

RECORDED  
FILED  
S. C.  
OCT 25 2 20 PM '79  
SOUTH CAROLINA  
M. C. WILKINS

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STATE OF SOUTH CAROLINA )  
COUNTY OF GREENVILLE )  
RESTRICTIVE COVENANTS

WHEREAS, the undersigned J. Calvin Summey, Elva Brown and Rose Brown Cashin acquired by deed of Poinsett Realty Company recorded December 22, 1978 in the RMC Office for Greenville County in Deed Book 1094, Page 237 certain real property located in the City of Mauldin, County of Greenville, State of South Carolina on the eastern side of U. S. Highway No. 276 bounded now or formerly as follows: On the North by property of Jesse Fowler, on the East by the centerline of the C & WC Railroad, on the South by property of the A. B. Clark Estate, and the West by U. S. Highway No. 276; and

WHEREAS, by deed dated October 19, 1979 recorded in the RMC Office for Greenville County the undersigned have conveyed a portion of said property to Burger King Corporation; and

WHEREAS, the undersigned desire to impose certain restrictions and covenants on the remainder of their property adjacent and contiguous to that portion sold to Burger King Corporation;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that the undersigned, J. Calvin Summey, Elva Brown and Rose Brown Cashin declare that all of the real property first described above (being the remainder of that conveyed by deed of Poinsett Realty Company in Deed Book 1094, Page 237, reference to which is hereby craved) shall be subject to and they do hereby impose thereon the following covenants and restrictions:

1. Said property shall not be used or occupied for a business activity which consists primarily of the sale, for on premise consumption, of fast food items which are similar in character and nature to those presently sold by Burger King Corporation. This covenant shall terminate after a period of five (5) years from October 24, 1979, and thereafter shall be of no force and effect.

2. No structure, improvement, or obstruction of any type which would decrease or impair the visibility of Burger King Corporation's restaurant or any part thereof from the present right of way of U. S. Highway No. 276 shall be erected on that portion of the property of the undersigned for a depth of forty (40) feet from the present eastern right of way of said U. S. Highway No. 276; provided, however, that this restriction shall not be deemed to prohibit or

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