

NORTH CAROLINA)
)
SURRY COUNTY)

PLAN OF DEVELOPMENT
WITH RESTRICTIVE COVENANTS

THIS DECLARATION is made by Cross Creek Country Club, Inc., a North Carolina corporation with its principal place of business in Mount Airy, North Carolina, as owner of the real property hereinafter described and known as Cross Creek Estates, in Mount Airy Township, Surry County, North Carolina; and being desirous of subjecting the real property hereinafter described to the restrictive covenants, reservations, provisions and easements hereinafter set forth, each and all of which is and are, for the benefit of and pass with said property and each and every parcel thereof, and shall apply to and bind the successors in interest, and any owner thereof;

NOW, THEREFORE, said Cross Creek Country Club, Inc. does covenant and agree with all persons, firms, corporations hereinafter acquiring any of the property or parcels thereof, as hereinafter described, and does declare said real property is and shall be held, transferred, sold and conveyed subject to restrictions, covenants, reservations, easements and provisions hereinafter set forth, said real property being described as follows:

Being all of Cross Creek Country Club, Inc., Cross Creek Estates, Lot Nos. 10-23, as shown on the December 15, 1987 plat of survey by David B. Scott, C.L.S. Certificate #L-1156, Hillsville, Virginia, recorded in the Office of the Register of Deeds of Surry County, in Plat Book 11 at Pages 79 and 80 .

The declarant may, from time to time, subject additional real property to the conditions, restrictions, covenants, reservations, provisions and easements herein set forth by appropriate reference hereto.

1. PRIOR PLAN OF DEVELOPMENT INCORPORATED HEREIN BY REFERENCE: Except as hereinafter expressly set out, declarant incorporates herein by reference all of those provisions contained in document entitled "Plan of Development with Restrictive Covenants" recorded in Book 311, Page 880, Surry County Registry. If provisions set forth in the within instrument conflict with those set out in the prior Plan of Development with Restrictive Covenants, those provisions set out below will govern.

2. SERVICE CHARGE AND ROAD MAINTENANCE ASSESSMENT: The declarant has caused to be constructed a private road known as Montclair Drive which offers principal access to lots fronting on Montclair Drive and to lots fronting on cul-de-sacs intersecting with Montclair Drive. There shall be levied and assessed annually

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by the Board of Directors of Cross Creek Country Club, Inc. a service charge upon the owner of each improved and unimproved lot in the above-described development to defray the expenses of road maintenance and other services provided. Said annual service charge shall be based upon the cost experience of the corporation for prior years and the reasonably foreseeable estimated costs to the corporation for upkeep, preventive maintenance and resurfacing of said roads. Each lot owner afforded primary access by Montclair Drive, including lots located on cul-de-sacs intersecting with Montclair Drive, will be assessed a pro rata share of the upkeep expense with a pro rata share being calculated as follows: The numerator of said fractional charge will be the number of lots afforded primary access by Montclair Drive and those lots fronting on cul-de-sacs intersecting with Montclair Drive, owned by owner and the denominator of said fractional charge shall be the total number of lots located in Cross Creek Estates and/or served principally by Montclair Drive or cul-de-sacs intersecting with Montclair Drive.

3. LAND USE: All lots in the above-mentioned development are residential lots and shall be used for residential purposes only. Except as otherwise provided, no access roadway or pathway shall be permitted to be constructed across any of the above designated tracts to permit access to Montclair Drive or any cul-de-sacs intersecting with Montclair Drive from adjacent lands. Declarant acknowledges that in plat by David B. Scott dated December 15, 1987 a certain tract exists of approximately 0.2541 acres which is not a residential lot. Said tract lies to the south of Lot #14 and to the east of a private cul-de-sac intersecting with Montclair Drive. Declarant expressly provides that said tract may be conveyed for use as access to said private cul-de-sac for purposes of ingress and egress for no more than two residential homesites to be subdivided from the lands presently owned by J. L. and Louise M. Ellis. Access use is strictly limited to residential purposes.

TO HAVE AND TO HOLD the aforesaid restrictions, covenants, reservations, provisions and easements unto the aforesaid tract or tracts of land and all privileges and appurtenances thereto, belonging to the said Cross Creek Country Club, Inc., its successors and assigns to its only use and behoof forever.

And the said Cross Creek Country Club, Inc., its successors and assigns, covenant that it is seized of said premises in fee and has the right to make this Declaration of Restrictive Covenants.

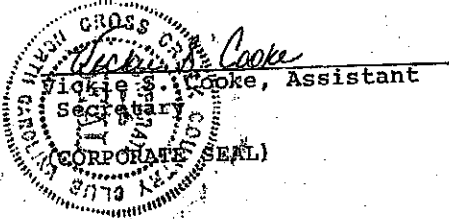
IN WITNESS WHEREOF, the said Cross Creek Country Club, Inc., has caused these presents to be executed by signature of its President and the attestation of its Secretary together with the corporate seal.



CROSS CREEK COUNTRY CLUB, INC.

By: [Signature]
C. Richard Vaughn, President

ATTEST:



FILED

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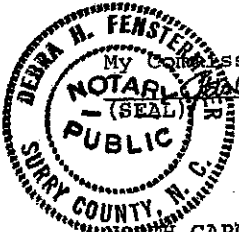
DENNIS W. "BUD" CAMERON
REGISTER OF DEEDS
SURRY COUNTY, N.C.

NORTH CAROLINA,
SURRY COUNTY.

I, a Notary Public, hereby certify that Vickie S. Cooke personally appeared before me this day and acknowledged that she is Assistant Secretary of Cross Creek Country Club, Inc., a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by C. Richard Vaughn, its President, sealed with its Corporate Seal, and attested by herself as its Assistant Secretary.

Witness my hand and notarial seal, this the 31st day of May, 1988.

[Signature]
NOTARY PUBLIC



NORTH CAROLINA,
SURRY COUNTY.

The foregoing certificate of Debra H. Fenstermaker, Notary Public of Surry County, NC is certified to be correct. This instrument was presented for registration this 22nd day of June, 1988 at _____ A.M./P.M., and duly recorded in the office of the Register of Deeds of Surry County, NC in Book _____, Page _____. This the 22nd day of June A.D., 1988.

DENNIS W. "BUD" CAMERON
REGISTER OF DEEDS

By: [Signature]
Assistant/Deputy Register of Deeds

\$10.00 Rec. fee

CROSS CREEK COUNTRY CLUB, INC.

Compliments Of
BRANTLEY & ASSOCIATES
REALETY WORLD
Independently Owned and Operated