

WAKE COUNTY, NC 2204
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
06/24/2003 AT 14:59:08

BOOK:010217 PAGE:02679 - 02685

Prepared by: Currie Tee Howell, Attorney, Box 40, WCR
Adams Law Office, P.A.
728 N. Raleigh St, Suite B1
Angier, NC 27501

NORTH CAROLINA
WAKE COUNTY

AMENDMENT OF PROTECTIVE COVENANTS
FOR
CREST OF CAROLINA SUBDIVISION
Phases I, II, and III

THIS AMENDMENT OF PROTECTIVE COVENANTS OF CREST OF CAROLINA SUBDIVISION are made this 19th day of June, 2003 by **Freddie L. Stancil (a/k/a/Fred L. Stancil) and wife, Kathy H. Stancil, Bradley L. Stancil, Stancil Builders, Inc. (A North Carolina Corporation), Raynor Builders, Inc. (A North Carolina Corporation), IOM Developers, Inc. (A North Carolina Corporation), and DJF Builders, Inc. (A North Carolina Corporation)**, collectively hereafter referred to in the neuter singular as the "DECLARANT." These amended covenant agreements are to amend those Protective Covenants recorded in Book 9897, Page 1556 of the Wake County Registry. Also, the Amended Covenants listed herein, and those aforementioned Protective Covenants recorded in Book 9897, Page 1556 now apply to, and govern, Phase I, as shown in Book of Maps 2002, Pages 1978-1980 and Map of Correction as shown in Book of Maps 2003, Page 279; Phase II, as shown in Book of Maps 2003, Pages 977-979; and Phase III, as shown in Book of Maps 2003, Pages 980-982, of Crest of Carolina Subdivision. These amendatory covenants are made and entered into by all lot owners of Crest of Carolina Subdivision.

WITNESSETH:

Article I

The real property which is and shall be held, transferred, sold and conveyed subject to these Amended Protective Covenants and those Protective Covenants recorded in Book 9897, Page 1556 of the Wake County Registry is located in the County of Wake, State of North Carolina, and is more particularly described as follows:

See Exhibit A

NOW, THEREFORE, the DECLARANT declares that all of the lots and parcels in the Development are held and shall be held, conveyed, encumbered, leased, rented, used, occupied, and improved subject to the provisions of this Declaration, all of which are declared by the DECLARANT, and agreed by DECLARANT'S successors in title, to be in furtherance of a plan of development established for the purpose of enhancing and protecting the value, desirability, and attractiveness thereof.

The provisions of this Declaration are intended to create mutual and equitable servitudes upon each of said lots and parcels in favor of each and all other lots and parcels; to create reciprocal rights between their respective Owners of all such lots and parcels; to create privity of

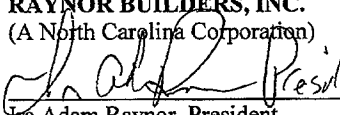
contract and estate between the Grantors of such lots, their heirs, successors and assigns; and to operate as covenants running with the land for the benefit of each and all other such lots and parcels in the Development and their respective Owners present and future.

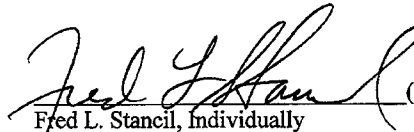
1. **Amendment to Article II Section 2.1(a): Impermissible Uses.** The statement, "No above ground pools are to be erected in the subdivision," as stated in this section shall be omitted.
2. **Amendment to Article II Section 2.1(d): Impermissible Uses.** This article shall now state "All mailboxes are to be uniform mailboxes provided by the developer, Stancil Builders, Inc., at a cost of One hundred Twenty-Five (\$125.00) dollars each. Any replacement mailbox will also be provided by the developer at a cost of One Hundred Twenty-Five (\$125.00) dollars each. Plastic mailboxes are prohibited unless approved by the developer."
3. **Amendment to Article II Section 2.1(f): Impermissible Uses.** This article shall now state "There may be up to three (3) dogs and three (3) cats, or other household pets, which are not dangerous, so long as they are not kept, bred, or maintained for any commercial purposes."
4. **Amendment to Article III Section 3.2: Area.** This article shall now state "Each single family dwelling structure shall have the minimum heated and finished livable square footage of 1400 square feet with a 10% variance with the developer's approval. This livable square footage shall be in addition to any one (1) or two (2) car garage."
5. **Amendment to Article III Section 3.3: Exterior.** This article shall now state "The exterior of each single-family dwelling is to consist of vinyl siding unless otherwise approved by the architectural control committee. All shingles are to be 25-year shingles."
6. **Amendment to Article III Section 3.4: Garages.** This article shall now state "All garages are to be one (1) or two (2) car."
7. **Amendment to Article III Section 3.6: Setbacks.** This article shall now state "All setbacks are to conform to standard setback requirements as set forth by the Wake County Code."
8. **Amendment to Article V Section 5.2: Other.** The statement, "All water well components including but not limited to casings, tanks, valves, and controls will be enclosed in a well house approved by Declarant or Association (pursuant to Article VI)" as stated in this section shall be omitted.

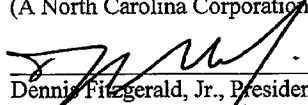
The statement "Each Lot Owner shall provide receptacles for garbage in an area not generally visible from public street view, or provide underground garbage receptacles or similar facility in accordance with reasonable standards," as stated in this section shall be revised. The new provision shall state "All homeowners are to provide their own garbage receptacle which shall reasonably conform to all garbage receptacles in the subdivision. The homeowner is to keep said garbage receptacle out of public view, with the exception of garbage pick-up days, at which time the garbage receptacle may be placed adjacent to the street."
9. **Amendment to Article VI Section 6.3(a): Property Rights in the Common Properties.** Shall now read "Member's Easement of Enjoyment. Every member shall have a right and easement of enjoyment in and to the Pond as shown on map entitled "Crest of Carolina Subdivision" as recorded in Book of Maps 2002, Pages 1978-1980, Wake County Registry. Also, every member shall have a right and easement of enjoyment in and to the Common Properties of Phase I, as shown in Book of Maps 2002, Pages 1978-1980 and Map of Correction as shown in Book of Maps 2003, Page 279; Phase II, as shown in Book of Maps 2003, Pages 977-979; and Phase III, as shown in Book of Maps 2003, Pages 980-982, of Crest of Carolina Subdivision. Both aforesaid easements shall be appurtenant to and shall pass with the title of every Lot."

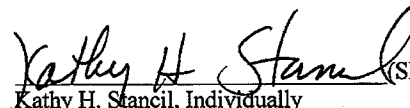
In testimony whereof, the parties have hereunto set their hands and seals, this the 24th
day of June, 2003.

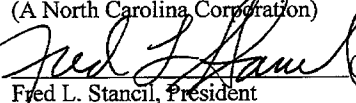
DECLARANTS

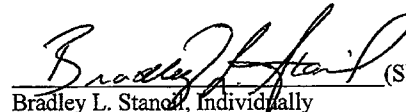
RAYNOR BUILDERS, INC.
(A North Carolina Corporation)
 (SEAL)
Ira Adam Raynor, President

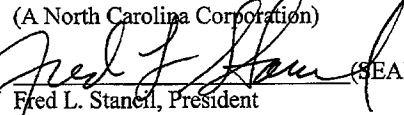
 (SEAL)
Fred L. Stancil, Individually
(a/k/a Freddie L. Stancil)

DJF BUILDERS, INC.
(A North Carolina Corporation)
 (SEAL)
Dennis Fitzgerald, Jr., President

 (SEAL)
Kathy H. Stancil, Individually

IOM DEVELOPERS, INC.
(A North Carolina Corporation)
 (SEAL)
Fred L. Stancil, President

 (SEAL)
Bradley L. Stancil, Individually

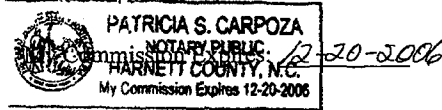
STANCIL BUILDERS, INC.
(A North Carolina Corporation)
 (SEAL)
Fred L. Stancil, President

STATE OF NORTH CAROLINA
COUNTY OF Franklin

I, PATRICIA S. CARPOZA, a Notary Public, do hereby certify, Ira Adam Raynor, personally appeared before me this date and acknowledged that he is the President of Raynor Builders, Inc., a North Carolina Corporation, and that he as President, being authorized to do so, executed the foregoing instrument on behalf of the corporation.

Witness my hand and official seal, this the 24th day of June, 2003.

Patricia S. Carpoza
Notary Public

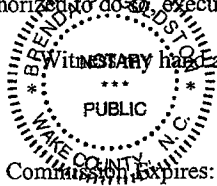


STATE OF NORTH CAROLINA
COUNTY OF Wake

I, Brenda P. Malden, a Notary Public, do hereby certify, Dennis Fitzgerald, Jr., personally appeared before me this date and acknowledged that he is the President of DIF Builders, Inc., a North Carolina Corporation, and that he as President, being authorized to do so, executed the foregoing instrument on behalf of the corporation.

Witness my hand and official seal, this the 24th day of June, 2003.

Brenda P. Malden
Notary Public



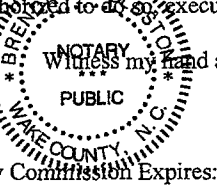
My Commission Expires: 11-22-06

STATE OF NORTH CAROLINA
COUNTY OF Wake

I, Brenda P. Malden, a Notary Public, do hereby certify, Fred L. Stancil, personally appeared before me this date and acknowledged that he is the President of TOM Developers, Inc., a North Carolina Corporation, and that he as President, being authorized to do so, executed the foregoing instrument on behalf of the corporation.

Witness my hand and official seal, this the 24th day of June, 2003.

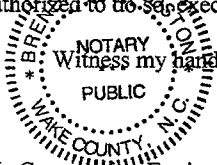
Brenda P. Malden
Notary Public



My Commission Expires: 11-22-06

STATE OF NORTH CAROLINA
COUNTY OF Wake

I, Brenda P. Goldston, a Notary Public, do hereby certify,
Fred L. Stancil, personally appeared before me this date and acknowledged that he is the
President of Stancil Builders, Inc., a North Carolina Corporation, and that he as President, being
authorized to do so, executed the foregoing instrument on behalf of the corporation.



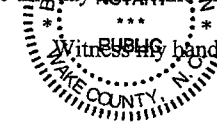
Witness my hand and official seal, this the 24th day of June, 2003.

Brenda P. Goldston
Notary Public

My Commission Expires: 11-22-06

STATE OF NORTH CAROLINA
COUNTY OF Wake

I, Brenda P. Goldston, a Notary Public, do hereby certify that
Freddie C. Stancil (aka Fred L. Stancil) and wife Kathy H. Stancil personally appeared before
me this day and acknowledged the due execution of the foregoing instrument.



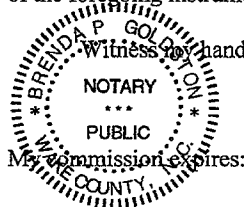
Witness my hand and official seal, this the 24th day of June, 2003.

Brenda P. Goldston
Notary Public

My commission expires: 11-22-06

STATE OF NORTH CAROLINA
COUNTY OF Wake

I, Brenda P. Goldston, a Notary Public, do hereby certify that
Bradley L. Stancil personally appeared before me this day and acknowledged the due execution
of the foregoing instrument.



Witness my hand and official seal, this the 24th day of June, 2003.

Brenda P. Goldston
Notary Public

My commission expires: 11-22-06

EXHIBIT A

Tract I

BEING all of Crest of Carolina Subdivision, Phase One, as shown in Book of Maps 2002, Pages 1978-1980 and Book of Maps 2003, Page 279, of Wake County Registry.

Tract II

BEING all of Crest of Carolina Subdivision, Phase Two, as shown in Book of Maps 2003, Pages 977-979, of Wake County Registry.

Tract III

BEING all of Crest of Carolina Subdivision, Phase Three, as shown in Book of Maps 2003, Pages 980-982, of Wake County Registry.

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 Brenda P. Goldston
Patricia S. Carra

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 Frederick C. Baymon
Assistant/Deputy Register of Deeds

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This Document 1 New Time Stamp # of Pages