THIS INSTRUMENT DRAFTED BY:

(SIGNATURE OF DRAFTSMAN)

NORTH CAROLINA]
]
FORSYTH COUNTY]

18

MODIFICATION OF RESTRICTIONS AND BUILDING SET-BACK LINE

THIS AGREEMENT made and entered into this the 28th day of December, 1972, by and between L & H LAND COMPANY, a partnership of Winston-Salem, Forsyth County, North Carolina, party of the first part, and K. K. GRUBBS, trading as K. K. GRUBBS CONSTRUCTION COMPANY, a sole proprietorship, party of the second part, of Winston-Salem, Forsyth County, North Carolina.

W I T N E S S E T H :

THAT WHEREAS, the party of the first part, were the owners and developers of CARROLL ESTATES, a plat of which is recorded in Plat Book 24, Page 102 in the Forsyth County Registry; and

WHEREAS, the party of the first part has caused to be placed upon the recorded plat certain restrictions and set-back lines as shown upon said plat, and as shown in the restrictions recorded in Deed Book 1014, Page 366; and by Paragraph 7 of said restrictions, the party of the first part reserves the right to remove, modify or change the restrictions and building set-back lines; and

WHEREAS, the party of the second part is the owner of Lot Number 1, as shown upon said plat, that the recorded plat requires a minimum set-back line of 40 feet and the referenced restrictions impose a 50 foot building line; and

WHEREAS, the party of the second part has constructed a house upon Lot Number 1 with the main body of the structure being located 44.4 feet from the right of way line of Poplar Ridge Drive; and

WHEREAS, the party of the first part has agreed to modify the minimum building set-back line applicable to Lot Number 1 of CARROLL ESTATES by reducing the same from 50 feet to 44.4 feet.

NOW THEREFORE, the said party of the first part, for and in consideration of the sum of ONE DOLLAR ($1.00) to them in hand paid, the receipt of which is hereby acknowledged, do hereby release and discharge Lot Number 1 and all owners thereof, both present and future, from that restriction appearing of record in Plat Book 24, Page 102 and Deed Book 1014, Page 366, which provides for a minimum set-back line from the front property line of 40 and 50 feet respectfully, and modify the same by establishing in lieu thereof a minimum front set-back line of 44.4 feet and by allowing the house constructed thereon to remain as it is so that no part of said house is in violation of the building set-back lines as stated in the referenced instruments. It being, however, understood and agreed that each and all the said restrictions, except the ones herein quoted, released and modified, shall be and remain in full force and effect.

IN TESTIMONY WHEREOF, L & H LAND COMPANY, a North Carolina partnership, has caused this Modification of Restrictions and Building Set-Back Line to be executed on its behalf through its general partners, D. E. CARROLL and JAMES L. WILLIAMS, and has adopted the seals of its partners as its seal, this the 4th day of January, 1973.

L & H LAND COMPANY
A North Carolina Partnership
By: D. E. Carroll (SEAL)
General Partner

By: James L. Williams (SEAL)
General Partner

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NORTH CAROLINA]
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FORSYTH COUNTY]

NOTARY PUBLIC ACKNOWLEDGMENT

I, Wanda D. Mock, a Notary Public of Forsyth County, North Carolina, do hereby certify that D. E. Carroll and James L. Williams, general partners of L & H LAND COMPANY, a North Carolina partnership, each personally appeared before me this day and acknowledged the due execution of the foregoing Modification of Restrictions and Building Set-Back Line of CARROLL ESTATES.

Witness my hand and notarial seal this the 4th day of January, 1973.

Wanda D. Mock
Notary Public

My commission expires:
December 14, 1976

STATE OF NORTH CAROLINA—Forsyth County

The foregoing (or annexed) certificate of Wanda D. Mock N.P.
(here give name and official title of the officer signing the certificate passed upon)
Forsyth Co. N.C.

is (~~are~~) certified to be correct. This the 5th day of Jan 1973

Eunice Ayers, Register of Deeds

Probate fee 50¢ paid.

By Jessie Golden Deputy-~~Assistant~~

PRESENTED FOR REGISTRATION AND RECORD
JAN 5 11 27 AM '73
EUNICE AYERS
REGISTER OF DEEDS
FORSYTH CTY. N.C.

$3.00 pd

DEED BOOK 1040 PAGE 1424