

PREPARED BY & RETURN TO
HINTON & BRUCKER
CARY, N. C. 27513

PRESENTED
FOR
REGISTRATION

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AUG 13 11 56 AM '81

NORTH CAROLINA
WAKE COUNTY

W. J. HARRIS, JR.
REGISTER OF DEEDS
WAKE COUNTY, N.C.

FIRST AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR APPECROSS
TOWNHOMES, SECTION ONE, RECORDED
IN BOOK 2944, PAGE 26, WAKE
COUNTY REGISTRY, AS SHOWN ON
MAP RECORDED IN BOOK OF MAPS
1981, PAGE 627, WAKE COUNTY
REGISTRY

This amended Declaration of Covenants, Conditions and Restrictions made this 13th day of July, 1981, by THE FORTIS CORPORATION, a North Carolina corporation, and the undersigned owner of a residential lot shown on the subdivision plat of Section One, Applecross Townhomes, hereinafter collectively referred to as "Declarant";

WITNESSETH:

WHEREAS, The Fortis Corporation, a North Carolina corporation did while owner of Applecross place a Declaration on record to apply to Section One, Applecross Townhomes, recorded in Book 2944, Page 26, Wake County Registry; and

WHEREAS, subsequent to the recording of the above Declaration Lot 9 was conveyed to the undersigned lot owner; and

WHEREAS, The Fortis Corporation and the undersigned lot owner desire to amend the above Declaration to increase the maximum assessment from that shown in Article VI, Section 3(a).

NOW, THEREFORE, the Declarant declares as follows:

1. Article VI, Section 3(a), "Maximum Annual Assessment" shall be changed as follows:

Delete in its entirety: "To and including December 31, 1981, the maximum annual assessments shall not be in excess of Twenty Eight and 75/100 (\$28.75) Dollars per lot, the exact amount of which shall be determined from time to time as provided in Subsection (d) of this Section 3."

Substitute in lieu thereof: "To and including December 31, 1981, the maximum annual assessment shall not be in excess of Three Hundred Forty Five and 00/100 (\$345.00) Dollars per lot the exact amount of which shall be determined from time to time as provided in Subsection (d) of this Section 3."

All other provisions of the subject Declaration shall remain as previously recorded.

IN WITNESS WHEREOF, The Fortis Corporation has caused this First Amendment to Declaration of Covenants, Conditions and Retrictions for Applecross Townhomes to be executed in its name, by its Vice President

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and its corporate seal to be hereunto affixed, attested by its Assistant Secretary, this the 22nd day of July, 1981.

THE FORTIS CORPORATION

By: Kerry L. Avant
Kerry Avant, Vice President

Attest:
Maureen A. Mena
Assistant Secretary

IN WITNESS WHEREOF, Leigh M. Stubbs has executed this document for the purpose of joining in the Amendment to the Declaration.

Leigh M. Stubbs (SEAL)
Leigh M. Stubbs

NORTH CAROLINA
Wake COUNTY

I, Conce B. Davis, a Notary Public in and for said State and County, do hereby certify that Maureen A. Mena personally appeared before me this day and acknowledged that he/she is Assistant Secretary of The Fortis Corporation, a corporation, and that by authority duly given and ad the act of the corporation, the foregoing instrument was signed in its name by its Vice President, Kerry Avant, sealed with its corporate seal, and attested by him/her self as its Assistant Secretary.

Witness my hand and notarial seal, this the 3 day of August, 1981.

My commission expires: December 11, 1984
Conce B. Davis
Notary Public

NORTH CAROLINA
WAKE COUNTY

I, William J. Bruckee, Jr., a Notary Public in and for said State and County do hereby certify that Leigh M. Stubbs personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal, this the 22nd day of July, 1981.

My commission expires: 4-28-82
William J. Bruckee, Jr.
Notary Public

NORTH CAROLINA - WAKE COUNTY
The foregoing certificate of Conce B. Davis
William J. Bruckee, Jr.

Notary(s) Public is (are) certified to be correct. This instrument and this certificate are duly registered at the date and time and in the book and page shown on the first page hereof.

R. B. MCKENZIE, JR., Register of Deeds
By James A. Johnson
Deputy Register of Deeds