

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

AFFIDAVIT

The undersigned, after being duly sworn, deposes and states as follows:

That on December 31, 1968, certain building restrictions or protective covenants were placed of force and effect which were applicable to Lots 18 through 83 and Lots 109 through 181 of Del Norte Estates which were filed for record in the RMC Office for Greenville County, South Carolina in Deed Book 858, Pages 451 - 454, on January 2, 1969. Thereafter, the above restrictive covenants were made applicable to Lot 219 on plat of Del Norte Estates Section II by instrument recorded in the RMC office for Greenville County, South Carolina, in Deed Book 921, Page 442, on July 30, 1971.

Paragraph 3 of said restrictive covenants which are recorded in Deed Book 858, Page 452, requires: "no building shall be located near to the front lot line or nearer to the side street line than the building setback line shown on the recorded Plat. In any event, no building shall be located on any residential plot nearer than twenty (20) feet to any side street line." It was intended by the building committee that the house located on Lot 219 was to face on Del Norte Lane. Therefore, the building setback line on Tussock Road, should be 20 feet. In any event, even if it is determined that the house located on Lot 219 encroaches across the applicable building setback lines, the building setback lines applicable to Lot 219 were waived by the building committee at the time said house was constructed. The building committee had at that time the authority to and was empowered by said restrictive covenants to make such a waiver.

Further deponent saith not.

In the presence of:

David W. Hill

C. R. Maxwell
(C. R. Maxwell)

Timothy H. Jan

STATE OF SOUTH CAROLINA)
)
COUNTY OF GREENVILLE)

PROBATE

Personally appeared the undersigned witness and made oath that he saw the within named C. R. Maxwell sign, seal, and as his act and deed execute the within Affidavit, and that he with the other witness subscribed above witnessed the execution thereof.

Timothy H. Jan

SWORN to before me this 27th day of June, 1983.

David W. Hill (SEAL)
Notary Public for South Carolina
My commission expires: 8/25/91

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