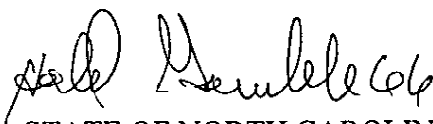


BK010819PG00047

WAKE COUNTY, NC 286
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
05/13/2004 AT 12:52:27

BOOK:010819 PAGE:00047 - 00049


STATE OF NORTH CAROLINA
COUNTY OF WAKE

FIRST AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
OF BANKS POINTE SUBDIVISION

This First Amendment to Declaration of Covenants, Conditions and Restrictions of Banks Pointe Subdivision, made this 12th day of May, 2004, by R. Kirk Leone Builder, Inc., "Declarant".

WITNESSETH:

WHEREAS, a Declaration of Covenants, Conditions and Restrictions of Banks Pointe Subdivision, Phase 1, Book of Maps 2004, Pages 722-724 was recorded in Book 10792, Page 1582; and

WHEREAS, the Declarant is the owner of all lots in the subdivision; and

WHEREAS, the Declarant now desires to amend the Declaration, as follows:

All of the second paragraph of Article IX, Section 2 of the Declaration shall be deleted, and the following shall be substituted therefor:

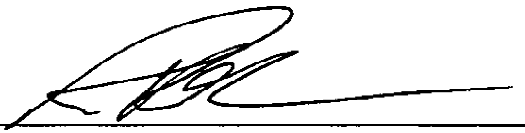
No mobile homes, manufactured homes or modular homes shall be erected, altered, placed or permitted to remain on any lot no dwelling shall have or contain a metal roof, metal or vinyl siding or exposed cinder or concrete block, except that a metal roof may be allowed with the written consent of the Architectural Committee. Such metal or block materials shall be deemed exposed even though the same is painted completely. All materials used in the exterior construction of a dwelling shall be new building materials.

Except for this amendment, all other provisions of the Declaration shall remain in full force and effect.

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IN WITNESS WHEREOF, Declarant has caused this amendment to be executed by its President the day and year first above written.

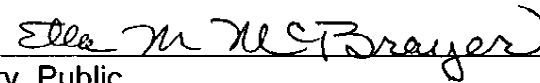
R. KIRK LEONE BUILDER, INC.

BY: 
R. Kirk Leone, President

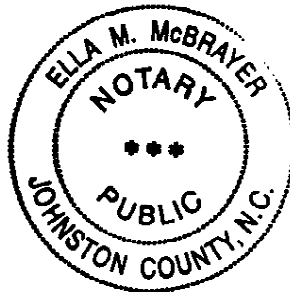
STATE OF NORTH CAROLINA
COUNTY OF WAKE

I, the undersigned, a Notary Public of the County and State aforesaid, certify that R. Kirk Leone, personally came before me this day and acknowledged that he is President of R. Kirk Leone Builder, Inc., a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by him as and sealed with its corporate seal.

Witness my hand and official stamp or seal, this the 13th day of May, 2004.


Notary Public

My commission expires:
7-27-08





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Yellow probate sheet is a vital part of your recorded document. Please retain with original document and submit for rerecording.



Wake County Register of Deeds
Laura M. Riddick
Register of Deeds

North Carolina – Wake County

The foregoing certificate of Ella M McBrayer

Notary(ies) 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.

Laura M. Riddick, Register of Deeds
By: Jane Morgan
Assistant/Deputy Register of Deeds

This Customer Group
of Time Stamps Needed

This Document
New Time Stamp
3 # of Pages