

Type: CONSOLIDATED REAL PROPERTY
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Fee Amt: \$26.00 Page 1 of 4
Franklin County North Carolina
Brandi S. Davis Register of Deeds

BK 2133 PG 491 - 494

Prepared by and Return To:

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NORTH CAROLINA

**AMENDMENT TO COVENANTS FOR
SOUTH HALL SUBDIVISION**

FRANKLIN COUNTY

THIS AMENDMENT TO THE COVENANTS, CONDITIONS AND RESTRICTIONS FOR SOUTH HALL SUBDIVISION made on this 12 day of January 2018 by WINSLOW CUSTOM HOMES, LLC, a North Carolina corporation, hereinafter called "Declarant";

WITNESSETH

THAT WHEREAS, Declarant is the owner of that certain property identified on that plat recorded in Plat Book 2101, Pages 42-43, Franklin County Registry known as "South Hall Subdivision"; and

WHEREAS, Declarant has previously recorded covenants, conditions and restrictions for South Hall Subdivision in Book 2106, Pages 321-327, Franklin County Registry; and

Submitted electronically by "warren shackleford, Attorneys, PLLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Franklin County Register of Deeds.

WHEREAS, the aforesaid covenants allow for amendment by Declarant pursuant to Section 21 of those previously recorded covenants; and

WHEREAS, Declarant now desires to amend said covenants;

NOW THEREFORE, the Declarant hereby amends the following:

1. Section 20 of the Restrictive Covenants provides for the construction of a mailbox kiosk for the benefit of all lot owners within the subdivision. Declarant wishes to add the following language to Section 20:
“The mailbox kiosk will be maintained as a common area for the benefit of all property owners by the Declarant until Declarant turns over such common areas to the Property Owners Association.”
2. Declarant wishes to add a Section 24 to the Restrictive Covenants. The following language will make up the contents of Section 24:

“PROPERTY OWNERS ASSOCIATION. A property owners association shall be established for the benefit of the property owners. The Declarant hereby covenants for itself, its heirs and assigns that it will convey fee simple title or, as applicable, easement rights for the Common Areas to the Association, free and clear of all encumbrances and liens, except public streets, private roads or drives, utility easements and any use restrictions of record, including this Declaration, upon completion by Declarant of any initial improvements thereto, including landscaping. The property owners association shall maintain all Common Areas. Every Owner of a Lot which is subject to assessment shall be a Member of the Association. Membership shall be appurtenant to and may not be separated from ownership of a Lot which is subject to assessment. The Association shall have the following two classes of voting membership:

Class A. Class A Members shall be all Owners, with the exception of the Declarant, who shall be entitled to one vote for each Lot owned. When more than one person holds an interest in any such Lot, all such persons shall be Members. The vote for such Lot shall be exercised as they

determine, but in no event shall more than one vote or a fractional vote be cast with respect to any Lot.

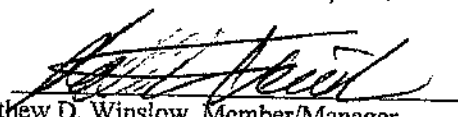
Class B. The Class B Member shall be the Declarant who shall be entitled to two (2) votes for each Lot owned. The Class B membership shall cease and be converted to Class A membership on the happening of either of the following events, whichever occurs earlier:

- (i) seventy-five percent (75%) of the Lots have been sold by Declarant; or
- (ii) on January 1, 2027.”

Except as set forth herein, the remainder of the Declaration of Covenants, Conditions and Restrictions for South Hall Subdivision recorded in Book 2106, Pages 321-327, Franklin County Registry shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned owners have hereunto set their hands and seals to these covenants the date and year first above written.

WINSLOW CUSTOM HOMES, LLC

BY: 
Matthew D. Winslow, Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF FRANKLIN

I, a notary Public of the County and State aforesaid, certify that Matthew D. Winslow personally appeared before me this day and acknowledged that he is Member/Manager of Winslow Custom Homes, LLC, a North Carolina limited liability company and that by authority duly given, the foregoing instrument was signed by him as Manager in the Company name and as the act of the Company.

Witness my hand and official stamp or seal, this the 12 day of ~~December, 2017~~ ^{JANUARY, 2018} TCS

Teresa C Smith
Notary Public

My Commission Expires: 11-15-2020

