NORTH CAROLINA

DARE COUNTY

DECLARATION OF PROTECTIVE COVENANTS

BRIGANDS' BAY

ITNESSETH

ing County, Surveyor entitled "Brigands' fessional referred through been duly That North Carolina, ö dated Engineer, whereas 383 and 421 as filed Owner, April Brigands' for Bay" and validated by 14, ۲. در through made ecord the located in Hatteras 1966, Bay ъy fee 404 John J. and June Developers, simple Book inclusive ָּט Duffy, Ţ owner 7, Crank, 1966, Inc. Township, shown Pages 0f Registered Pro-Lots Jr., such hereinafter on N the Numbers plat Dar Registered plat hav-

Carolina, on July in the 14, 1966; Public Registry of Dare County, North

apply declare before Ö hereinbefore the And whereas, CO CO designated; benefi and such the make known designated according П end that lots: of each the and the said Owner and the it S restrictions a11 covenants the of purpose intends the Ç and 2 purchasers common herein of restrictions to this develop scheme imposed of f declaration lots the o f which shall shall inure developland herein-

ing does designated Covenants under bу , MON this and them THEREFORE, and instrument Restrictions shall be the binding declure said Brigonds' are to and on all run make with parties Bay Developers, known the land that and persons claimhereinbefore the Inc following

- signated for the u tion, ten for and canals, án feet the roadways installations That easement private areas shown on said plad as "Brigands' Bay" is reserved purpose use 0 f each and the j. S of ingress retained by for fee benefit parce1 and the of of of itself maintenance purpose and 1 and the egress of drainage and to of utilities, abutting Declarant 8 plats Che to successors unto the Declurant streets, roads, lus hereinbefore deand streets over from pur the or the and rouds npon construc roudways lots assigns the and
- kind or ch 2. sale of any ind or character for a ho shall articles r whatsoever, or for hotel, motel, rooming be. or. used for or any occupied commercial the 2 carrying on of a for the manufacture any

ATTORNEYS AT LAW INTRO. NORTH CAROLI

- poses outside perimeter property line of the combined lot by said one property owner. No lot may be resubdiv out the written joinder of the Declarant, and under cumstances may a lot be resubdivided for the purpos creating ing lots, then and : lots may be used as line easements referred to herein shall apply de perimeter property line of the combined lot and no more lots, additional then and in that shall o O than one that event, the adjoining one or more one building site in which event the referred to herein shall a lots. used exclusively y for r residential resubdivided and under no o purpose acquired and d with-
- garage, on any provided the erection of residences upon said lands, and such tem porary structures as may be required by Declarant during storage except workmen period of limiting either such temporary structures as may be necessary for of materials or the convenience of workmen during lot at barn, or other outbuilding shall be a lot at any time either temporarily or for for the storage of materials or n shall be used on any lot at a her temporarily or permanent structure of a temporary character, thereto, trailer permanently 0 any kind, or No or the convenience any time as a res Kemporary structure tent, shack, e used or allowed permanent including but the
- types have tect Bay Developers, Inc., its succedenced by the approved copy of consequent like additions need of architecture placed on abutting properties with the sequent depreciation to the whole, no residence, improvents or alterations on said premises shall be constructed started until the construction plans and specifications purchasers been submitted in writing and approved by Brigands' additional approval. the order to he approved copy of such plans and speci-permanent possession of the Declarant. o such premises, including fencing, will to preserve a desirable beauty and to of this property from having undesiral this its successors or assigns, and eviproperty from having undesirable require prolot the Ve
- 6. Brigands' Bay Developers, Inc., reserves to approve the design and construction of all b constructed on any lot fronting on water or can Brigands' all bulkheads canals. the right
- and garages, shall be rone-story dwelling, or ing of more than one story. ground floor of a residence, exclusive of shall be not less than 600 square feet welling, or less that 500 square feet for ground floor exclusive of for for g) porches dwell
- alteration must be completed within six (6) mon commencement of construction of said residence, specifications or improvement exterior as approved by in accordance with the of any residence or other improvement ed within six (6) months of the Brigands Bay n Developers, alteration plans Inc
- completed tary facili 9. No rarily or facilities ב structure permanently as rmanently as a residence unti-accordance with Paragraph 8 les are fully operative. shall bе used at any time e until the uph 8 above either and all exterior temposani-
- perties the spec ment 10. specific over which access might ö (whether lot written consent may be used as within or without o f be obtained to Declarant "Brigands' Bay") lane, way or easewithout

- square feet ac used by except ce foot, one (1) advertising the one Declarant sign (1) f n of any kind professional o f Ö essional sign of not of sign of not more the property for sale of advertise lot sale kind shall be displayed ore than five (5) sale or rent, or s sales in the dev more than on any lot development one signs square
- å upon a may become an annoyance or No noxious or offensive activi-lot, nor shall anything be done nuisance to the neighborhood. activity shall be thereon which may be carried
- not be 13. No animals, livestock, or recept that raised, bred, or kept on any lot, except that any household pets may be kept provided that have bred or maintained for any commercial f any that t dogs, cats they are purpose kind shall
- from any highway, street or way within the subdifrom any other residence within the subdivision. SO as fence and garbage or wall of a to preclude highway, service ω the accumulations type and utilities, same from size fuel s are causing an unsignification, approved by to tanks, be be enclosed within woodpiles unsightly view the Declarant
- Declarant tions on the said property located upon said lands permitted under All wells and said Health Department. y shall be in accord with the rules a North Carolina Department of Health, shall be and in accord with the any in positions circumstances and No outside units approved installed upon and and toilets regulathe
- date are 16. All buildings, structures shall be maintained in a suitable event of destruction by CO of. be cleared and debris such casualty. fire or other casualty, removed within 90 and their appurtenances state of repair; and in ther casualty, premises days
- front and may setback not extend line of and fences into the house shall be ornamental in a front yard any further yard in character
- any line lot fronting on water which extends from the o said water. structure or pier shall be erected or placed on property
- from the side line of such lot, feet from any street or road sh purposes portion of the lot defining the longer No building longer paragraph, structure, included loser immediately adjacent road shown on dimension of the side yard of nor closer including the the referenced than lot. than twenty ťo the any lot 3 property plat feet y (20) <u>ب</u>
- January extended for restrictions and restrictions jority purchasers of sites unless, of such expiration easements The the 1990 at foregoing ьу and further sites easements vote upon all persons claiming at which time the cold -shall run with and shown on said o Fi restrictions successive periods conditions, dates, the and in said subdivision covered by t1me restrictions then the change owners plat, reservations, easemen ne land and be binding shall conditions, res اب ۲ of 0 in whole under record of said agreed, (10) them until conditions reservaon or these

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Wise damages remain restraint tec γď Enforcement virtue the owner against torce other o fi conditions o f and the violation subdivision, provisions, ion either which shall idation equitlaw Deno for

this its caused this bу President, day and year IN TESTIMONY WHEREOF authority instrument hereto, attested by 0 f first its all t 0 Board above es es o e its Brigands' the executed in Off. written. Secretary, act Directors and Bay deed its Developers, its duly o f corporate common said and legally Inc., corporate corporation name has given Ã,

BRIGANDS' BAY DEVELOPERS, INC.

(CORPORATE SEAL)

NORTH CAROLINA

DARE COUNTY

NOTARIAL SEAL

Notary

Public Public

said corporation.

commission expires:

18 1968

NORTH CAROLINA

DARE COUNTY

Notary Public of Dare County, North Carolina, The foregoing Let the instrument with the certificate Virginia P. is adjudged to be Scott

1966.

be registered

Samile County, N. C.

NORTH CAROLINA

MRE COUNTY

hereinafter referred to as Declarant: 1st day of January, 1973, by Brigands' THIS AMENDED DECLARATION OF PROTECTIVE COVENANTS, mad Bay Developers, Inc.,

WITNESSETH:

Registry of Dare County, North Carolina, a Declaration of Protecand lots No. 421 through 464, inclusive, as North Carolina; ر د • Covenants with respect to Lots No. 7 through 383, of Brigands' Bay, dated April 14, recorded in Map Book 3, Page 2, Public Registry of Dare County, THAT, WHEREAS, the Declarant heretofore filed under date 1966, and duly recorded in Book 134, Page 188; Public 1966, and June 7, 1966, and shown on a map or inclusive

tive Covenants with respect to Registry of Dare County, North Carolina, a Declaration of istry of Dare County, 7, 1966, 17, 1967, and duly recorded in Book 143, Page 176, AND, WHEREAS, the Declarant heretofore filed under date on a plat of Brigands' and duly recorded in Map Book North Carolina; Tots No. 3, Bay, dated April 14, 1966, \$> * ' 3, Page 2, Public Regand 6, inclusive, Protect Public

tective Covenants with respect to Lots No. 413, 414, 415, and 416 shown on map or plat of Brigands' Bay, dated 7, 1966, and duly filed for record in Map Book 3, Page Registry of Dare filed under date of July 14, 1966, a AND, WHEREAS, the Brigands' Bay Developers, Inc., here-County, North Carolina; Declaration of Pro-April 14, 1966, and

covenants herein before referred to with respect to Shottak tions therein and things, and to place the right of approval for AND, WHEREAS, the Declarant does desire to modify said - Coms of approval of the therein contained in the Architectural Review Developer with respect to certain the reserva-

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- the cas I. That the fee simple title to the streets, roads, lands, canals, private areas shown on said plats hereinabove lesignated as "Brigands' Bay" is reserved unto the Declarant for the use and benefit of itself, its successors and assigns; and an assign and an analysis of the purpose of drainage and the construction, installation and maintenance of utilities, roads, and for the purpose of ingress and egress to and from the lots and roadways is etained by the Declarant over and upon the ten (10) feet of each varcel of land abutting streets and roadways.
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 Homeou 3. Lots shall be used exclusively for resider s and no more than one residence shall be erected lots; but when one owner acquires two or more adjusted in that event, the adjoining one or more lots be building site in which event the side line ease to herein shall apply to the outside perimeter probe combined lots acquired by said one property owners to account the written joinder of Briowners. Association, Inc., and under no circumstant be resubdivided for the purpose of creating additional contents. 0 5 \circ I ~ 0 idential purted on any of adjoining lots, lots may be use easements refer property line owner. No lot Brigands' may additional lots. r () •
- 4. No structure of a temporary character, including but barn, or other outbuilding shall be used or allowed on any lot at any time either temporarily or permanently, except such temporary the convenience of workmen during the erection of residences upon said lands, and such temporary structures as may be required by Declarant during the period of development and sales. No temporary structure provided for the Storage of materials or venience of workmen shall be used on any lot at any time as a residence either temporarily or permanently.
- purchasers of this property from having undesirable types of architecture placed on abutting properties with the consequent depreciation to the whole, no residence, improvements or alterations on said premises shall be constructed or started until the construction plans and specifications and a plan showing the location of the structure on the lot have been submitted in writing and approved by Brigands' Bay Homeowners' Association, Inc., its successors or assigns, and evidenced by the approved copy of such plans and specifications left in the permanent possession of the Brigands' Bay Homeowners' Association, Inc. Any additions to such premises, including fencing, will require like additional approval. purce on s stru of tru of true 20000 ್ಷ ಚಿ
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- 000000 Thomas Sec. a garb sion age acci e and s in. Inc. < 30004 All service utilities, for accumulations are to be and size approved by the Billion inc., so as to preclude the from any highway, streets from any other residence. To the Bri I tanks, woodpil closed within a gands' Bay Homec same from causior way within the subdi Tes fen fen the the M () SON -00) II > h-j -----# Un F X 60 25
- X As dis والسلم الله والما المساور d proper d lands in the bear of the second s i di Gi erty s tred. wells and toilet and sewage units hall be in accord with the rules arina Department of Health, and shall ositions approved by the Brigands' c. and said Health Department. No ed under any circumstances. and reall be 1/3 00 tallo callo none i ers s o ٥ ٧ **-**9
- D.V B 0 00 n n puls of prof 01 → ಬ • تمين وتبيخ 16 27 70 (L. * by in Jul - CD 芝 ഐ 5 U.S. ن مسو **2**0 0, 7 0 -1 50 C 9 77 6 repair; ty, prem pop juice appu and ses in a re ි ජ **(**5) مختص Y con 10 Ø \circ O How 0 0 0 S) (3 **≥**/ Ω'n, 0.
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side street this i dimens 19. No building rected or placed on a lide line of such lot, treet or road shown out the simulately adjaced imension of the lot. ding or str on any lot not, nor cl an on the r e side yard ot. structure, including to closer than eight (closer than twenty (continue) referenced plat. Pard of any lot is that the property line d (20)
that redef S) fee S) fee O) fee or the t porti s, shall
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- or any agains such vand re y owner in the viction, violation, all of forcement of in the subdition the subdition the including and the income shall in one shall in ಗ್ರ≪ Has Had bros (1) 90 Same ange # 1. C 0 9. H. O A H 00 either either ion of affect Its may be by the c for equitable refer damages by any one of the tany other of sfull force and effull force 2 restrate conditions torion (n >-> -
- m 19 5 m مميز 🗯 دسم دمير ights of ay have bion of Prion, Inc. The Decli if approval l been hereto Protective (c., its succ clarant does her I heretofore res ctofore conveyed e Covenants to B uccessors and as ereby assessigns. S. T. S. ÇÓ o de g E O E tself on jot is Amended I Homeowners Decla Decla Ċ
- erances string chas ing by and it is agreated whole or or those graph. Le 22. The foregoing conditions, reservations, easements and estrictions shall run with the land and be binding upon all purhasers of sites in said subdivision covered by these restrictions and upon all persons claiming under them until January 1, 1990, at hich time the said conditions, reservations, easements, and retrictions shall automatically be extended for further succesive periods of ten (10) years each unless, by vote of the then where of record of a majority of the sites shown on said plat acting by and through the Brigands' Bay Homeowners' Association, Inc.; t is agreed, on or before such expiration dates, to change the hole or in part. The Declarant does hereby agree that only owners fithose lots which have passed from Declarant's control shall be ligible to vote on matters coming within the purview of this para-5 7 7 C B S () Sec

60 \circ قتقر 0 Ó. چسم میں۔ میں میں W ANOHILSIL (n ್ಷ 2 300.0 **∵** E S 12 authority 1000 WHEREOF ٠ السن Ö رب (۱) \circ 0 0 1-4 (1) *00 53 ₩ ₩ execute above . (ا) gands 200 03 23 24 0. So ٥ -سب ۳ Dire Ó بخبرة S المرا وساة الساء ائن ئىۋ Ç., 0 Cto corporat 0. ope ್ \diamond ហ ₹60 (*) Ų name inne. \simeq ಾ ದ ಎ 2 ٨q ○ ₩ ست دسو پ M

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NOTARIAL SEAL

My commission expires:

NORTH CAROLINA

DARE COUNTY

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NORTH CAROLINA, BARE COUNTY

the foregoing certificate of sactory ? Color a Notary Public of Dare County, North Carolina, is certified to be correct

PRESENTED for registration this the long of clock of the long book of the long page 267. M. and recorded in this office

Register of Deeds

Assistant Register of Deeds