

RECORDED
R. M. C.

RECORD 17
SPARTANBURG CO.

RESTRICTIONS, COVENANTS AND COVENANTS APPLIED TO LOTS NUMBERS
THIRTY-THREE (33) THROUGH FIFTY-THREE (53), LOTS NUMBERS SIXTY (60) THROUGH
SEVENTY-TWO (72), LOTS NUMBERS SEVENTY-THREE (73), SEVENTY-FOUR (74),
SEVENTY-FIVE (75), SEVENTY-SIX (76), OF SUBDIVISION FOR CHARLES F.
HAYES ONE MILE NORTH OF WILKINSON IN SPARTANBURG COUNTY, SOUTH CAROLINA
AS SHOWN BY PLAT BY W. B. WILLIS, ENGINEER, DATED JANUARY 15, 1962, REVISED
OCTOBER 31, 1962, AS RECORDED IN THE R. M. C. OFFICE FOR SPARTANBURG COUNTY.

WHEREAS, Charles F. Hayes is the owner of a tract of land lying about
one mile north of Wilkinson in Spartanburg County, South Carolina, on the north-
east side of U. S. Highway 176, as will be shown by survey for C. F. Hayes made
by W. B. Willis, Engineer, January 15, 1962, and revised on October 31, 1962,
said plat to be recorded in the R. M. C. Office for Spartanburg County, State
aforesaid, and

WHEREAS, the said Charles F. Hayes has subdivided the tract for develop-
ment as a residential area and the restrictions hereinafter set forth shall apply
to Lots Numbers 13 through 38, Lots Numbers 60 through 67, and Lots Numbers 71,
72, 75 and 76, now, therefore,

IN CONSIDERATION of the mutual advantages to be derived therefrom, the
undersigned, Charles F. Hayes, for himself, his heirs, executors, administrators
and assigns, covenants and agrees as follows:

1. All buildings must be set back fifty (50) feet from the street
or road which they face.
2. All dwelling houses shall not have less than one thousand (1,000)
square feet of heated floor space.
3. No obnoxious or offensive trade shall be carried on upon any lot,
nor shall anything be done thereon which may be or become an annoyance or
nuisance to the neighborhood.
4. No hogs, cows, goats or other like animals may be kept on any of
these lots.
5. No building shall be erected on any lot nearer than ten (10) feet
to any side lot line.
6. No septic tank shall be built on any lot without meeting the
approval of the State Board of Health of South Carolina.
7. No concrete blocks shall be used in the construction of any house
built on any of this property whereby they may be visible.
8. No house trailers may be located on any of this property.
9. No houses of an inferior quality or "shell houses" shall be built
or located on this property.
10. Any outbuildings of any type or nature shall be constructed with
the same type and quality material used in the dwelling house.

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11. No imitation brick siding shall be placed on any house or building located in this subdivision.

12. These restrictions may be amended at any time by a duly executed and recorded instrument of 60% or more of the recorded owners of lots in this subdivision.

13. Invalidity of any one or more of these covenants and restrictions shall in no wise affect any of the other covenants and restrictions, and they shall remain in full force and effect.

14. All persons hereafter accepting covenances of any of the lots shown on the plat referred to shall accept the same upon and subject to the above enumerated conditions, covenants and restrictions which are to be deemed covenants running with the land, and binding upon the grantee, their heirs and assigns; and violation of any of the conditions or restrictions shall vest in the Grantor, his successors and assigns, the right of abatement in suits in law or equity against any person or persons violating or attempting to violate any condition, or restriction, either to restrain such violation or to recover damages.

15. These restrictions, conditions, and covenants shall continue in full force and effect until November 15, 1982, and shall thereafter be automatically extended for successive periods of ten years each, unless by a duly executed and recorded instrument of the then recorded owners of 60% or more of the lots in this subdivision, as shown on the recorded plat, elect to terminate or amend the restrictions in whole or in part, as they apply to the lots within the subdivision.

IN WITNESS WHEREOF I have hereunto set my hand and seal this 13th day of November, 1962.

Signed, sealed and delivered
in the presence of:

Charles F. Hayes
Charles F. Hayes

(SEAL)

Jean McEllyea

John C. Mooneyhan

STATE OF SOUTH CAROLINA)
COUNTY OF SPARTANBURG)

Personally appeared before me John C. Mooneyhan who being duly sworn says that he was present and saw Charles F. Hayes sign, seal and as his act and deed deliver the foregoing instrument of writing, and that he with Jean McEllyea, witnessed the execution thereof.

John C. Mooneyhan

SWORN to before me this the
13th day of November, 1962.

Jean McEllyea (SEAL)
NOTARY PUBLIC FOR SOUTH CAROLINA

