

shall be binding and conclusive upon all persons, and the powers of waiver herein conferred upon the committee shall be construed liberally so as to affect any matters or things included within the terms and conditions of these covenants.

14. Rackley, Builder-Developer, Inc. may in its discretion, at any, and from time to time, select any lot or lots, not exceeding two (2) in number, from any of the lots shown on the above mentioned recorded plats of Brentwood Sections III and IV, and convey the same to an appropriate person, persons, corporations or other entities for the use of said lot or lots for the construction and maintenance of a community recreational facility which shall include but shall not be limited to the maintenance thereon of a community swimming pool, bath house, athletic facilities and other recreational facilities of every kind and nature, for the benefit of all residents of Brentwood, Sections I, II, III and IV inclusive, and in the event of such conveyance to such person, persons, corporations or other entity, such lot or lots as conveyed may be used for such purpose or purposes notwithstanding any provisions contained in these covenants which might otherwise prohibit the use of such lot or lots for such uses and purposes.

These covenants are to run with the land and shall be binding on all persons claiming under them, until January 1, 1991, at which time said covenants shall be automatically extended for successive periods of ten 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 successors, heirs or assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any person or persons owning any real property situated in said development or subdivision to prosecute any proceedings at law or in equity against the person or persons so violating or attempting to violate such covenant and either to prevent him or them from so doing or to recover damages or other dues for such violation.

In validation 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.

IN WITNESS WHEREOF, the undersigned has caused these restrictive covenants to be executed this 8th day of April, 1974.

IN THE PRESENCE OF:

Andrea J. Clary  
gumtree

RACKLEY, BUILDER-DEVELOPER, INC.,  
BY: Eugene Rackley  
Eugene Rackley, President

STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF GREENVILLE )

PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that he saw the within named Corporation by its duly authorized officer, sign, seal and as the act and deed of said corporation, deliver the within instrument and that he with the other witness subscribed above witnessed the execution thereof.

SWORN to before me this )  
8th day of April, 1974. )  
Andrea J. Clary (LS) )  
Notary Public for South Carolina )  
My Commission Expires: ~~9/15/79~~ )

gumtree

4/12/81

RECORDED MAY 8 '74 28188  
-3-

050

4328 RV-2