property by whomsoever owned, to-wit:

1. The property shall be used for residential purposes exclusively, which residences shall be detached, single family residences.
2. Each lot shall be a minimum of 5 acres. No tract can be re-subdivided into tracts less than five (5) acres.
3. All homes must be either site built, or modular homes meeting the NC Residential Building Code.
4. Any private roads serving re-subdivided tracts, must be paved with a Road Maintenance Agreement.
5. All homes except Lot 8 must maintain a minimum setback from the right of way of Stoney Point Drive of at least 100 feet. Lot 8 shall follow all applicable city and or county setback zoning laws.
6. No trailer, mobile home, tent, or shack erected in the tract shall be used at any time as a residence, temporarily or permanently, nor shall any structure of a temporary character be used as a residence.
7. 202 Davidson North Carolina 23, LLC reserves an easement in and right at any time in the future to grant a ten foot right-of way along the front public roadway of each lot for the installation and maintenance of poles, lines, conduits, pipes, and other equipment necessary to or useful for furnishing electric, power, gas, telephone service, or other utilities, including water and sewage services.
8. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them until October 24, 2053, at which time said covenants shall be automatically extended for successive periods of ten years unless by vote of the majority of the then owners of the lots it is agreed to change said covenants in whole or in part.

9. If the parties hereto, or any of them, or their heirs or 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 e situated in the said development or subdivision to prosecute any proceedings at law or in equity against the person or persons violating or attempting to violate any such covenants, and either to prevent him or them from so doing or to recover damages or other dues for such violation.
10. Invalidation of any one of these covenants by judgment or court order shall in no way effect any of the other provisions which shall remain in full force and effect.

SIGNATURES ON FOLLOWING PAGE:

IN WITNESS WHEREOF, 202 Davidson North Carolina 23, LLC has caused this instrument to be executed in its corporate name and its corporate seal to be hereto affixed, pursuant to authority duly given, this the _____ day of _____, 2023.

ATTEST:

202 Davidson North Carolina 23, LLC

BY: _____

TITLE: _____

STATE OF _____
COUNTY OF _____

I, _____, a notary public of the County and State aforesaid, do hereby certify that personally came before me this day and acknowledged that _____ is _____ of 202 Davidson North Carolina 23, LLC, an limited liability company, and that he/she, as _____, being authorized to do so, executed the foregoing on behalf of the corporation.

Witness my hand and official seal, this the _____ Day of _____, 2023.

NOTARY PUBLIC

My Commission Expires

AGREED TO AND ACCEPTED BY:
