

STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON

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

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE VILLAGE@FLOWERS PLANTATION (the "Amendment") is made and entered into effective as of July 28, 2014, by REBECCA D. FLOWERS, an individual, and DWF DEVELOPMENT, INC., a North Carolina corporation, jointly (together "Declarant"), and is executed by THE VILLAGE@FLOWERS PLANTATION, INC., a North Carolina non-profit corporation (the "Association") for the limited purpose described herein.

RECITALS:

A. The Declaration of Covenants, Conditions and Restrictions for The Village@Flowers Plantation was executed by Declarant and was recorded in Book 3233 at Page 495 in the office of the Johnston County Register of Deeds (the "Original Declaration"). The Original Declaration has been supplemented and amended by various supplements and amendments. The Original Declaration, as so supplemented and amended, is hereinafter referred to as the "Declaration."

B. Declarant owns a portion of the Village Property, and may therefore unilaterally amend the Declaration pursuant to Section 17.1 thereof. Declarant desires to amend the Declaration in certain respects, as set forth herein.

C. While it is not legally required that the Association consent to, approve, or join in the execution of this Amendment for this Amendment to be legally binding and effective, the Association has executed this Amendment to acknowledge that it has knowledge of it and to acknowledge its effectiveness.

Prepared by and return to:
Brian P. Evans, Esq.
K&I. Gates, LLP
Hearst Tower, 47th Floor
214 N. Tryon Street
Charlotte, North Carolina 28202

CH-3226351 v1

NOW, THEREFORE, the Declaration is hereby and amended as follows:

1. Incorporation and Defined Terms. The above Recitals are hereby incorporated herein by this reference. All capitalized terms used herein, and not otherwise defined herein shall have the meaning attributed to such terms in the Declaration.

2. Amendments to Declaration. Declarant, pursuant to its powers under Section 17.1 of the Declaration, amends the Declaration as follows:

A. Declarant's Option to Fund Budget Deficits. The first sentence of Section 8.4(b) of the Declaration is deleted in its entirety and replaced with the following:

During the Class "C" Control Period, Declarant shall pay the difference between the amount of assessments levied on all Units subject to assessment and the amount of actual expenditures by the Association during the fiscal year.

B. Declarant's Payment of Assessments. Section 8.4(b) of the Declaration is further amended by deleting the second to last sentence thereof, which begins "After termination of the Class "C" Control Period..."

C. Authority to Assess Owners; Time of Payment. Section 8.6 of the Declaration is amended by adding the following after the first sentence thereof:

Notwithstanding the foregoing, commencing on July 29, 2014, the obligation to pay assessments as provided for in this Article shall commence as to each Unit on the first day of the month following the month in which the Unit is conveyed by the Declarant or a Builder to an Owner that will occupy a completed residence on the Unit.

4. Effect. The Declaration remains in full force and effect as modified by this Amendment. In the event of any inconsistency or conflict between the terms of the Declaration and the terms of this Amendment, the terms of this Amendment shall control.

5. Conflict. If there is any conflict between this Amendment and the Declaration or any previous amendment to the Declaration, the provisions of this Amendment shall control.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

IN WITNESS WHEREOF, the undersigned Declarant and Association have caused this Amendment to be executed as of the day and year indicated in the acknowledgement block below.

DECLARANT

DWF Development, Inc., a North Carolina corporation

By: *Rebecca D. Flowers*
Name: Rebecca D. Flowers
As: President

STATE OF NORTH CAROLINA

COUNTY OF JOHNSTON

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: DWF Development, Inc., a North Carolina corporation, by Rebecca D. Flowers, its President.

Date: 7/29/14

Teresa O'Hara
Official Signature of Notary Public

Teresa O'Hara
Notary printed or typed name

[OFFICIAL SEAL]

My commission expires: 9/2/2016

Teresa O'Hara
Notary Public
Johnston County, NC
My Commission Expires 9/2/2016

IN WITNESS WHEREOF, the undersigned Declarant and Association have caused this Amendment to be executed as of the day and year indicated in the acknowledgement block below.

DECLARANT

Rebecca D. Flowers
Rebecca D. Flowers, an individual

STATE OF NORTH CAROLINA

COUNTY OF JOHNSTON

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Rebecca D. Flowers.

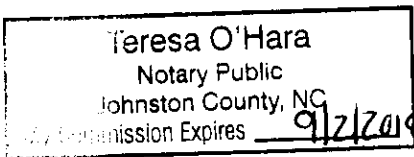
Date: 7/28/14

Teresa O'Hara
Official Signature of Notary Public

Teresa O'Hara
Notary printed or typed name

[OFFICIAL SEAL]

My commission expires: 9/2/2018



IN WITNESS WHEREOF, the undersigned Declarant and Association have caused this Amendment to be executed as of the day and year indicated in the acknowledgement block below.

ASSOCIATION

The Village@Flowers Plantation, Inc., a North Carolina corporation

By: Rebecca D Flowers

Name: Rebecca D. Flowers

As: President-Declarant

STATE OF NORTH CAROLINA

COUNTY OF JOHNSTON

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: The Village@Flowers Plantation, Inc., a North Carolina corporation, by Rebecca Flowers, its President.

Date: 7/28/14

Teresa O'Hara
Official Signature of Notary Public

Teresa O'Hara
Notary printed or typed name

[OFFICIAL SEAL]

My commission expires: 9/2/2018

