

YORK COUNTY, SC	
2021069058	RESTR COVEN
RECORDING FEES	\$25.00
STATE TAX	\$0.00
COUNTY TAX	\$0.00
12-03-2021	02:53:07 PM
BK:RB 19815	PG:168-171

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
NEWPORT RECREATIONAL PROPERTIES, LLC
PROPERTY ON HANDS MILL ROAD

WHEREAS, Newport Recreational Properties, LLC (hereinafter referred to as "Declarant"), is the owner of certain York County real estate (hereinafter referred to as the "Property"), and more particularly described as follows:

ALL THAT CERTAIN piece, parcel or lot of land lying and being situate in the State of South Carolina, County of York, Ebenezer Township, approximately 0.4 miles north of the crossroads commonly known as "Newport", on the northeast side of the intersection of the rights of way for Hands Mill Road (S.C. Hwy 274) and Crystal Lakes Drive (and the southeast side of the intersection of the rights of way for Hands Mill Road and Greenmeadow Road), containing 6.07 acres, more or less, and being fully shown and described on a plat entitled, "Property Surveyed for Newport Recreational Properties, LLC", prepared by Robert R. Medford, S.C. R.L.S., dated January 12, 2011, and recorded January 13, 2011, in Plat Book E-76 at page 2 in the Office of the Clerk of Court for York County, which plat is incorporated herein and made a part hereof by this reference and having such metes, bounds, courses and distances as will appear by referring to said plat (York County Tax Map No: 545-00-00-014), and

WHEREAS, it is in the best interest of Declarant, as well as to the benefit, interest and advantage of each person or business entity later acquiring title to the Property or any portion thereof, that certain covenants, conditions and restrictions governing and regulating the use and occupancy of the Property be established, fixed, set forth and declared to be covenants running with the land, and it is Declarant's intent to make the said Property subject to these covenants, conditions and restrictions, Now, therefore,

KNOW ALL MEN BY THESE PRESENTS, in consideration of the premises above stated, and for the purposes stated, Declarant declares that all of the Property is and shall be held, sold and conveyed subject to the following covenants, conditions and restrictions (all of which are collectively referred to in this instrument as the "Restrictions"), which Restrictions are intended to be construed and interpreted as covenants running with the land and touching and concerning the land and shall be binding upon, and enforceable by, all parties having any right, title or interest in the Property or any part, parcel or portion thereof, and their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

1. **Exterior Materials.** All structures to be constructed upon the Property shall have exteriors composed of brick, stone, cement board, board and batten or EFIS and other accent materials. Vinyl exteriors and metal exteriors or metal buildings are not permitted.

2. **Permitted Uses.** Only those commercial/retail/professional activities as are listed on EXHIBIT A, which is attached hereto and incorporated herein as if set forth herein verbatim, are permitted to be engaged in upon the Property ("Permitted Uses") and any other use not expressly permitted is strictly prohibited.

3. **Additional Uses.** Additional or other uses not appearing on Exhibit A are permissible provided however, that approval thereof must first be obtained in writing from Zeke Properties, LLC.

EXHIBIT A
"PERMITTED USES"

1. **Places of Worship**
 - (a) Churches are a permitted use

2. **Retail Establishments (convenience)**
 - (a) Bakery/Bread Stores
 - (b) Bookstores but no adult bookstores or stores selling adult-rated media of any type
 - (c) Cellular telephone 1 pager stores
 - (d) Cosmetic stores and services
 - (e) Drug, Pharmacy, and Health stores
 - (f) Flower and Gift Shops
 - (g) Grocery stores
 - (h) Hardware Stores
 - (i) Ice Cream/Yogurt Shops
 - (j) Newsstands
 - (k) Video Rental Stores but not stores selling adult-rated media of any type

3. **Retail Establishments (primary)**
 - (a) Art Supply and Craft Stores
 - (b) Clothing Stores but no thrift-type stores
 - (c) Department Stores
 - (d) Gift and Candy Stores
 - (e) Jewelry Stores
 - (f) Music Stores
 - (g) Pet Stores but no overnight boarding of animals or kennels
 - (h) Retail stores of a type similar to Dollar Tree, Dollar General, Family Dollar, Five Below, etc.

4. **Personal Service Establishments**
 - (a) Barber Shops and Beauty Salons/Spas
 - (b) Caterers and Banquet Services
 - (c) Child and Adult Care Centers
 - (d) Dry Cleaners
 - (e) Pet Grooming Services but no overnight boarding of animals or kennels
 - (f) Restaurants including coffee, deli, fast food, brewpubs, but no dance floors or staged entertainment
 - (g) Tailors and Dressmakers
 - (h) Tanning Salons
 - (i) Word Processing and Transcription Services

5. **Professional Uses**
 - (a) Commercial Schools and Schools providing adult training in any arts, sciences, trades, and professions
 - (b) Counseling Centers and Services
 - (c) Employment Agencies and Consultants
 - (d) Financial Institutions
 - (e) Funeral Homes but not Crematoria
 - (f) Hospitals, Clinics, and Medical Offices
 - (g) Massage and Relaxation Therapy Services (no massage parlors)
 - (h) Office Buildings
 - (i) Photography and Art Studios
 - (j) Schools, either public or private, and administrative School Buildings
 - (k) Travel Agencies

6. **Commercial Recreation Establishments**
- (a) Bowling Alleys
 - (b) Dance Studios and Schools
 - (c) Gymnastic Centers
 - (d) Health Clubs and Fitness Centers
 - (e) Karate and Martial Arts Instruction and Schools
 - (f) Movie theaters but not adult-rated media of any type
 - (g) Neighborhood Parks and Centers
 - (h) Skating Rinks
 - (i) Bingo Halls and gambling/video poker establishments are prohibited