

BK 7194 PG 0441

PRESENTED  
FOR  
REGISTRATION

PREPARED BY & MAIL TO:  
James M. Day, Burns, Day & Presnell, P.A.  
P.O. Box 10867, Raleigh, NC 27605

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96 OCT 22 PM 4:04

NORTH CAROLINA

WAKE COUNTY

THIRD AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR WOOD SPRING (Book 5911/Page 548)

REGISTER OF DEEDS  
WAKE COUNTY

THIS THIRD AMENDMENT, made this October 8, 1996 by WOOD SPRING ASSOCIATES, a North Carolina general partnership, (the "Declarant").

#### RECITALS

Declarant has filed a Declaration of Covenants, Conditions, and Restrictions for Wood Spring which is recorded at Book 5911, Page 548, Wake County Registry and which has been subsequently amended (as subsequently amended, the "Declaration"), which is incorporated into this document by this reference. Pursuant to Article IV, Section 2, of the Declaration, the Declarant may annex additional lands to the Property (as defined in the Declaration). The real property described on Exhibit A attached to this document (the "Annexed Land") is a part of the real property described in Exhibit B attached to the Declaration. In consideration of these Recitals, the Declarant amends the Declaration as follows:

#### AMENDMENT

Declarant declares that all of the Annexed Land is annexed to the Property. The Annexed Land, as part of the Property, shall be held, sold and conveyed subject to the easements, restrictions, covenants, and conditions of the Declaration, which are for the purpose of protecting the value and desirability of and which shall run with the Property and be binding on all parties having any right, title, or interest in the Property or any part thereof, their heirs, successors, and assigns and shall inure to the benefit of Declarant and each Owner (as defined in the Declaration).

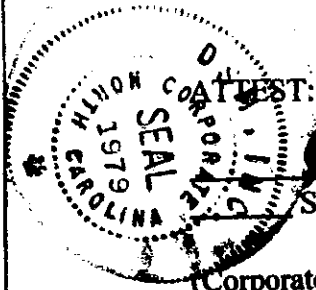
IN TESTIMONY WHEREOF, Wood Spring Associates, by and through its general partners, has caused this instrument to be executed in its name as of the day and year first above

written.

WOOD SPRING ASSOCIATES,  
a North Carolina General Partnership  
BY ITS GENERAL PARTNERS:

DSM, INC., a North  
Carolina Corporation

BY: R. W. Mullins  
President

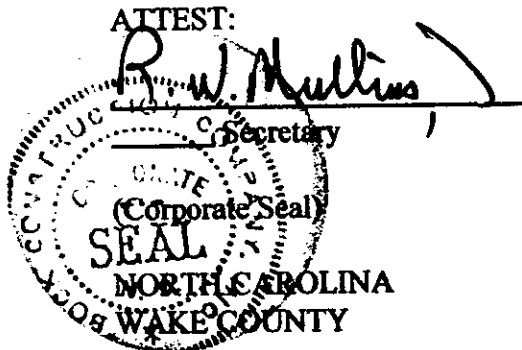


ATTEST:  
Diane S. Mullins  
Secretary

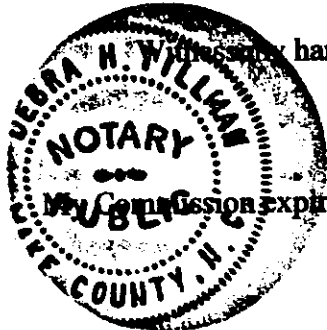
(Corporate Seal)

BOCK CONSTRUCTION COMPANY, INC., a North  
Carolina Corporation

BY: Paul F. [Signature]  
President



I, a Notary Public of the County and State aforesaid, certify that Diane S. Mullins personally came before me this day and acknowledge that he/she is \_\_\_\_\_ Secretary of DSM, Inc., a North Carolina corporation, General Partner of Wood Spring Associates, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its \_\_\_\_\_ President, sealed with its corporate seal and attested by \_\_\_\_\_ Secretary, all as the act of the Partnership.



Witness my hand and notarial seal, this October 8<sup>th</sup>, 1996.

Debra H. Williams  
Notary Public

My Commission Expires: 2-21-2000

NORTH CAROLINA  
WAKE COUNTY

I, a Notary Public of the County and State aforesaid, certify that R.W. Mullins Jr. personally came before me this day and acknowledge that he/she is \_\_\_\_\_ Secretary of Bock Construction Company, Inc., a North Carolina corporation, General Partner of Wood Spring Associates, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its \_\_\_\_\_ President, sealed with its corporate seal and attested by \_\_\_\_\_ Secretary, all as the act of the Partnership.

Witness my hand and notarial seal, this October 8<sup>th</sup>, 1996.



Debra H. Tillman  
Notary Public

My Commission Expires: 2-21-2000

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NORTH CAROLINA — WAKE COUNTY

The foregoing certificate of Debra H. Tillman

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.

• KENNETH C. WILKINS, Register of Deeds

By Regina C. Simmons  
Asst./Deputy Register of Deeds

## EXHIBIT A

(RELEASE TRACT NO. 4)

BEGINNING at a point located in the northern right-of-way of Whittington Drive (50') having N.C. Grid Coordinates (NAD 83) N (Y) = 790000.47 and E (X) = 2124402.37, thence along a slight curve having a radius of 296.65 feet in a westerly direction an arc distance of 17.67 feet (CHORD: N 84 deg. 50 min 31 sec W 17.67 feet) to a point in the common property line of lands described as Wood Spring, Phase 3 as recorded in Book of Maps 1996, Page 608, Wake County Registry; thence along that common property line N 06 deg 51 min 51 sec E 171.59 feet to a point being in the centerline of a creek being in the common boundary line of lands owned by Duke University; thence along the centerline of that creek the following courses and distances: (i) N 58 deg 08 min 17 sec E 14.54 feet to a point, (ii) N 89 deg 25 min 18 sec E 23.09 feet to a point, (iii) N 50 deg 22 min 57 sec E 26.39 feet to a point, (iv) N 05 deg 09 min 01 sec E 14.11 feet to a point, (v) S 70 deg 52 min 46 sec E 28.22 feet to a point, (vi) N 12 deg 15 min 52 sec E 13.87 feet to a point, (vii) N 38 deg 16 min 17 sec W 16.00 feet to a point, (viii) N 59 deg 15 min 16 sec E 55.64 feet to a point, (ix) S 78 deg 14 min 39 sec E 30.06 feet to a point, (x) S 75 deg 42 min 25 sec E 45.72 feet to a point, (xi) N 86 deg 10 min 06 sec E 33.23 feet to a point, (xii) S 32 deg 54 min 06 sec E 28.45 feet to a point, (xiii) N 75 deg 22 min 56 sec E 27.63 feet to a point, and (xiv) S 70 deg 22 min 27 sec E 7.57 feet to a point; thence leaving that creek S 06 deg 11 min 13 sec W 200.53 feet to a point; thence along a slight curve having a radius of 656.78 feet in an easterly direction an arc distance of 25.92 feet (CHORD: S 82 deg 40 min 57 sec E 25.91 feet) to a point; thence S 08 deg 26 min 53 sec W 50.00 feet to a point; thence S 12 deg 19 min 27 sec W 116.02 feet to a point; thence S 55 deg 12 min 20 sec E 58.29 feet to a point; thence S 02 deg 12 min 50 sec W 250.34 feet to a point; thence S 13 deg 04 min 50 sec E 270.27 feet to a point; thence S 74 deg 40 min 09 sec W 53.14 feet to a point; thence S 87 deg 22 min 12 sec W 79.41 feet to a point; thence N 84 deg 36 min 04 sec W 104.87 feet to a point; thence N 81 deg 39 min 04 sec W 111.09 feet to a point; thence N 53 deg 13 min 44 sec W 90.84 feet to a point being in the common property line of lands described as Wood Spring, Phase 3 as recorded in Book of Maps 1996, Page 608, Wake County Registry; thence along that common property line the following courses and distances: (i) N 09 deg 26 min 12 sec E 173.48 feet to a point; (ii) N 02 deg 59 min 01 sec W 217.61 feet to a point; (iii) N 36 deg 04 min 32 sec E 57.50 feet to a point; and (iv) N 03 deg 27 min 06 sec E 193.47 feet to the point of BEGINNING, being 6.77 acres, more or less, according to that survey entitled "Release Map - Wood Spring, Tract 4", prepared by Priest, Craven & Associates, Inc., certified September 27, 1996.

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9/30/96