

STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE

RESTRICTIVE COVENANTS

EX PARTE:

WHEREAS, W. Dennis Smith is the owner of all the lots (except lots nos. 1, 2, 21, 16 and 12 in the Valleyhaven property of W. Dennis Smith as shown on plat prepared by H. S. Brockman and John A. Simmons, Registered Surveyors, dated July 22, 1959 and recorded in the R. M. C. Office for said County in Plat Book TT, page 11, and which said five lots W. Dennis Smith has conveyed away by deeds recorded respectively in the said office in Deed Book 648, page 273, Deed Book 640, page 53, Deed Book 650, page 31, Deed Book 641, page 183 and Deed Book 644, page 469) in three plats prepared for W. Dennis Smith as follows, to-wit: (1) Plat of the Valleyhaven property of W. Dennis Smith prepared by H. S. Brockman and John A. Simmons, Registered Surveyors, dated July 22, 1959 and recorded in said R. M. C. Office in Plat Book TT, page 11; (2) Plat of the W. Dennis Smith property prepared by John A. Simmons, Registered Surveyor, dated April 30, 1960 and which plat will be recorded forthwith in said R. M. C. Office; and (3) Plat of the Valleyhaven Acres, section no. 3 of the W. Dennis Smith property prepared by John A. Simmons, Registered Surveyor, dated May 24, 1960 and which plat will be recorded forthwith in said R. M. C. Office; and

WHEREAS, W. Dennis Smith is developing the said property by promoting the erection of residences on the various lots on said three plats for residential purposes; and

WHEREAS, W. Dennis Smith is desirous of creating and putting into effect for the mutual protection of himself and the purchasers of any of the lots in the three said plats the protective conditions and restrictions hereinafter contained:

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS, That the said lots as shown on said three plats (except as to the aforesaid five lots which have been conveyed away by said deeds recorded in the R. M. C. Office for said County) are hereby encumbered with the following conditions and restrictions which shall be construed as covenants running with the land and binding upon the said W. Dennis Smith, his heirs and assigns, and upon any purchaser of said property, their successors, heirs and assigns, to-wit:

1. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them until June 1, 1985, at which time said covenants shall be automatically extended for successive periods of 10 years unless by vote of a majority of the then owners of the lots, it is agreed to change said covenants in whole or in part.

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 property as shown on said three plats to prosecute any proceedings at law or in equity against the person or persons 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.

Invalidation of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

2. All lots as shown on said three plats shall be known and described as residential lots. No structures shall be erected, placed, or permitted to remain on any of said lots other than one detached single family dwelling and a private garage for not more than two cars and other outbuildings incidental to residential use of the lot. This restriction shall not prevent any person from using more than one lot for one dwelling house.

3. No residence shall be located nearer the street or road on which said lot faces than forty (40) feet and any residence located on any lot shall face towards the front line of the lot, EXCEPT residence on lot no. 1 on said plat dated April 30, 1960 can face towards Valley Creek Drive or Memorial Drive Extension or can face at any angle towards the intersection of said Valley Creek Drive and Memorial Drive Extension; residence on lot no. 2 on said plat dated April 30, 1960 can face towards Valley Creek Drive or Memorial Drive Extension;

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