

Johnston County, North Carolina
CRAIG OLIVE Register of Deeds
The following certificate(s) of
CAROLYN BATTEN BROWN

FILED Jun 24, 2005
AT 11:50:00 am
BOOK 02922
START PAGE 0595
END PAGE 0597
INSTRUMENT # 72037

notary/notaries public
is/are certified to be correct.

Lester P. Sullivan
Lester P. Sullivan
~~Deputy~~ Assistant - Register of Deeds

Prepared by ~~and Mail to:~~ Laura K. Howell, P. O. Box 1289, Wendell, NC 27591

Return to: DWF Dev Inc, Clayton Nc 27527
NORTH CAROLINA

**AMENDMENT TO
RESTRICTIVE COVENANTS FOR NORTH FARM
SUBDIVISION**

JOHNSTON COUNTY

This Amendment to Declaration made and entered into this 24th day of ~~May~~ *June*, 2005, by DWF Development, Inc., a North Carolina Corporation, hereinafter referred to as "Declarant", authorized to do and doing business in Johnston County, North Carolina;

WITNESSETH:

THAT WHEREAS, Declarant is the developer of all of the lots in North Farm Subdivision, Phase I, being in Wilders Township, Johnston County, North Carolina, and more particularly described by a map recorded in Plat Book 65, Page 270, Johnston County Registry; and

WHEREAS, Declarant heretofore declared, gave, granted, and conveyed for said Lots certain restrictive covenants for the benefit of said subdivision, as recorded in Book 2799, Page 581, as amended in Book 2894, Page 968, Johnston County Registry; and

WHEREAS, Declarant has determined, in order to preserve the rural character of the subdivision, that individual swimming pools should not be allowed in any yard of any home to be constructed in North Farm; and

WHEREAS, said Covenants also provide that the first purchaser from the Declarant must pay a capital contribution, when the capital contribution is supposed to come from the first purchaser from the Builder; and

WHEREAS, per the Covenants, the Declarant has the right to amend the covenants under certain terms and conditions, which terms and conditions have been met; and

WHEREAS, the Declarant desires to amend the Covenants to provide for a prohibition against individual swimming pools in North Farm, and to correct the error regarding the capital contribution;

NOW, THEREFORE, Declarant hereby amends said restrictive covenants for North Farm Subdivision, Phase I, as recorded in Book 2799, Page 581, as amended in Book 2894, Page 968, Johnston County Registry, as follows:

By deleting the first sentence of Paragraph 8.9 of the Covenants, and inserting in lieu thereof, the following:

“Upon acquisition of record title to a Unit by the first Owner thereof other than the Declarant and any Builder (unless the Builder intends to reside in the Unit), a contribution shall be made by or on behalf of the purchaser to the working capital of the Association in an amount equal to one-sixth of the annual Base Assessment per Unit for that year.”

By adding as Paragraph (x) to Exhibit “C” entitled “Initial Use Restrictions and Rules”, the following:

“(x) No swimming pool, either in ground or above ground, shall be permitted to be constructed on any lot in North Farm Subdivision.”

IN TESTIMONY WHEREOF, Declarant has caused this instrument to be executed, by authority of its Board of Directors, this the 24th day of June, 2005.

DECLARANT:

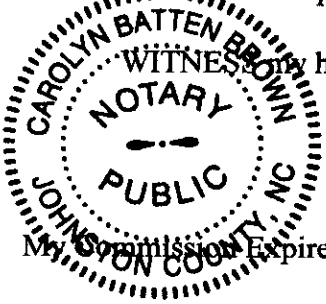
DWF DEVELOPMENT, INC.

BY: Rebecca D. Flowers President
Rebecca D. Flowers, President

JOHNSTON COUNTY

I, a Notary Public in and for said County and State aforesaid, do hereby 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 the act of the corporation, the foregoing instrument was executed in its corporate name by her as its President, by authority of its Board of Directors.

Witness my hand and official stamp or seal, this the 24 day of June, 2005.



Carolyn Batten Brown

Notary Public

My Commission Expires: 01-10-2010