

WILLIAM ROWAN

majority of the then owners of all tracts into which the property of the undersigned shall subsequently be cut, it is agreed to change the covenants in whole or in part.

2. If the parties hereto or any of them or their successors, heirs or assigns shall violate any of the covenants herein, or attempt to violate any of the covenants herein, it shall be lawful for any other person or persons owning any of the real property of the undersigned to prosecute any proceeding-at-law or in equity against any person or persons violating or attempting to violate any such covenants and either to prevent him or them from so doing or to recover damages or other dues for such violation.

3. 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.

4. The use of the property of the undersigned is hereby restricted to single-family residential purposes. No structure intended to be used as a dwelling shall be erected, altered, placed or permitted to remain on any portion of the property of the undersigned other than one detached single-family residential dwelling not to exceed two stories in height. Detached out-buildings shall be allowed provided they do not exceed one story in height and comply with the setback limitations as set forth in Paragraph 5 below. None of the respective tracts of the undersigned shall be re-cut except as expressly provided herein:

(a) With regard to the property of Jon P. and Sally M. Lorbach, said property may be re-cut provided, however, that the tract as it presently exists shall not be re-cut into more than five (5) tracts, three of which shall not contain less than two (2) acres each and two of which shall not contain less than one (1) acre each.

(b) With regard to the property of William R. Rowan, III, and Vernon B. Brannon, II, these respective tracts may be re-cut into no more than two (2) tracts each provided that any tract so cut shall not be less than one (1) acre each.

5. No one-story dwelling shall be placed on any tract of the undersigned property that shall contain less than 2,000 square feet of heated floor space. No two-story dwelling shall be placed on any

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