HIGH DENSITY RESIDENTIAL SUBDIVISIONS DEED RESTRICTIONS & PROTECTIVE COVENANCES

In accordance with Title 15 NCAC 2H.1000 and S.L. 2006-246, the Stormwater Management Regulations, deed restrictions and protective covenants are required for High Density Residential Subdivisions where lots will be subdivided and sold and runoff will be treated in an engineered stormwater control facility. Deed restrictions and protective covenants are necessary to ensure that the development maintains a "built-upon" area consistent with the design criteria used to size the stormwater control facility.

I, Watson G. Caviness, acknowledge, affirm and agree by my signature below, that I will cause the following deed restrictions and covenants to be recorded prior to the sale of any lot:

1. The following covenants are intended to ensure ongoing compliance with State Stormwater Management Permit Number SW8100809, as issued by the Division of Water Quality under the Stormwater Management Regulations.
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 The covenants pertaining to stormwater may not be altered or rescinded without the express written consent of the State of North Carolina, Division of Water Quality.
5. Alteration of the drainage as shown on the approved plan may not take place without the concurrence of the Division of Water Quality.
6. The maximum allowable built-upon area per lot is 5,000 square feet. 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 line and the edge of the pavement. Built-upon area includes, but is not limited to, structures, asphalt, concrete, gravel, brick, stone, slate, coquina and parking areas, but does not include raised, open wood decking, or the water surface of swimming pools.
7. Each lot will maintain a 30 foot wide vegetated buffer between all impervious areas and surface waters.
8. All runoff from the built-upon areas on the lot must drain into the permitted system. This may be accomplished through a variety of means including roof drain gutters which drain to the street, grading the lot to drain toward the street, or grading perimeter swales to collect the lot runoff and directing them into a component of the stormwater collection system. Lots that will naturally drain into the system are not required to provide these additional measures. (By Permit, this requirement does not apply to lots that naturally and directly adjoin Lake Upchurch).

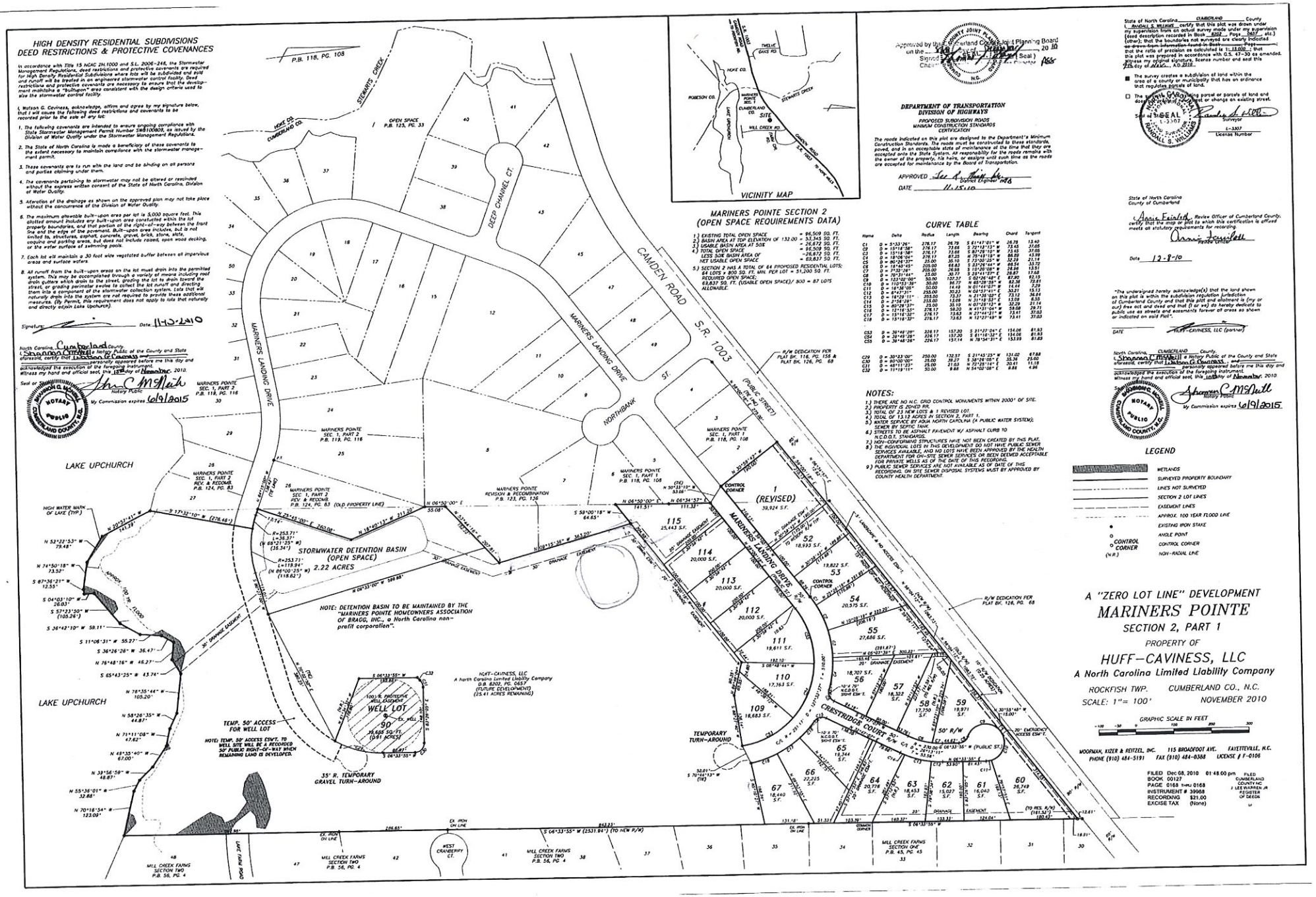
Signature: _____ Date: 11-10-2010

North Carolina, Cumberland County,
I, Shannon C. McNeill, a Notary Public of the County and State aforesaid, certify that Watson G. Caviness personally appeared before me this day and acknowledged the execution of the foregoing instrument.
Witness my hand and official seal, this 18th day of November, 2010.

Seal or Stamp: NOTARY PUBLIC, SHANNON C. MCNEILL, CUMBERLAND COUNTY, N.C.

Notary Public: Shannon C. McNeill

My Commission expires 6/9/2015



VICINITY MAP

MARINERS POINTE SECTION 2 (OPEN SPACE REQUIREMENTS DATA)

1.) EXISTING TOTAL OPEN SPACE = 96,509 SQ. FT.
2.) BASIN AREA AT TOP ELEVATION OF 132.00 = 53,345 SQ. FT.
3.) USABLE BASIN AREA AT SOIL = 26,672 SQ. FT.
4.) TOTAL OPEN SPACE = 96,509 SQ. FT.
LESS 50% BASIN AREA OF = -26,672 SQ. FT.
NET USABLE OPEN SPACE = 69,837 SQ. FT.
5.) SECTION 2 HAS A TOTAL OF 84 PROPOSED RESIDENTIAL LOTS: 84 LOTS x 800 SQ. FT. MIN. PER LOT = 51,200 SQ. FT.
REQUIRED OPEN SPACE:
69,837 SQ. FT. (USABLE OPEN SPACE)/ 800 = 87 LOTS ALLOWABLE.

CURVE TABLE

Name	Delta	Radius	Length	Bearing	Chord	Tangent
C1	D = 5°33'26"	276.17	26.79	S 61°47'01" W	26.78	13.40
C2	D = 15°14'58"	276.17	73.66	S 67°26'19" W	73.45	37.05
C3	D = 15°14'58"	276.17	73.66	S 67°26'19" W	73.45	37.05
C4	D = 18°06'08"	276.17	87.28	S 76°37'07" W	86.89	43.99
C5	D = 90°26'37"	35.00	55.19	S 73°00'25" W	52.39	35.14
C6	D = 25°54'45"	205.00	69.84	S 82°26'44" W	69.54	35.32
C7	D = 7°32'36"	205.00	26.98	S 15°30'08" W	26.96	13.51
C8	D = 70°31'44"	35.00	30.77	S 29°41'37" W	28.87	17.68
C9	D = 123°02'00"	50.00	107.37	S 92°26'48" E	87.90	92.15
C10	D = 110°53'39"	30.00	58.07	N 65°28'28" W	82.38	72.81
C11	D = 16°36'05"	50.00	14.49	N 01°46'07" W	14.44	7.28
C12	D = 64°47'31"	250.00	282.61	N 02°37'41" E	267.81	157.13
C13	D = 16°29'11"	253.00	72.83	N 21°38'32" E	72.59	36.61
C14	D = 2°58'28"	253.00	13.08	N 31°18'52" E	13.08	6.54
C15	D = 80°29'37"	35.00	35.10	N 07°05'13" W	32.29	19.74
C16	D = 12°16'53"	276.17	59.20	N 41°31'04" W	59.08	29.71
C17	D = 13°16'32"	276.17	63.63	N 27°44'21" W	63.47	31.92
C18	D = 13°16'32"	276.17	63.63	N 27°44'21" W	63.47	31.92
C52	D = 38°49'09"	226.17	157.30	S 31°37'04" E	154.06	81.83
C53	D = 38°49'09"	226.17	157.30	S 31°16'53" E	154.06	81.83
C54	D = 38°48'26"	226.17	153.14	N 70°54'31" E	153.59	81.83
C29	D = 35°33'00"	250.00	132.37	S 31°45'25" W	131.02	67.88
C30	D = 90°00'00"	35.00	39.27	S 38°26'05" E	35.36	25.00
C31	D = 45°11'33"	25.00	19.83	N 75°25'18" E	20.41	11.18
C32	D = 11°19'11"	50.00	9.88	N 54°02'08" E	9.86	4.96

NOTES:

1.) THERE ARE NO N.C. GRID CONTROL MONUMENTS WITHIN 2000' OF SITE.
2.) PROPERTY IS ZONED RR.
3.) TOTAL OF 23 NEW LOTS & 1 REVISED LOT.
4.) TOTAL OF 13.13 ACRES IN SECTION 2, PART 1.
5.) WATER SERVICE BY AQUA NORTH CAROLINA (A PUBLIC WATER SYSTEM); SEWER BY SEPTIC TANK.
6.) STREETS TO BE ASPHALT PAVEMENT W/ ASPHALT CURB TO N.C.D.O.T. STANDARDS.
7.) NON-CONFORMING STRUCTURES HAVE NOT BEEN CREATED BY THIS PLAT.
8.) THE INDIVIDUAL LOTS IN THIS DEVELOPMENT DO NOT HAVE PUBLIC SEWER SERVICES AVAILABLE, AND NO LOTS HAVE BEEN APPROVED BY THE HEALTH DEPARTMENT FOR ON-SITE SEWER SERVICES OR BEEN DEEMED ACCEPTABLE FOR PRIVATE WELLS AS OF THE DATE OF THIS RECORDING.
9.) PUBLIC SEWER SERVICES ARE NOT AVAILABLE AS OF DATE OF THIS RECORDING. ON SITE SEWER DISPOSAL SYSTEMS MUST BE APPROVED BY COUNTY HEALTH DEPARTMENT.

Approved by the Cumberland County Joint Planning Board on the _____ day of _____ 20 10
Signed: _____ (Seal)
Chairman

DEPARTMENT OF TRANSPORTATION DIVISION OF HIGHWAYS

PROPOSED SUBDIVISION ROADS
MINIMUM CONSTRUCTION STANDARDS CERTIFICATION

The roads indicated on this plat are designed to the Department's Minimum Construction Standards. The roads must be constructed to these standards, paved, and in an acceptable state of maintenance at the time that they are accepted into the State System. All responsibility for the roads remains with the owner of the property, his heirs, or assigns until such time as the roads are accepted for maintenance by the Board of Transportation.

APPROVED _____ District Engineer
DATE 11.15.10

State of North Carolina CUMBERLAND County
I, Randall S. Williams, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book 8202, Page 0637, etc.) (other); that the boundaries not surveyed are clearly indicated as drawn from information found in Book _____, Page _____; that the ratio of precision as calculated is 1:15000; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, license number and seal this 7th day of Nov., A.D. 2010.

■ The survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land.

☐ The survey creates a parcel or parcels of land and does not create a street or change an existing street.

Seal or Stamp: SEAL L-3307 RANDALL S. WILLIAMS

Surveyor

L-3307
License Number

State of North Carolina
County of Cumberland

I, Annie Faircloth, Review Officer of Cumberland County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Review Officer

Date 12-8-10

"The undersigned hereby acknowledge(s) that the land shown on this plat is within the subdivision regulation jurisdiction of Cumberland County and that this plat and dedication is (my or our) free act and deed and that (I or we) do hereby dedicate to public use as streets and easements forever all areas as shown or indicated on said Plat".

DATE

HUFF-CAVINESS, LLC (partner)

North Carolina, CUMBERLAND County,
I, Shannon C. McNeill, a Notary Public of the County and State aforesaid, certify that Watson G. Caviness personally appeared before me this day and acknowledged the execution of the foregoing instrument.
Witness my hand and official seal, this 18th day of November, 2010

Seal or Stamp: NOTARY PUBLIC, SHANNON C. MCNEILL, CUMBERLAND COUNTY, N.C.

Notary Public: Shannon C. McNeill

My Commission expires 6/9/2015

LEGEND

- WETLANDS
- SURVEYED PROPERTY BOUNDARY
- LINES NOT SURVEYED
- SECTION 2 LOT LINES
- EASEMENT LINES
- APPROX. 100 YEAR FLOOD LINE
- EXISTING IRON STAKE
- ANGLE POINT
- CONTROL CORNER
- (N.R.) NON-RADIAL LINE

A "ZERO LOT LINE" DEVELOPMENT
MARINERS POINTE
SECTION 2, PART 1

PROPERTY OF

HUFF-CAVINESS, LLC

A North Carolina Limited Liability Company

ROCKFISH TWP. CUMBERLAND CO., N.C.
SCALE: 1"= 100' NOVEMBER 2010

GRAPHIC SCALE IN FEET
100 50 0 100 200 300

MOORMAN, KIZER & REITZEL, INC. 115 BROADFOOT AVE. FAYETTEVILLE, N.C.
PHONE (910) 484-5191 FAX (910) 484-0388 LICENSE # F-0106

FILED Dec 08, 2010 01:48:00 pm
BOOK 00127
PAGE 0168 THRU 0168
INSTRUMENT # 39968
RECORDING $21.00
EXCISE TAX (None)

FILED
CUMBERLAND COUNTY NC
J. LEE WARREN JR
REGISTER OF DEEDS