

**THIRD AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
THE VILLAGE @ FLOWERS PLANTATION**

Prepared by & Hold for: Law Office of Kirkland R. Odom, Jr.

THIS THIRD AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS is made this 4<sup>th</sup> day of June, 2013, by DWF  
Development, Inc. a North Carolina corporation, and Rebecca D. Flowers, an individual,  
hereinafter jointly referred to as "Declarant".

**WITNESSETH:**

WHEREAS, Declarant executed a Declaration of Covenants, Conditions and Restrictions  
for the Village @ Flowers Plantation which is recorded in Book 3233, page 495,  
Johnston County Registry (the "Declaration"); and

WHEREAS, Declarant recorded the First Amendment to the Declaration in Book 3362,  
page 113, Johnston County Registry; and

WHEREAS, Declarant recorded the Second Amendment to the Declaration in Book  
3943, page 239, Johnston County Registry; and

WHEREAS, Declarant has filed numerous Supplemental Declarations that annex various  
sections of the Village @ Flowers Plantation which make said sections subject to the  
Declaration; and

WHEREAS, pursuant to the terms of Section 17.1 of the Declaration, Declarant may  
unilaterally amend the Declaration for any purpose so long as the Declarant owns any of  
the Village Property, provided the amendment has no material adverse effect upon any  
right of any owner; and

WHEREAS, the Declarant owns a portion of the Village Property and this amendment  
does not have a material adverse effect upon any right of any owner.

NOW THEREFORE, for good and valuable consideration, the receipt of which is hereby acknowledged by all parties hereto, the Declaration is hereby amended as follows:

1. Under Exhibit "C", Initial Restrictions and Rules, Paragraph 1, Section (r) is hereby deleted in its entirety and shall be replaced by the following provision:

(r) The use or operation of all-terrain vehicles, including, but not limited to, three-wheelers, four-wheelers (except that electric golf carts are allowed subject to the restrictions herein), dirt bikes and go-carts. Operation of electric or battery powered vehicles, golf carts and other similar vehicles (said vehicles may be subject to review by the Association, in which case the vehicles may be prohibited from operation within the property covenanted herein), must be by a licensed driver, 16 years of age or older, and only on the private streets. Golf carts are prohibited on the pedestrian sidewalks and walking trails. Skateboards, scooters, roller blades and other similar transportation devices, whether powered or not, are prohibited from operation on the streets, pedestrian sidewalks and walking trails. Bicycles are not prohibited from operation on the streets but are prohibited from operation on the pedestrian sidewalks and walking trails. Any vehicle not described herein may be subject to review by the Association, in which case the vehicles may be prohibited from operation within the property covenanted herein.

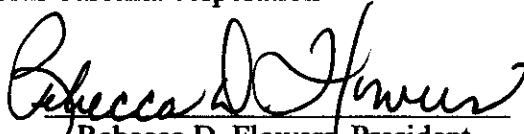
2. Except as amended herein, the Declaration, any amendments thereto and all Supplemental Declarations shall remain in full force and effect and shall be unaffected by this Amendment.

IN WITNESS WHEREOF, Declarant has executed this document the 4<sup>th</sup> day of June, 2013.


Declarant:

DWF DEVELOPMENT, INC.,  
a North Carolina corporation

By:

  
Rebecca D. Flowers, President

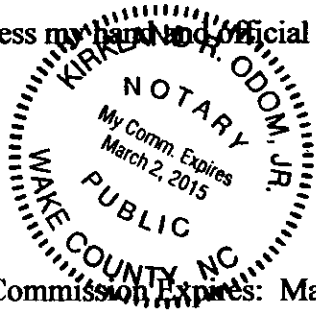
Declarant:

 (SEAL)  
Rebecca D. Flowers

NORTH CAROLINA, Wake County.

I, a Notary Public of the County and State aforesaid, certify that Rebecca D. Flowers personally appeared before me this day and acknowledged that she is President of DWF Development, Inc., a North Carolina corporation, and that by authority duly given and as an act of the corporation, the foregoing instrument was signed in its name by its President.

Witness my hand and official stamp or seal, this 5<sup>th</sup> day of June, 2013.



*[Handwritten signature of Kirkland R. Odom, Jr.]*

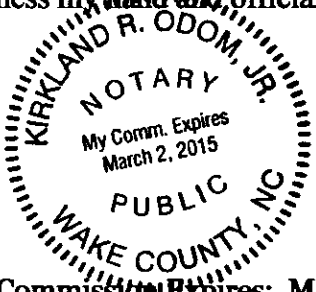
Notary Public – Kirkland R. Odom, Jr.

My Commission Expires: March 2, 2015.

NORTH CAROLINA, Wake County.

I, a Notary Public of the County and State aforesaid, certify that Rebecca D. Flowers personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 5<sup>th</sup> day of June, 2013.



*[Handwritten signature of Kirkland R. Odom, Jr.]*

Notary Public – Kirkland R. Odom, Jr.

My Commission Expires: March 2, 2015.