

Prepared by & Hold for: Moore & Alphin, PLLC, 3733 National Drive, Ste 100, Raleigh, NC 27612

STATE OF NORTH CAROLINA
WAKE COUNTY

**FIRST AMENDMENT TO THE
DECLARATION OF COVENANTS,
CONDITIONS, EASEMENTS,
AND RESTRICTIONS FOR
TOWNES AT CARLTON POINTE**

THIS FIRST AMENDMENT to the Declaration of Covenants, Conditions, Easements, and Restrictions for Townes at Carlton Pointe (this "Amendment") is made as of the day it is signed, by **Carlton Group of North Carolina, LLC** (the "Declarant").

WHEREAS, Declarant has previously recorded that certain Declaration of Covenants, Conditions, Easements and Restrictions for Townes at Carlton Pointe in Book 19116, Page 1881 in the Wake County Registry (such instrument referred to herein as the "Declaration"); and

WHEREAS, pursuant to the power granted in Article XII, Section 2 of the Declaration, during the Declarant Control Period, the Declarant may amend this Declaration without the consent or joinder of the Members or the Association.

NOW, THEREFORE, it is agreed and declared that the Declaration is amended as follows:

1. The Exhibit A in the Declaration contained an error in that Lot 53 was omitted.
2. The Exhibit A of the Declaration is replaced by the Exhibit A attached hereto.
3. Defined Terms; Recitals. All capitalized terms used herein, unless otherwise defined herein, shall have the meanings set forth in the Declaration.
4. Effect of Amendment. The Declaration is hereby modified to the extent set forth herein, but only to the extent set forth herein. All provisions of the Declaration not modified by this Amendment shall remain in full force and effect in accordance with their original terms as set forth in the Declaration. In the event of any conflict or ambiguity between the terms of the Declaration and the terms of this Amendment, the terms of this Amendment shall control.

(Signatures on following page)

submitted electronically by "Moore & Alphin, PLLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Wake County Register of Deeds.

IN WITNESS WHEREOF, Declarant has caused this Amendment to be executed in legal and binding form, on the date indicated in the acknowledgement of such signature.

DECLARANT:

Carlton Group of North Carolina, LLC,
a North Carolina limited liability company

By: *Marshall Davis*
Name: Marshall Davis
Title: Member/Manager

State of New York - County of Rockland

I certify that the following person(s) personally appeared before me this day and acknowledged to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: **Marshall Davis**

Date: 8-29-22

[Official Seal]

MORTON N. SILBERBERG
Notary Public, State of N.Y.
No. 4799869
Qualified in Rockland County
Commission Expires Aug. 31, 2025

Morton N. Silberberg
Morton N. Silberberg Notary Public
(Print Name)
My Commission Expires: 8-31-25

EXHIBIT A

Legal Description of Property

BEING all of Lot 2, Lot 3, Lot 4, and Lot 5, as same are shown and more particularly described on that certain plat entitled "Subdivision Plat for Barrett Ventures LLC", prepared by Cawthorne, Moss, and Panceiera, P.C. Professional Land Surveyors, dated April 4th, 2007, as revised, and being recorded in Book of Maps 2008, Page 702, Wake County Registry, which includes all of Lots 1-53, Townes at Carlton Pointe, as shown on maps recorded Book of Maps 2022, Pages 1178-1179, Wake County Registry.