

FILED
 GENERAL RECORDS OFFICE S.C.
 APR 3 10 55 AM '80
 DONALD STANBERRY
 R.M.C.

DECLARATION OF COVENANTS AND RESTRICTIONS
 FRANK LEWIS BARTON, ET AL PROPERTY
 PLAT 5X, PAGE 97

This Declaration made this 31 day of March, 1980, by Frank Lewis Barton, William Eugene Barton, and Phoebe Ellen Barton McCallum, hereinafter called "Owners".

WHEREAS, Owners are the owner of the Real Property of this Declaration and desire to create an agrarian residential community in accordance with a uniform plan of development to preserve property values, to maintain open spaces and the natural beauty of the Real Property, to obtain a harmonious architectural scheme and to create a livable environment, for the benefit of future purchasers of the Real Property.

WHEREAS, Owners deem it desirable to accomplish the said purpose to create an architectural committee to which should be delegated the powers of administration of some of the aforesaid functions.

NOW, THEREFORE, for and in consideration of the aforerecited considerations, and in further consideration of the mutual covenants, conditions, reservations, servitudes and easements herein created for the benefit of Frank Lewis Barton, William Eugene Barton and Phoebe Ellen Barton McCallum, their heirs and assigns, and the future owners of the Real Property, Owners hereby declare, create and impose upon the real property the following covenants, restrictions, easements, assessments, reservations and servitudes which are hereby declared covenants running with the land, as follows:

ARTICLE I.

REAL PROPERTY SUBJECT TO THIS DECLARATION

1.1 Real Property. The Real Property which shall be held, transferred, sold, conveyed and occupied subject to these Covenants is all that piece, parcel or tract of land containing 192.13 acres, more or less, situate, lying and being on the northern and southern sides of the Barton Road and the eastern and western side of the Packs Road in Highland Township, Greenville County, South Carolina, approximately three miles from Tigerville, being shown on a Plat of the Property of Frank Lewis Barton, et al, made by W. R. Williams, Jr., Engineer, recorded in the RMC Office for Greenville County, S.C. in Plat Book 5X, Page 97, reference to which is hereby craved for the metes and bounds thereof.

1.2 Existing Structures. All existing structures located on the above described property shall not be affected by the terms hereof but shall be deemed in compliance herewith, but all future structures or alterations of existing structures, shall be constructed, sold, transferred and occupied in compliance with these covenants.

1.3 Conflict with Zoning Statutes. In the event of any conflict with the provisions hereof with any zoning ordinance or statute, or subdivision law or regulation, in effect on the date of recording of these Covenants, which would require a more stringent or strict standard, regulation or use than required herein, then the terms, conditions and requirements of such more stringent zoning, subdivision law, or statute shall apply.

ARTICLE II.

USES PERMITTED AND PROHIBITED

The uses permitted and prohibited by the terms and conditions as to the Real Property described in Article I are hereinafter set forth, to-wit:

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