

Doc ID: 013841590005 Type: CRP
 Recorded: 06/08/2017 at 01:52:03 PM
 Fee Amt: \$26.00 Page 1 of 5
 Pitt County, NC
 Lisa P. Nichols REG OF DEEDS
 BK **3565** PG **67-71**

Prepared by and File: HORNE & HORNE, PLLC

AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS

THIS DECLARATION, made on the date hereinafter set forth by **LEON RAYMOND HARDEE, LEON RAYMOND HARDEE, as Trustee of the Linda Ipock Hardee Living Trust dated September 28, 2009**, hereinafter referred to as "Owner" and "Declarant" and **CHUN KEUNG NG and wife, KATLAN LU NG; JOHN WILLIAM WERNER and JONATHAN RYAN SCOTT; JEFFREY ALEXANDER ALLOWAY and BERNADETTE MARY KENNY; AL DAVIS and wife, LYLE DAVIS**, current Lot owners and prospective purchasers in **AUTUMN LAKES SUBDIVISION, SECTION 5, PHASE 2**, a residential subdivision located in Pitt County, North Carolina.

W I T N E S S E T H:

WHEREAS, the Declarant is in the process of developing a residential subdivision in the City of Greenville, Pitt County, North Carolina, known as "Autumn Lakes"; and,

WHEREAS, there was heretofore recorded a certain Amended Declaration of Covenants, Conditions and Restrictions running with the land for Autumn Lakes, Section 5, Phase 2 as shown on **Map Book 70, Pages 118-120** and which is recorded in **Book 2577 Page 328** making this Section and Phase subject to the Restrictive Covenants record in **Book 1367, Page 4** which all of the Pitt County Public Registry; and

WHEREAS, the Declarant/Owner hereto desires to correct said Amended Declaration of Conditions, Restrictions and Covenants running with the land which was recorded in Book 2577, Page 328 to make this Section and Phase harmonious with the entire Autumn Lakes Subdivision plan and design; and

WHEREAS, the undersigned being all of the owners of Autumn Lakes, Section 5, Phase 2, hereby declare that all of the properties described above shall be held, sold and conveyed subject to the following amended restrictions, covenants, and conditions and which shall run with the real property and be binding on all parties having any right, title, or interest in the described properties or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof to all Lots in Autumn Lakes, Section 5, Phase 2 as shown on Map Book 70, Pages 118-120 of the Pitt County Public Registry, to wit:

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Lots 60, 61, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 118, 119, 120, 121, 122, 123, and 124 of Autumn Lakes, Section Five, Phase Two as shown on that map which appears of record in Map Book 70, Pages 118, 119 and 120 of the Pitt County Registry

NOW, THEREFORE, the undersigned hereby impress all of the lands above described with the identical covenants and provisions as contained in the aforesaid Declaration of Covenants, Conditions and Restrictions recorded in Book 1367, Page 4 of the Pitt County Registry, specifically including Articles I through XIII, inclusive, except for the description of common lands, if any, said common lands are made subject to the same Covenants, Conditions and Restrictions for the "Common Lands", as set out in Book 1367, Page 4 of the Pitt County Registry.

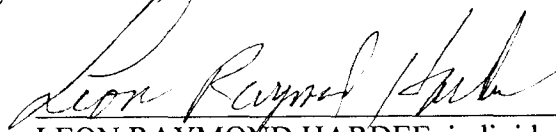
The Declaration referred to above is hereby amended, relative to the property described herein as follows:

Paragraphs 1 and 3 of Article VI, Section 2 are deleted in their entirety and the following are added to Article VI, Section 2:

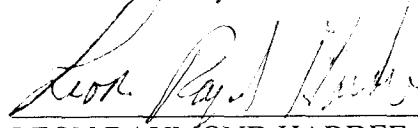
Any one-story dwelling erected upon any Lot shall contain not less than 3,000 square feet, outside measurement, of enclosed floor heated area, exclusive of open porches and garages. Any one and one-half story dwelling erected upon any Lot shall contain not less than 3,000 square feet, outside measurement, of enclosed floor heated area, exclusive of open porches and garages. Such dwellings shall contain not less than 1,500 square feet, outside measurement, of enclosed floor heated area on the ground floor, exclusive of open porches and garages.

Section 29: Upon acquiring ownership of any lot, the owner of any lot shall be comply with all governmental regulations regarding erosion control upon or adjacent to said lot. The owner shall be responsible for any erosion problems resulting from construction, including but not limited to, construction of buildings, driveways, sidewalks, utilities, septic systems, as applicable, and landscaping, resulting from actions of its agents, employees or assigns, and shall be responsible to pay for any and all fines from the appropriate governmental agencies, whether assessed to the owner of the lot of the parties of the first part. The lot owner shall take corrective measures within one week of receiving notice from either the appropriate governmental agency, or the parties of the first part. Upon the failure of the lot owner to perform necessary corrective measures within the week set out herein, the parties of the first part may perform necessary landscaping required by the appropriate governmental authority. The lot owner shall be liable to pay the parties of the first part their cost in taking the necessary corrective measures.

IN WITNESS WHEREOF, Grantor has adopted the word "SEAL" as his seal and has hereunto set his hand and seal on this the day 3rd day of October, 2016.



LEON RAYMOND HARDEE, individually (SEAL)



LEON RAYMOND HARDEE, as Trustee of the Linda Ipock Hardee Living Trust dated September 28, 2009 (SEAL)

Chun Keung Ng (SEAL)
CHUN KEUNG NG

Katlan Lu Ng (SEAL)
KATLAN LU NG

John William Werner (SEAL)
JOHN WILLIAM WERNER

Jonathan Ryan Scott (SEAL)
JONATHAN RYAN SCOTT

Jeffrey Alexander Alloway (SEAL)
JEFFREY ALEXANDER ALLOWAY

Bernadette Mary Kenny (SEAL)
BERNADETTE MARY KENNY

Al Davis (SEAL)
AL DAVIS

Lyle Davis (SEAL)
LYLE DAVIS

STATE OF NORTH CAROLINA
COUNTY OF PITT

I, a Notary Public of the aforesaid County and State do hereby certify that Leon Raymond Hardee, individually, and as Trustee of the Linda Ipock Hardee Living Trust dated September 28, 2009, personally appeared before me this day and acknowledged the due execution of the foregoing deed of conveyance.

Witness my hand and Notarial Seal, this the 30th day of May, 2017.

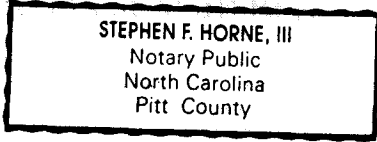
STEPHEN F. HORNE, III
Notary Public
North Carolina
Pitt County

Stephen F. Horne III
NOTARY PUBLIC
Print Name: Stephen F. Horne III
My Commission Expires: 4/13/2020

STATE OF NORTH CAROLINA
COUNTY OF Pitt

I, a Notary Public of the aforesaid County and State do hereby certify that CHUN KEUNG NG and wife, KATLAN LU NG personally appeared before me this day and acknowledged the due execution of the foregoing deed of conveyance.

Witness my hand and Notarial Seal, this the 30th day of ~~May~~ June, 2017.

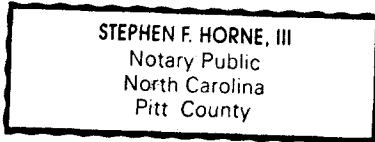


[Signature]
NOTARY PUBLIC
Printed/Typed Name: Stephen F. Horne III
My Commission Expires: 4/13/2020

STATE OF NORTH CAROLINA
COUNTY OF Pitt

I, a Notary Public of the aforesaid County and State do hereby certify that JOHN WILLIAM WERNER and JONATHAN RYAN SCOTT personally appeared before me this day and acknowledged the due execution of the foregoing deed of conveyance.

Witness my hand and Notarial Seal, this the 31st day of ~~May~~ June, 2017

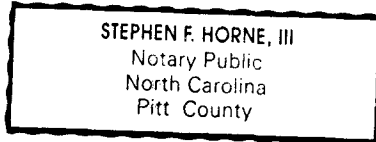


[Signature]
NOTARY PUBLIC
Printed/Typed Name: Stephen F. Horne III
My Commission Expires: 4/13/2020

STATE OF NORTH CAROLINA
COUNTY OF Pitt

I, a Notary Public of the aforesaid County and State do hereby certify that JEFFREY ALEXANDER ALLOWAY and BERNADETTE MARY KENNY personally appeared before me this day and acknowledged the due execution of the foregoing deed of conveyance.

Witness my hand and Notarial Seal, this the 6th day of ~~May~~ June, 2017.

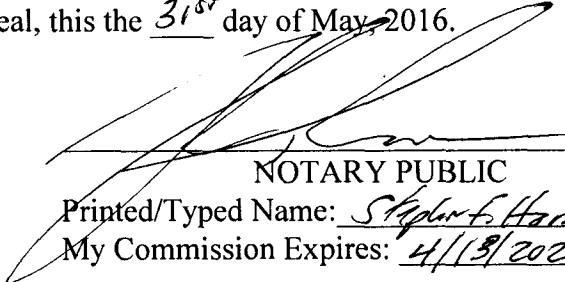


[Signature]
NOTARY PUBLIC
Printed/Typed Name: Stephen F. Horne III
My Commission Expires: 4/13/2020

STATE OF NORTH CAROLINA
COUNTY OF _____

I, a Notary Public of the aforesaid County and State do hereby certify that AL DAVIS and wife, LYLE DAVIS personally appeared before me this day and acknowledged the due execution of the foregoing deed of conveyance.

Witness my hand and Notarial Seal, this the 31st day of May, 2016.


NOTARY PUBLIC
Printed/Typed Name: Stephen F. Horne III
My Commission Expires: 4/13/2020

STEPHEN F. HORNE, III
Notary Public
North Carolina
Pitt County

STEPHEN F. HORNE, III
Notary Public
North Carolina
Pitt County