

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

12647

MAY 30 1951

BUILDING RESTRICTIONS OR PROTECTIVE COVENANTS APPLICABLE TO WESTERLY HEIGHTS, PROPERTY OF FOUNTAIN INN PROPERTIES, FOUNTAIN INN, S. C. AS SHOWN ON PLAT ENTITLED WESTERLY HEIGHTS AND MADE BY CLIFFORD C. JONES, REG. ENGR. #1144, DATED APRIL 1951.

The following building restrictions are hereby imposed by the undersigned who is the owner of lots listed above, shown on Plat of Westerly Heights recorded in the R. M. C. Office for Greenville County, South Carolina, in Plat Book AA, at page 51. These covenants are to run with the land and shall be binding on all persons claiming under them until January 1, 1970, at which time said covenants shall be automatically extended for successive periods of 10 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 heirs or assigns, shall violate or attempt to violate any of the covenants herein, it shall be lawful for any other 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 violating or attempting to violate any such covenant and either to prevent him or them from so doing or to recover damages or other dues for such violation. Invalidation 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.

1. All lots listed herein shall be known and described as residential lots. No structures shall be erected, altered, placed, or permitted to remain on any residential building plot other than the one detached single family dwelling and a private garage for not more than two cars.

2. No building shall be erected, placed, or altered on any building plot in this subdivision until the building plans, specifications, and plot plan showing the location of such building, have been approved in writing as to conformity and harmony of external design with the existing structures in the subdivision, and as to location of the building with respect to topography and finished ground elevation, by a committee composed of L. W. Carter and W. T. Patrick, or by a representative designated by a majority of the members of said committee. In the event of death or resignation of any member of said committee, the remaining member shall have full authority to approve or disapprove such design or location, or to designate a representative with like authority. In the event that said committee or its designated representative, fails to approve or disapprove such design and location within thirty days after said plans and specifications have been submitted to it or, in any event, if no suit to enjoin the erection of such buildings or the making or such alterations has been commenced prior to the completion thereof, such approval will not be required and this covenant will be deemed to have been fully complied with. Neither the members of such committee, nor its designated representative shall be entitled to any compensation for services performed pursuant to this covenant. The powers and duties of such committee, and of its designated representative, shall cease on and after January 1, 1970. Thereafter the approval described in this covenant shall not be required unless, prior to said date and effective thereon, a written instrument shall be executed by the then record of a majority of the recorded owners of lots in this subdivision and duly recorded appointing a representative, or representatives, who shall thereafter exercise the same powers previously exercised by the said committee.

3. No building shall be located nearer the front lot line or nearer to the side street line than the building set back lines shown on the recorded plat. In any event, no building shall be located nearer than 25 feet to the front lot line, or nearer than 10 feet to any side street line. No building, except detached garage or other outbuilding located 75 feet or more from the front lot line, shall be located nearer than 5 feet from any side lot line.

4. No residential structure shall be erected or placed on any building plot, which plot has an area of less than 6000 square feet or a width of less than 60 feet at the front building set back line.

5. No noxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance to the neighborhood.

6. No trailer, basement, tent, shack, garage, barn or any other outbuilding

See Deed Book 785 Page 157 for Rescission of Restrictions