

State of South Carolina }
County of Greenville }

Whereas, the Utopian Developing Company, a corporation existing under the laws of the State of South Carolina, with the power to buy and sell real estate, is the owner of a tract of land hereinafter described, which has been subdivided into lots for the purpose of sale; and

Whereas, the said Utopian Developing Company has sold certain of said lots to various parties, executing deeds therefor; and

Whereas, the deeds from the Utopian Developing Company were intended to be absolute with certain building restrictions as hereinafter indicated; but through a mistake a clause was inserted in deeds to lots facing on Main Street, reading as follows:

The said lot is sold subject to the following conditions and limitations:

"(1) The property herein conveyed, or any part thereof, shall never be sold, rented or otherwise disposed of to any person having any percentage of negro blood.

"(2) The property shall not be used at any time for any business purpose or for any thing which would constitute a nuisance.

"(3) The property herein conveyed shall never at any time be re-cut or subdivided so as to face in any other direction than as shown on the plat of same.

"(4) No building shall ever be erected upon said property nearer than fifty feet to the present line of the street upon which it faces.

"(5) No buildings (other than out-buildings appurtenant to a dwelling) costing less than twice the cost of the lot, shall be erected upon the said property, nor be other than of two-story construction; and

Whereas, the deeds to the property facing other streets in said subdivision were made subject to the same conditions and limitations as above listed, with the exception of provision (4) being made to read as follows:

"No building shall ever be erected upon said property nearer than forty feet to the present line of the street upon which it faces.

Whereas, it was intended that said provisions should create mere building

restrictions which should benefit the owners of the lots in said subdivision, and not conditional limitations, the violation of which would operate as a forfeiture and reversion of the property, and

Whereas, it is desired to remove any question as to the said conditional clause contained in the above mentioned deeds,

Now, therefore, Know All Men By These Presents that the aforementioned Utopian Developing Company, for and in consideration of the sum of One (\$1.00) Dollar to it in hand paid, the receipt of which is hereby acknowledged, have granted, bargained, quit-claimed and released, and by these presents do grant, bargain, quit-claim and release unto the said owners of any lot or lots in Northgate Heights to whom a deed or deeds have heretofore been executed and delivered, their heirs, successors and assigns,

All those certain lots of land, lying and being situate in the County of Greenville, Greenville Township, State of South Carolina, just outside the city limits of the City of Greenville in the subdivision known as Northgate Heights, a plat of which is on record in the P.M.C. office for Greenville County in Plat Book "G" at pages 135-136. Said lands being known and designated as lots Nos 10, 12 and 24 of Block "G", lots Nos 3 and 17 of Block "A", and lot No. 1 of Block "H" of the said subdivision, reference being made to the above mentioned plat for a more particular description.

Together with all and singular, the rights, members, hereditaments and appurtenances to the said premises belonging or in anywise incidental and appertaining.

Do Have And Do Hold all and singular, the premises before mentioned unto the said parties as owners, their heirs and assigns forever, subject, however, to the following building restrictions, which are a part of the consideration of this deed, and are made for the benefit and protection of the other lots shown on a plat of Northgate Heights, recorded in the P.M.C. office for Greenville County, in Plat Book "G" at pages 135-136:

The lots facing on Main Street shall be subject to the following building restrictions:

(1) The property herein conveyed, or any part

next page.