

***DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS  
OF  
COUNTRY HAVEN SUBDIVISION  
SECTION 3***



FOR REGISTRATION REGISTER OF DEEDS  
REBECCA P. SMITH  
NEW HANOVER COUNTY, NC  
2006 NOV 27 10:41:32 AM  
BK: 5109 PG: 1958-1963 FEE: \$26.00

INSTRUMENT # 2006065205

STATE OF NORTH CAROLINA  
COUNTY OF NEW HANOVER

DECLARATION OF COVENANTS  
CONDITIONS AND RESTRICTIONS  
COUNTRY HAVEN, SECTION 3

THIS DECLARATION, made 27 day of NOV, 2006, by Donald H Caison hereafter referred to as "Declarant."

WITNESSETH:

WHEREAS, Declarant has agreed that said property described below should be subject to the same declarations of covenants conditions and restrictions as established for Country Haven Subdivision, Section 1, as set forth in Deed Book 1344, at page 183 of the New Hanover County Registry; and

WHEREAS, said covenants allow the Declarant to expand the property covered by said Covenants.

NOW, THEREFORE, Declarant hereby declares that all the properties described below shall be held, sold, and conveyed subject to the same easements, restrictions, covenants, and conditions set forth in the Country Haven Subdivision, Section 1, and the same covenants, restriction and conditions for Country Haven Subdivision, Section 1, recorded in Deed Book 1344 at Page 183 are fully incorporated by reference as if here fully set forth and adds and conditions and restrictions set forth in Exhibit A, Exhibit B and Exhibit C attached hereto and incorporated by reference hereby as though set out herein.

The property subjected to these conditions and restrictions is more fully described as Lot 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105 of a Map entitled "Country Haven, Section 3, Phase 1", recorded in Map Book 50 at Page 251 of the New Hanover County Registry.

IN WITNESS WHEREOF, Declarant, Donald H. Caison, has hereunto set his hand and seal this the day and year first above written.

 (SEAL)  
Donald H. Caison

## EXHIBIT A

### COUNTY HAVEN, SECTION 3 NEW HANOVER COUNTY, NORTH CAROLINA

1. The following covenant are intended to ensure ongoing compliance with State Stormwater Management Permit Number SW8 970913, as issued by the Division of Water Quality under NCAC 2H.1000.
  2. The State of North Carolina is made a beneficiary of these covenants to the extent necessary to maintain compliance with the stormwater management permit.
  3. These covenants are to run with the land and be binding on all persons and parties claiming under them.
  4. The covenants pertaining to stormwater may not be altered or rescinded without the express written consent of the State of North Carolina, Division of Water Quality. Alteration of the drainage as shown on the approved plan may not take place without the concurrence of the Division of Water Quality.
  5. The maximum allowable built-upon area per lot is as follows:

Lots 73-77:	4,000 SF
Lot 78:	11,000 SF
Lots 79,80:	4,000 SF
Lot 81:	11,000 SF
Lots 82-104:	4,000 SF
Lot 105:	23,000 SF
Common Areas:	1,094 SF
- This allotted amount includes any built-upon area constructed within the lot property boundaries, and that portion of the right-of-way between the front lot line and the edge of the pavement. Built upon area includes, but is not limited to, structures, asphalt, concrete, gravel, brick, stone, slate, and coquina, but does not include raised, open wood decking, or the water surface of swimming pools.
6. Filling in or piping of any vegetative conveyances (ditches, swales, etc.) associated with the development except for average driveway crossings, is strictly prohibited by any persons.
  7. Each lot will maintain a 30' wide vegetated buffer between all impervious areas and surface waters.

## **EXHIBIT B**

### **COUNTRY HAVEN, SECTION 3 NEW HANOVER COUNTY, NORTH CAROLINA**

The developer reserves the right to subject the real property in this subdivision to a contract with Progress Energy for the installation of street lighting, which requires a continuing monthly payment to Progress Energy by each residential customer.

## EXHIBIT C

### COUNTRY HAVEN, SECTION 3 NEW HANOVER COUNTY, NORTH CAROLINA

1. All lots here above referenced shall have irrigation and sodded front and side yards, at the time of construction of dwelling completed, at the expense of the owner of the lot.

2. All domesticated household pets shall be confined to the owners yard with a fence and when the pet is taken out of the fenced-in area it must be on a leash attained by the owner.

3. If two (2) or more lots are combined forming one residential building lot, the lots will be viewed as one (1) and shall have only one (1) vote in the homeowners association and pay dues as one (1) lot.

4. Amendment to # 14 of Declaration of Covenants, Conditions and Restrictions of Country Haven Subdivision, Section 1, recorded in deed book 1433 at page 183: Declarant reserves unto themselves a perpetual, alienable right on, over and/or under the ground to erect, maintain and use electric and telephone poles, wires, cables, conduits, sewers, water mains and other equipment facilities necessary for the installation and use of electric, telephone, television, cable, gas, water, sewer or other public facilities, utilities or conveniences, in or over the side five (5) feet along one side of each lot, and any such other areas as are designated on the duly recorded subdivision map covering Country Haven Subdivision, Section 3 recorded in New Hanover County Registry. Declarant further reserves the following rights and powers: Including paragraphs # 14A, 14B, 14C, 14D, 14E.

The above Amendment does not and will not effect, change or alter Declaration of Covenants for Section 1 or Section 2, Phase 1 of Country Haven Subdivision. This does effect only lot 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105 Section 3 Country Haven Subdivision.

5. Amendment to #3 of Declaration of Covenants, Conditions and Restrictions of Country Haven Subdivision, Section 1, recorded in deed book 1344 at page 183: No single family Detached or multi-family attached Residence less than 1600 square feet of enclosed dwelling area shall be constructed, located or permitted on any lot.

The above Amendment does not and will not effect, change or alter Declaration of Covenants for Section 1 or Section 2, Phase 1, Phase 2 or Phase 3 of Country Haven Subdivision. This does effect only lots 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105 Section 3 Country Haven Subdivision.

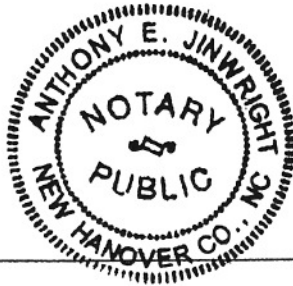
6. Property Owners Association has the authority at it's discretion to do repairs and maintenance to damaged or neglected properties in Country Haven Section 3 . All costs to make said repairs or to do said maintenance will be the responsibility of the lot owner of record of the property or properties involved. Property owners Association will keep records and bill lot owner of same. Unpaid bills will be handled as special assessment and lien may be placed on property until paid and satisfied.

NORTH CAROLINA

NEW HANOVER COUNTY

I, a Notary Public of the County and State aforesaid, certify that Donald H. Caison personally came before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal or stamp, this the 27 day of November, 2006.



*Anthony E. Jinwright*  
Notary Public

Commission Expires: MAY 16, 2009

REQUIRED ID: NCDL

NORTH CAROLINA

NEW HANOVER COUNTY

The foregoing Certificate of \_\_\_\_\_, a Notary Public, is certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

\_\_\_\_\_, Register of Deed for the New Hanover County

By: \_\_\_\_\_ Deputy/Assistant Register of Deeds



REBECCA P. SMITH  
REGISTER OF DEEDS, NEW HANOVER  
216 NORTH SECOND STREET

WILMINGTON, NC 28401

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Filed For Registration: 11/27/2006 10:41:32 AM  
Book: RE 5109 Page: 1958-1963  
Document No.: 2006065205  
DECL 6 PGS \$26.00  
Recorder: NELSON, JACQUELINE

State of North Carolina, County of New Hanover

YELLOW PROBATE SHEET IS A VITAL PART OF YOUR RECORDED DOCUMENT.  
PLEASE RETAIN WITH ORIGINAL DOCUMENT AND SUBMIT FOR RE-RECORDING.

**\*2006065205\***

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