

a garage for private passenger automobiles.

2. No mobile home(s) or modular home of any type whether on wheels, jacks or permanent foundation will be allowed in said subdivision.

3. Boats, motor homes, campers and recreational vehicles of any description shall be stored so that they are not in front of any residence and not an eyesore to the development.

4. No abandoned, unlicensed or inoperable motor vehicles of any description shall be allowed to be parked on any lot, driveway or public street in said subdivision.

5. No structure of any temporary character, tent, shack, barn, storage shelter or any other type outbuilding shall at any time be used on any lot in said subdivision for any reason whatsoever, including a temporary residence.

6. No noxious or offensive activity shall be conducted anywhere on the property subject to these restrictions nor shall anything be done thereon which may be or become an annoyance, nuisance or menace to the subdivision.

7. No lot or any part thereof shall be used for any business or commercial purpose.

8. All antenna, receiver or transmit terminals, or other devices used for reception and/or transmission of audio or video signals shall be installed so they are not visible from the front of the residence. Satellite dishes will be allowed provided they are less than eighteen (18) inches in diameter and installed so they are not visible from the front of the residence.

9. No swimming pool, wading pool or any other type container of water used by people for recreational purposes shall be constructed unless properly fenced and approved by the Architectural Committee. Any pool houses must be of similar style, material and construction as the main residence and also approved by the Architectural Committee.

10. All fuel oil tanks, containers or LP gas containers shall be buried underground and out of view and consistent with normal safety precautions.

11. No animals, livestock or poultry of any kind shall be raised, bred or kept on any lot in this subdivision, except that cats, dogs or other household pets may be kept, provided they are not bred or maintained for any commercial purpose.

12. Garbage and trash cans, wood piles and clothes lines must be located so that they will not be in front of any residence or be an eyesore to the development.

13. Property owners will be required to keep shrubbery or hedges trimmed to reasonable limits, so that air circulation or view from surrounding property will not be adversely affected, and so that traffic hazards will not be created.

III. SET BACK LINES, LOCATION AND SIZE OF IMPROVEMENTS AND BUILDING PLOTS

1. No building shall be erected on any lot nearer than thirty-five (35) feet to the front lot line. The Architectural Committee, which is provided for herein, shall have the sole authority to alter the minimum or maximum set back lines of any lot or lots, provided, however, said alteration is expressed in written form and signed by a majority of the Architectural Committee prior to the beginning of construction on any lot or lots affected by such change.

2. All buildings shall face toward the front lot line, and buildings and garages to be constructed on corner lots shall be located and face in the direction approved by the Architectural Committee. No residence shall be erected nearer than twelve (12) feet to any side lot line.

3. All residences must have accommodations for at least two (2) automobiles. Garages must be located away from the principle street of the house so that the main view of the house from the street will not be directly into such garage. Any variance in the location of a garage must be approved in writing by the Architectural Committee. Any detached garage shall be erected at least twenty-five (25) feet beyond the minimum set back line and no nearer than twelve (12) feet to any side or rear lot line.

4. Any decorative wall, fence or hedge to be placed in front of any residence in the subdivision shall not exceed four (4) feet in height. No chain link fencing shall be placed in the front of any residence in the subdivision.

5. Nothing contained herein shall be construed to prohibit the use of more than one lot or of portions of one or more lots as a single residential building site. In such event the Architectural Committee shall have the sole authority to determine the set back line(s), the direction the building shall face, the location of the building on the lots, and any other matters as to conformity and harmony of the building with the remainder of the subdivision. These matters must be approved in writing by the Committee before any construction may begin.

6. No residence shall be constructed on any lot containing less than seventeen hundred (1700) square feet of heated floor space exclusive of porches, garages and

breezeways. In computing the square footage of any residence, credit shall be given for one-half the square footage of any basement which is finished and heated. No story-and-a-half residence shall be erected containing less than twelve hundred (1200) square feet of heated floor space on the ground floor. No two story residence shall be erected containing less than one thousand (1000) square feet on the ground floor and less than eight hundred (800) square feet of heated floor space on the second floor, exclusive of porches, garages and breezeways.

7. The undersigned Developers shall have the right to divide any lot shown on the subdivision plat in any manner they so desire or deem necessary.

8. No grading or filling which would significantly change the elevation of any lot shall be done without the prior written permission of the Developer.

IV. APPROVAL OF PLANS

1. The Architectural Committee for this subdivision shall be composed of:

- (a) S. Smith Wham
- (b) N. Wayne Wham, Jr.

In the event of a vacancy on the Architectural Committee or the failure or inability of any member to act, the vacancy shall be filled temporarily or permanently as may be necessary by the remainder of the Committee. In all matters a majority vote shall govern.

2. No improvements shall be erected, placed, altered or changed on any lot in this subdivision until and unless the building plans, specifications and plot design and location of such improvement on the lot have been approved in writing by the Architectural Committee as to conformity and harmony of external design and consistence of plan with existing improvements on other lots in the subdivision and as to the location of the structure on the lot.

3. In order to prevent duplication of buildings or improvements to be constructed in this subdivision, the Committee is vested with full authority to approve or disapprove plans for the construction of any building or improvement with its major features so similar to an existing building or improvements as to be considered a substantial duplication thereof in the discretion of the Committee. The Architectural Committee shall further have the right to refuse to approve any such plans, specifications or plot plans which in its opinion and discretion are not suitable or desirable and in so passing upon such plans, specifications

or plot plans, the Committee shall take into consideration the suitability of the proposed building or other improvement, the materials of which it is to be built, whether or not it is in harmony with the surroundings and what effect it will have on other residences already constructed and what effect it will have on the outlook from adjacent or neighboring property.

4. Application for approval as required herein shall be made to the Committee and at the time of making such application the building plans, specifications, and site plan showing location of residence on lot. One copy of such plans and specifications will be retained by the Committee and the other copy will be returned to the applicant with approval or disapproval plainly noted thereon.

V. MISCELLANEOUS

1. No signs shall be permitted on any lots except that a single sign offering property for sale or for rent may be placed on any such lot providing such sign is not more than 24 inches side and 24 inches high.

2. Names or numbers painted or placed on mailboxes and/or any other house numbers or designations shall be painted or placed in a professional manner.

3. Each lot in the subdivision shall automatically become a member of the Smithfield Subdivision Homeowner's Association to be formed by the developer upon completion of the subdivision. Each lot shall have one vote in the Homeowner's Association, irrespective of ownership. The lot owner shall remain a member of the Association as long as he/she owns the lot and the membership in the Association shall pass with the deed.

IN WITNESS THEREOF, S-W Associates have set their hands and affixed their seals in Anderson, South Carolina, this 1st day of March, 1995.

Witness:

