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FILED Deborah B. Brooks
Register of Deeds, Orange Co., NC
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PREPARED BY PLANNING DEPARTMENT
ORANGE COUNTY
NORTH CAROLINA

Return to: Dr. Yang Sieng Lu
10 Holly Lane
Setauket, NY 11733

DECLARATION OF DEVELOPMENT
RESTRICTIONS AND REQUIREMENTS

RECORDED CONCURRENTLY WITH
MINOR SUBDIVISION FINAL PLAT
LOT H: DR. YANG SIENG LU PROPERTY
PLAT BOOK/PAGE 112/85

OWNERS: YANG SIENG LU

9840-20-4115
9749-29-7803 DMW

This DECLARATION, made this 17 day of December 2013, by Yang Sieng Lu and wife Grace C. Lu, the owners of the property described in the Property Description section of this declaration, hereinafter called Declarants.

WITNESSETH

Declarants agree for themselves and with any and all persons, firms or corporations hereinafter acquiring any of the property described in the Property Description section of this declaration, that the same shall be subject to the following restrictions, conditions, and covenants relating to the use and occupancy thereof, which restrictions, conditions, and covenants shall run with the said property and insure to the benefit of and be binding upon the heirs, successors and assigns of the Declarant and other acquiring parties and persons.

PROPERTY DESCRIPTION

Being all of Lots H1 and H2 as shown on the plat entitled "Minor Subdivision Final Plat Lot H: Dr. Yang Sieng Lu", dated April 20, 2013, as drawn by Iambic Surveying, and recorded in Plat Book 112, Page 85, Orange County Registry, hereinafter "the property" or "the subdivision".

SETBACKS



Building structures shall meet applicable setbacks as required by Article 3, Base Zoning Districts SECTION 3.3 Orange County Unified Development Ordinance (UDO). Said ordinance requires that all structures maintain a front yard setback of 40 feet, measured from the edge of right of way, and a setback of 20 feet from side and rear lot lines.

Exceptions to the setback requirement include certain architectural features (such as corners, eaves, and gutters), an unenclosed balcony or fire escape and an enclosed vestibule. See Article 6.2.9 of the UDO for specific regulations relating to these exceptions.

SEWAGE DISPOSAL

Location of sewage disposal systems on all lots in the subdivision may restrict the size and location of improvements on each lot. Orange County Health Department, Division of Environmental Health has information regarding the location of the suitable soils for Lots H1 and H2.

OPEN BURNING

The open burning of trees, limbs, stumps, and construction debris on site is prohibited.

OTHER RESTRICTIONS

Access for Lot H1 is restricted to the private road easement to the north as shown on the plat and lot H2 is restricted to using Hibiscus Lane, as shown on the final plat. Access onto Orange Grove Road (SR 1006) is prohibited as a condition of subdivision approval.

OTHER RELATED DOCUMENTS

Private Road Maintenance Agreement/ Joint Driveway Agreement (DB 5743 PG 469)

OTHER RELATED DOCUMENTS

Documents recorded concurrently with the Final Subdivision Plat may be revised and re-recorded at a later date. Check property record through the Orange County Register of Deeds to identify all documents recorded for this property.

LAND USE BUFFERS

Type B (30-ft.) Land Use Buffer located along Orange Grove Road shall be preserved as required by Article 6.8.6 of the UDO. The existing vegetation has been found to meet the standards of the Mixed Buffer, Option 1, of Table 6.8.6., Buffer Types.

LANDSCAPING

Existing trees shall be preserved to satisfy the landscaping requirements pursuant to Article 6.8.4 of the UDO.

Clear cutting of trees is prohibited. No trees measuring twelve (12) inches or more in diameter at a point four and one half (4.5) feet above the ground shall be cut. An exception shall include clearing of trees for the location of buildings, driveways, septic systems, and garden areas.



DURATION OF RESTRICTIONS

The restrictions imposed by this Declaration shall remain in full force and effect until such time as they are removed by the official legislative or administrative action of Orange County or another governmental unit with jurisdiction over the property.


REQUIREMENTS FOR STREAM BUFFERS

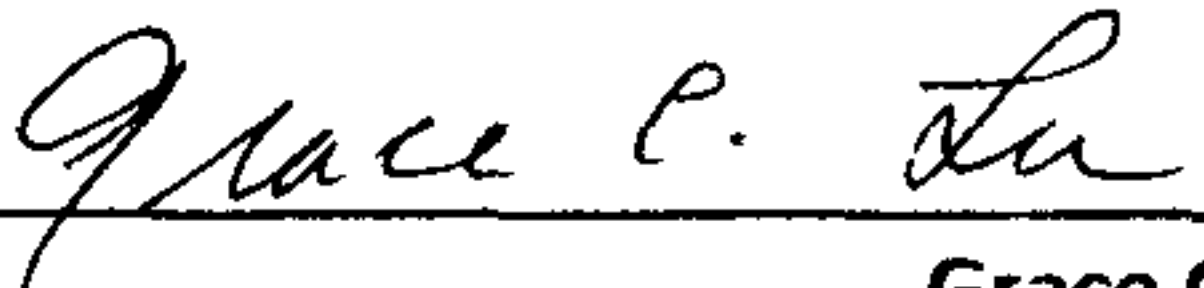
An area of land 65 feet in width along flood plains shall be required to remain in its natural state, unless the area is subject to serious erosion, in which case an erosion resistant vegetative cover shall be established and maintained as required by Article 6.13 of the UDO.

CERTIFICATE OF DEDICATION AND MAINTENANCE

"The undersigned hereby certifies that the land shown on the subdivision plat referenced under 'Property Description' on page 1 is owned by the undersigned and is located within the subdivision-regulation jurisdiction of Orange County and hereby freely dedicates all rights-of-way, easements, streets, recreation area, open space, common area, utilities and other improvements to public or private common use as noted on this plat, and further assumes full responsibility for the maintenance and control of said improvements until they are accepted for maintenance and control by an appropriate public body or by an incorporated neighborhood or homeowners association or similar legal entity."

IN WITNESS WHEREOF, Declarants have caused this instrument to be signed and sealed on the day and year first written above.

By: 
Yang Sieng Lu

By: 
Grace C. Lu

STATE OF NEW YORK

COUNTY OF Suffolk

On the 17 day of December in the year 2013, before me, personally appeared Yang Sieng Lu and Grace C. Lu, personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities, and that by their signatures on the instrument, the individuals, or the person upon behalf of which the individuals acted, executed the instrument.



Notary Public

Printed Name: Deborah A. Hartmann

My Commission Expires: 1/8/2015

DEBORAH A. HARTMANN
NOTARY PUBLIC, State Of New York
No. 01HA6053465
Qualified In Suffolk County
Commission Expires January 08, 20 15