

June 9, 2021

The subject parcels are currently zoned RC (highlighted in yellow on the following page). There is a 10+ acre Duke Energy substation to the south (highlighted in green) and HC zoned properties across Hwy NC 127 to the west (highlighted in magenta). The adjacent property owner to the east and northeast is agreeable to the rezoning (highlighted in blue).

Overruling the zoning are the below deed restrictions.

BK 2861 PG 0167

29 min. West 223.78 feet to an iron pin, thence North 21 deg. 00 min. West 46.7 feet to an iron pin; thence leaving the margin of said right of way and running South 84 deg. 33 min. 28 sec. West 9.95 feet to an iron pin in the northeastern corner of Michael Bradshaw; thence running with Bradshaw's eastern line South 5 deg. 39 min. West 366.27 feet to an iron pin in the northern line of Duke Power Company; thence running with the northern line of Duke Power Company South 64 deg. 16 min. East 172.47 feet to the point of Beginning, and containing 1.336 acres, more or less, according to a survey prepared by Sam Rowe, Jr. on January 26, 1990, entitled "Howard Anderson Brinkley Pro."

The above SECOND TRACT is the identical property contained in Book 1667, Page 637, Catawba County Registry.

The grantor herein also conveys to the grantee a non-exclusive perpetual right of ingress, egress and regress and utilities over, beneath and upon the existing 45-foot right of way and new 45-foot right of way, which provides access to the subject realty from Highway No. 127 and is shown in Plat Book 24 at Page 195, Catawba County Registry. The right and easement shall be appurtenant to and run with the property of the grantee.

This conveyance is restricted as to those uses set forth in the Catawba County zoning ordinances applicable as of the date of this deed.

In addition to the applicable restrictions set forth in the Catawba County zoning ordinances, the following uses shall **not** be permitted: package stores; nightclubs; dance halls; establishments that serve alcoholic beverages; junkyards; auto repair or body shops; funeral homes or crematoriums; animal farms or kennels; drag strip; landfills of any nature.