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Franklin County North Carolina  
Linda H. Stone Register of Deeds  
BK 1789 PG 301-303

*by: Betty Sharrington Deputy*

Prepared by & Hold for: Kelly J. Mackay  
Warren Jordan Narron Shackelford & Mackay, PLLC  
P.O. Box 1187, Wake Forest, NC 27588

NORTH CAROLINA AMENDMENT TO THE DECLARATION  
FRANKLIN COUNTY OF COVENANTS, CONDITIONS AND  
RESTRICTIONS FOR RIDGEMONT SUBDIVISION

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR RIDGEMONT SUBDIVISION is made on the date hereinafter set forth by RIDGEMONT, LLC, a North Carolina Limited Liability Company (hereinafter referred to as "DECLARANT");

WITNESSETH:

WHEREAS, DECLARANT previously recorded the DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR RIDGEMONT SUBDIVISION in Book 1650, Page 3, Franklin County Registry, on October 19, 2007 (hereinafter referred to as the "DECLARATION"); and

WHEREAS, Declarant may amend the Declaration so long as Declarant owns a Lot; and

WHEREAS, Declarant continues to own all of the Lots; and

WHEREAS, Declarant desires to amend the Declaration;

NOW, THEREFORE, Declarant hereby declares the Declaration to be amended as follows:

- 1. Article V entitled "Membership and Voting Rights", Section 2, Class B shall be deleted and replaced with the following provision:

Class B. The Class B Member shall be the Declarant and shall be entitled to six (6) votes for each Lot owned. The Class B membership shall cease and be converted to Class A membership on the happening of either of the following events, whichever occurs earlier:

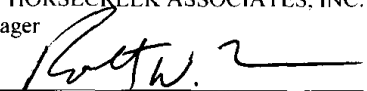
- (a) eighty-five percent (85%) of the Lots have been sold by Declarant; or
  - (b) on January 1, 2020.
2. Article IX, entitled "Use Restrictions," Section 2, #2 shall be deleted and replaced with the following provision:
    - 2. Each dwelling shall have a heated, enclosed floor area as follows: if one story, at least 1500 square feet and if one and one-half stories or more, at least 1800 square feet. Heated, enclosed floor area shall not include unfinished basements, open porches, breeze-ways, screened porches, garages, walk-up attics, carports, steps or stoops.
  3. Article IX, entitled "Use Restrictions", Section 2, #10 shall be amended follows:
    - No Lot or portion thereof shall be dedicated or used for a public street unless approved by Declarant.
  4. Article IX, entitled "Use Restrictions", Section 2, #16 shall be deleted and replaced with the following provision:
    - 16. The exterior walls of each dwelling, its garage and any outbuilding approved by the Architectural Control Committee as set forth herein shall be made of stone, brick, wood or Hardiplank or equivalent cement-based siding. Vinyl may be used if approved by the Architectural Control Committee.
  5. Article XI, entitled "Rights Reserved For Declarant", second paragraph shall be amended to read as follows:
    - The Declarant Development Period shall automatically terminate on January 1, 2020. At any time, Declarant may terminate the Declarant Development Period by executing a Notice of Termination of Declarant Development Period and assigning all rights reserved herein to the Association. The Notice of Termination of Declarant Development Period shall be effective when filed in the Franklin County Registry.

Invalidation of any one of these amendments shall not affect any other provision herein or any part of the Declarations which shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned, being the DECLARANT herein, has signed and sealed this instrument, the 30th day of September 2010.

RIDGEMONT, LLC,  
A North Carolina Limited Liability Company

BY: HORSECREEK ASSOCIATES, INC.  
Manager

By:   
Robert W. Neeb, President

NORTH CAROLINA  
WAKE COUNTY

I, Kelly J. Mackay, a Notary Public of the County of Wake, State of North Carolina, certify that **Robert W. Neeb, President** of HORSECREEK ASSOCIATES, INC., Manager of RIDGEMONT, LLC, a North Carolina Limited Liability Company, personally came before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this the 30 day of September, 2010.

My Commission Expires: 3-8-15 \_\_\_\_\_  
Notary Public [Signature]

