

4880 NC42E  
Clayton NC  
27520

BOOK 1970 PAGE 599

AMENDMENT TO DEVELOPMENT AGREEMENT FOR  
FLOWERS PLANTATION SUBDIVISION

FLOWERS PLANTATION ARCHITECTURAL GUIDELINES 2000-20001

Now comes Declarant, Rebecca D. Flowers, and amends that certain Development Agreement for Flowers Plantation as follows:

Rebecca D. Flowers or her successors in interest reserve complete Architectural Authority for any community or residence and lot within a community at FLOWERS PLANTATION.

BEFORE constructing a home, out building, garage, fence, antennae, driveway, woodpile, or any exterior structure on a lot, an architectural application must be submitted to the office of the Declarant thirty days prior to construction and approved in writing. The covenants of the Foundation are on record at the Johnston Co. courthouse in Smithfield, N.C. which legally require this procedure. Any violation is considered a legal infraction and will require court procedures and costs.

LAND USE AND BUILDING TYPE:

No lot shall be used except for residential purposes. No lot shall be subdivided or boundary lines amended, except with the prior written consent of Declarant or her successors in interest.

In order to maintain architectural beauty in this subdivision and to guard against the erection therein of poorly designed or proportioned structures, no building shall be erected, altered, or permitted to remain on any building lot until a plot plan showing the location of said building on the lot and the plans and specifications showing the type and exterior lines thereof have been submitted to and approved in writing by Declarant or her successors in interest. The same applies to any out buildings or detached garaged, swimming pools, etc.

All driveways must be concrete or asphalt. No graveled driveways are permitted except during construction. Prior to occupancy, the driveway must be paved with concrete or asphalt.

Except with prior written approval by Declarant, no detached garage or out shall at anytime be used as a residence.

Fences: No fence or fencing-type barrier of any kind shall be placed, erected, allowed or maintained upon any portion of the community, including any lot, without the prior written consent of Declarant.

Signs: No signs can be erected, placed or displayed on any property without written consent of

Declarant.

**Vehicles, Garbage, Clotheslines and Woodpiles:**

All vehicles within the community or lot must be in good condition, and licensed. All lots, whether occupied or unoccupied, shall be well maintained and no unattractive growth or accumulation of rubbish or debris shall be permitted. No trash, garbage, or other waste shall be kept except in sanitary containers. All incinerators or other equipment for the storage or disposal of such material shall be kept in a clean and sanitary condition.

Clotheslines, garbage containers, woodpiles and other similar items must be located or screened so as to be concealed from view of neighboring lots, streets, passing vehicles, or walkers and other residents.

Damaged Property: Any dwelling or outbuilding on any lot which may be destroyed in whole or in part by fire, windstorm or for any other cause or act of God must be rebuilt or all debris removed and the lot restored to a sightly condition, within 3 months of the destruction.

Antennas: No exterior antennae of any kind shall be placed, allowed, or maintained upon any portion of the community, including any lot, without the written consent of Declarant.

Guns: The use of firearms on the properties or in the community is prohibited. This includes "B-B" guns, pellet guns and small firearms of all types, including "fire-crackers". No fireworks are allowed within the community without written consent of Declarant.

Nuisances: No noxious or offensive trade or activity shall be carried on upon any lot nor shall anything be done thereon which may be or become an annoyance or nuisance to the neighborhood. No signs or billboards shall be stored or regularly parked on the premises, and no commercial trucks or tractors may be parked upon the premises. No business activity or trade of any kind whatsoever, which shall include, but not be limited to, the use of any residence as a doctor's office, professional office of any kind, fraternity house, rooming or boarding house, antique or gift shop, shall be carried on upon any lot.

All Terrain Vehicles: The use of all terrain vehicles, including, but not limited to three-wheelers, four-wheelers, dirt-bikes, go-carts on the properties or in the community is expressly prohibited hereby. Golf carts may or may not be approved by the Declarant or her successors in interest, at Declarant's sole option.

Appearance: Each owner shall keep his building site free from tall grass, undergrowth dead trees, trash, rubbish, building materials, and property maintained so as to present a pleasing appearance within the community. In the event an owner does not properly maintain his site as above provided, in the opinion of the Declarant, then Declarant or her successors in interest may have the site cleaned to Declarant's satisfaction and the costs thus incurred by the lot owner.

Developers: All exterior street lighting, mailboxes, entrances and subdivisions walls, mailboxes,

blueprints, amenities, etc. must be approved in writing by Declarant prior to installation or submittal to the county of Johnston for approval. The approval by Declarant shall be issued in writing prior to submittal to the county of Johnston. Individual wells and septic tanks are prohibited hereby.

Boats, Trailer, Campers, Commercial Vehicles and all other Similar Property are prohibited on the streets in the development, and such property shall not be permitted to be parked in the front yard or where it is visible from any streets within the community of FLOWERS PLANTATION.

Animals. Animals must be contained within the lot of any subdivision within FLOWERS PLANTATION. Dogs must be on leashes if being walked. Cats must be contained and may no roam outside of the lot. No animals or poultry of any kind, other than ordinary household pets, shall be kept or maintained on any part of said property. Animal noises, such as dog barking or other offensive activities by household pets shall be considered noxious and offensive activity and shall not be permitted.

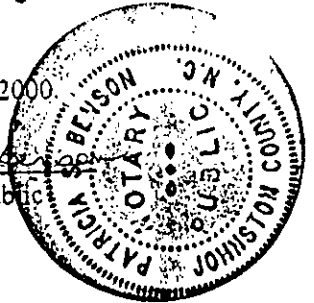
*Rebecca D. Flowers* (SEAL)  
REBECCA D. FLOWERS, Declarant

STATE OF NORTH CAROLINA  
COUNTY OF *Johnston*

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

Witness my hand and official stamp or seal, this 13<sup>th</sup> day of September 2000.

*Patricia S. Benson*  
Notary Public



My Commission expires: August 7, 2001

State of North Carolina-Johnston County  
The foregoing Certificate(s) of *Patricia S. Benson*  
Notary (Notaries) Public is (are) certified to be correct.  
This instrument was prepared for registration and recorded in Book 1970 Page 599  
This 13 September, 2000 at 9:15 AM  
Cecil M. Massengill *Joan B. Mason*  
Register of Deeds Deputy Register of Deeds

EXHIBIT "B"

FLOWERS' PLANTATION FOUNDATION, INC.  
COMMUNITY DEVELOPER  
ARCHITECTURAL APPLICATION

Total Community Design \_\_\_\_\_

Specific Phase (Lots & Details) \_\_\_\_\_

Lot #s \_\_\_\_\_ Section \_\_\_\_\_

Area \_\_\_\_\_

Attached please find lot plat and blueprint for the above designated structure:

Note: Approval is needed for entrance designs, lighting designs, home designs, & mailbox designs. Square footage of homes and sales price ranges are required. Sketch plans of overall community, street and lot layouts with lot numbers must be submitted prior to Johnston County approval. Our office has 30 days to approve all applications from date they are submitted, provided all information is correctly submitted at that time. Need list of covenants for each phase of community or overall covenants. Need the names and addresses of professionals working in community, including builders in each phase.

Date Submitted: \_\_\_\_\_

Signature of Owner(s) \_\_\_\_\_  
\_\_\_\_\_

The above request is hereby approved by the Declarant.

Date: \_\_\_\_\_

Signature of Members: \_\_\_\_\_ Member  
\_\_\_\_\_ Member  
\_\_\_\_\_ Member  
\_\_\_\_\_ Member

The above request is NOT approved as submitted. Please see attachment.

Date: \_\_\_\_\_

Signature of Members: \_\_\_\_\_ Member

\_\_\_\_\_ Member

\_\_\_\_\_ Member

\_\_\_\_\_ Member

EXHIBIT "C"

Application for Construction

Dwelling \_\_\_\_\_ Garage \_\_\_\_\_ Doghouse \_\_\_\_\_  
 Out Building \_\_\_\_\_ Satellite Dish \_\_\_\_\_ Other \_\_\_\_\_  
 Fence \_\_\_\_\_ Antenna \_\_\_\_\_ Sign \_\_\_\_\_  
 Lot # \_\_\_\_\_ Section \_\_\_\_\_

Attached please find lot plat and blue-print for the above designated structure.

Note: If the structure is a dwelling, the builder's name, license number, address and telephone number must be submitted along with a specification sheet drawn by the builder, designated heated sq. ft., foundation material, exterior material etc. and location on lot plat.

If an out-building, please include plat of lot with location of building in-relation tot he property lines and other structures, list of materials.

Date Submitted: \_\_\_\_\_ Exterior Colors  
 Signature of Owner(s) \_\_\_\_\_ 1. Exterior Siding \_\_\_\_\_  
 \_\_\_\_\_ 2. Ext. Siding Color \_\_\_\_\_  
 \_\_\_\_\_ 3. Ext. Brick Color \_\_\_\_\_  
 \_\_\_\_\_ 4. Trim Color \_\_\_\_\_  
 \_\_\_\_\_ 5. Shingle Color \_\_\_\_\_  
 \_\_\_\_\_ 6. Shutter Color \_\_\_\_\_

The above request is hereby approved by the Declarant.

Date: \_\_\_\_\_

Signature of Members: \_\_\_\_\_ Member  
\_\_\_\_\_ Member  
\_\_\_\_\_ Member  
\_\_\_\_\_ Member

The above request is NOT approved as submitted. Please see attachment.

Date: \_\_\_\_\_

Signature of Members: \_\_\_\_\_ Member  
\_\_\_\_\_ Member  
\_\_\_\_\_ Member  
\_\_\_\_\_ Member