

WAKE COUNTY, NC 103  
LAURA M RIDDICK  
REGISTER OF DEEDS  
PRESENTED & RECORDED ON  
08/13/2002 AT 10:28:07

BOOK:009538 PAGE:01688 - 01693

Prepared By and Hold For: Kenneth L. Eagle (ROD 215)

NORTH CAROLINA  
WAKE COUNTY

**SECOND AMENDMENT TO  
DECLARATION FOR CORNERSTONE PARK**

THIS **SECOND AMENDMENT TO DECLARATION FOR CORNERSTONE PARK**, hereinafter referred to as the "Second Amendment", is made this 31<sup>st</sup> day of July, 2002, by and among Highway Seventy, LLC, a Virginia limited liability company, referred to herein as "Developer", Centex Homes, a Nevada General Partnership, referred to herein as "Centex", and Westfield Homes of North Carolina, Inc., a North Carolina corporation, referred to herein as "Westfield";

WITNESSETH:

WHEREAS, Developer, Centex and Westfield previously recorded in the Wake County, North Carolina Registry the "Declaration For Cornerstone Park" recorded in the Wake County, North Carolina Registry in Book 8765, Page 2456, and the "Supplemental Declaration And Amendment To Declaration For Cornerstone Park", recorded in the Wake County, North Carolina Registry in Book 9180, Page 2383, said documents together being referred to herein as the "Declaration";

AND WHEREAS, pursuant to Article XV, Section 1 of the Declaration, Developer, Centex and Westfield together have the authority, without the approval or joinder of the Association, any Member of the Association, Mortgagee or Secondary Mortgage Market Agency, to amend any provision of the Declaration to make non-material, clarifying or corrective changes not materially, adversely affecting any Owner's rights or obligations thereunder;

AND WHEREAS, in a number of its provisions the Declaration refers to matters relating to a "Sub-Association";

AND WHEREAS, the definition of "Sub-Association" inadvertently was omitted from the definitions in Article I of the Declaration;

AND WHEREAS, Developer, Centex and Westfield now desire to amend the Declaration to insert the definition of Declaration;

AND WHEREAS, such amendment is a corrective change and does not materially, adversely affect any Owner's rights or obligations under the Declaration;

NOW, THEREFORE, in consideration of the mutual desire of the Developer, Centex and Westfield to make a corrective amendment to the Declaration under the provisions of Article XV, Section 1 of the Declaration, Developer, Centex and Westfield hereby amend the Declaration by adding a new Article I (xx) as follows:

“(xx) ‘Sub-Association’ is defined as an entity organized for the purpose of owning, managing and/or maintaining that Sub-Association’s Common Elements including, with respect to a condominium, an association responsible for maintenance of the condominium’s common elements, and including a property owners association in a townhouse development. Assessments imposed upon the Members of the Association by the documents establishing or governing a Sub-Association or subjecting an applicable portion of The Properties thereto shall be in addition to, and not in lieu of, assessments imposed upon such Members by the Declaration.”

Except as amended herein, the Declaration shall be and remain in full force and effect as it exists at the time of the recording of this Second Amendment in the Wake County, North Carolina Registry.

(execution pages follow)

IN WITNESS WHEREOF, Developer, Centex and Westfield, each have executed this Second Amendment in legal and binding form, on the dates indicated with the acknowledgments of their signatures, the last date of which shall be the date of execution hereof.

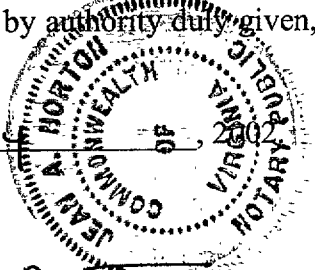
Highway Seventy, LLC,  
a Virginia limited liability company

By: [Signature]  
Nathan, D. Benson  
Manager

State of Virginia, County or City of Virginia Beach

I, Jean A. Norton, a Notary Public of the County or City and State aforesaid, certify that Nathan D. Benson personally appeared before me this day and acknowledged that he is a Manager of Highway Seventy, LLC, a Virginia limited liability company, and that by authority duly given, he executed the foregoing instrument on behalf of and as the act of the company.

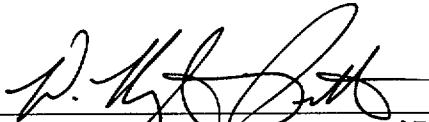
Witness my hand and official stamp or seal, this 16 day of Jul



Jean A. Norton  
Notary Public  
My Commission Expires: November 30, 2004

Centex Homes, a Nevada General Partnership

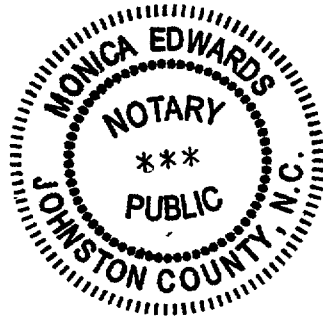
By: Centex Real Estate Corporation,  
a Nevada corporation  
General Partner

By:   
Title: DIVISION PRESIDENT

State of North Carolina, County or City of Wake

I, monica Edwards, a Notary Public of the County or City and State  
aforesaid, certify that w. Hampton Pitts personally appeared  
before me this day and acknowledged that he/she is Division President of Centex  
Real Estate Corporation, a Nevada corporation and General Partner of Centex Homes, a Nevada General  
Partnership, and that by authority duly given, he executed the foregoing instrument on behalf of and as the act of  
the corporation as General Partner of the General Partnership.

Witness my hand and official stamp or seal, this 31 day of July, 2002.



Monica Edwards  
Notary Public  
My Commission Expires: April 18, 2006

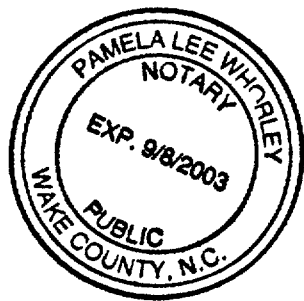
Westfield Homes of North Carolina, Inc.,  
a North Carolina corporation

By: [Signature]  
John W. Schlichenmaier  
President

State of North Carolina, County or City of Wake County

I, Pamela Lee Whorley, a Notary Public of the County or City and State  
aforesaid, certify that John W. Schlichenmaier personally appeared before me this day and acknowledged that he  
is President of Westfield Homes of North Carolina, Inc., a North Carolina corporation, and that by authority duly  
given, he executed the foregoing instrument on behalf of and as the act of the corporation.

Witness my hand and official stamp or seal, this 29<sup>th</sup> day of July, 2002.



Pamela Lee Whorley  
Notary Public  
My Commission Expires: 9/8/2003

Laura M Riddick  
Register of Deeds  
Wake County, NC



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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 S of Jean A Norton  
monica Edwards Pamela LEE Whorley

\_\_\_\_ 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: Dan Stewart  
**DEPUTY**  
Assistant/Deputy Register of Deeds

**This Customer Group**  
\_\_\_\_\_ # of Time Stamps Needed

**This Document**  
6 New Time Stamp  
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