

NORTH CAROLINA)
 FORSTYH COUNTY)

RELEASE AND WAIVER OF RESTRICTIVE COVENANTS

WHEREAS, RDC, Inc. (hereinafter called the "Developer") developed and subdivided into lots a certain tract of land known as Nottingham, Section Two, a map of which is recorded in the Office of the Register of Deeds of Forsyth County, North Carolina, in Plat Book 28 at Page 41 (the "Plat"), and that the lots reflected on such Plat were subject to certain Declarations of Restrictive Covenants recorded in Book 1350 at Page 778 of the Forsyth County Registry (the "Restrictions");

WHEREAS, the Restrictions provided, among other things, in item 4 thereof that "in the case of a corner lot, no building or part of a building other than steps, overhanging eaves or cornices shall extend to nearer the side property line adjacent to a street than as shown on a recorded Plat or twenty feet, whichever is greater";

WHEREAS, R & R Construction Company has constructed a house on Lot 67 of Nottingham, Section Two, which house is located approximately 14.2 feet from the side lot line; and the Developer does not object to the facts and violations hereinabove set forth and retained the right in the Restrictions to modify or change any of the Restrictions; and the Developer is desirous of waiving said violation of the side building set back line releasing R & R Construction Company, its successors and assigns, any and all rights it now has, or may have had, or may in the future acquire by reason of the facts and violations set forth hereinabove;

NOW, THEREFORE, the Developer, for itself, its successors and assigns, in consideration of One Dollar (\$1.00) to it paid by the said R & R Construction Company, the receipt and sufficiency of which is hereby acknowledged, does hereby consent to reducing and does hereby reduce the side set back line, as it applies to Lot 67, to 14.2 feet and does further waive, release and quitclaim unto R & R Construction Company, its successors and assigns, any right, title and interest the Developer has, may have, or may hereafter acquire, by reason of said violation of the side set back line requirement contained in the Restrictions, but only to the extent of such violation as above set forth.

IN TESTIMONY WHEREOF, RDC, Inc. has caused these presents to be signed by its Vice President, attested by its Asst Secretary and has placed its corporate seal hereto this the 1st day of July, 1983.

RDC, INC.

By: William R. Allen
Vice President

(Corporate Seal)

ATTEST:

June W. Smith
Asst Secretary

BOOK 1403P 1305

NORTH CAROLINA)
)
FORSYTH COUNTY)

This 1st day of July, 1983, personally came before me, Shirley W. Marshall, a Notary Public, Jane W. Smith, who being by me duly sworn, says that she knows the corporate seal of RDC, INC. and is acquainted with William E. Halley Jr., who is the Vice President of said corporation, and that she, the said Jane W. Smith, is the Asst. Secretary of the said corporation, and saw the said Vice President sign the foregoing instrument and saw the said corporate seal of said corporation affixed to said instrument by said Vice President, and that she, the said Asst. Secretary, signed his name in attestation of the execution of said instrument in the presence of said Vice President of said corporation.

WITNESS my hand and notarial seal or stamp, this the 1st day of July, 1983.

Shirley W. Marshall
Notary Public

My Commission Expires: SWIRLEY W. MARSHALL, Notary Public
Fo. syth County, North Carolina
My Commission Expires May 28, 1988.

STATE OF NORTH CAROLINA—Forsyth County

The foregoing (or annexed) certificate of Shirley W. Marshall N.P. Forsyth
Cg N.C. (here give name and official title of the officer signing the certificate passed upon)

is (~~am~~) certified to be correct. This the 5th day of July, 19 83

Probate fee \$1.00 paid.

PRESENTED FOR
REGISTRATION
AND RECORDED

Eunice Ayers, Register of Deeds

By Jessie Golden Deputy

JUL 5 3 49 PM '83

EUNICE AYERS
REGISTER OF DEEDS
FORSYTH CTY. N.C.

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