20090930000239350 AMD **Bk:RB4833 Pg:432** 09/30/2009 04:56:26 PM 1/25



Prepared by: Robert H. Smith

Return to: Karen Morrissette, 4024 Sapling Trail, Hillsborough, NC 27278

Mr

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR TREE FARM SUBDIVISION REGARDING ARTICLE IV – USE RESTRICTIONS, SECTION 10 DRIVEWAYS

THIS AMENDMENT, made this 21 day of September 2009, by the undersigned, hereinafter collectively referred to as "Owners".

WHEREAS, Owners are the owners of certain property in Bingham Township, County of Orange, State of North Carolina, described as Tree Farm Subdivision, which property is more particularly described in Exhibit A attached hereto and by reference made a part hereof; and

WHEREAS, a Declaration of Covenants, Conditions and Restrictions (the "Declaration") for Tree Farm Subdivision was recorded in Book 2914, Page 73 and succeeding pages in the Orange County Registry and a Supplement to the Declaration was recorded in Book 3936, Page 490 and succeeding pages in the Orange County Registry covering all property referred to in Exhibit A attached hereto and by reference made a part hereof; and

WHEREAS, Article V, Section 3 of the Declaration allows it to be amended by an instrument approved by not less than seventy-five percent (75%) of the Lot Owners and

WHEREAS, Owners desire to change and replace <u>ARTICLE IV- USE</u> <u>RESTRICTIONS</u>, <u>Section 10</u>. <u>Driveways</u> and to otherwise have said Declaration and Supplement remain unchanged and in full force and effect;

NOW, THEREFORE, Owners hereby declare that <u>ARTICLE IV- USE</u> <u>RESTRICTIONS</u>, <u>Section 10</u>. <u>Driveways</u> be changed and replaced as follows:

"All driveways shall be designed, constructed and built with water bars, breaks and diversions as necessary to prevent water flow on or across the surface of the roads and streets within Tree Farm Subdivision."

In WITNESS WHEREOF, the Owners have caused this Amendment to be duly executed the day and year first above written.

FOR MULTIPLE PIN SHEET

SEE BOOK 4833 PAGE 430

IRREGULAR FORM NO 3" / Ap Malain

EXHIBIT "A"

TO AMENDMENT TO DECLARATION FOR TREE FARM SUBDIVISION

<u>DESCRIPTION OF PROPERTIES</u> SUBJECT TO AMENDED DECLARATION

BEING all those certain tracts or parcels of land lying and being in Bingham Township, Orange County and known and designated as Tracts 1 through 14, and 24 through 28, Tree Farm Subdivision, as shown on that certain plat and survey thereof entitled "Tree Farm Subdivision" by S.D. Puckett & Assoc., Inc., dated October 30, 2002, and recorded in Plat Book 91 at Page 139, Orange County Registry and all those certain tracts or parcels of land lying and being in Bingham Townships, Orange County and known as designated as Tracts 15 through 23, Tree Farm Subdivision, as shown on that certain plat and survey thereof entitled "Tree Farm Subdivision, Phase 2 Revised by S.D. Puckett & Assoc., Inc., dated June 13, 2005 and July 20, 2005, and recorded in Plat Book 98, Page 58 to which plats reference is hereby made for a more particular description of same.

200909300000239350 RB4833 433 2/25

OWNER, LO	OT 1 KB Jale
OWNER, LO	Richard B. Tate OT 1 Clark Library Richard B. Tate Other Library Richard B. Tate Other Library Richard B. Tate Other Library Richard B. Tate
	Debőrah A. Tate
STATE OF N. Carolina	
COUNTY OF <u>Onange</u>	
I, PAULETTE BARBEE	, a Notary Public in and for the aforesaid
county and state do hereby certify that	at Richard B. Tate personally appeared before me
and acknowledged the due execution of	
Witness my hand and notarial s	eal this 16 day of JULY
,2009.	
THE COMMENTE COMMENTERS	Dan AR
T HOTAL TH	Notary Public
Can Rival Carica F.	
My commission Expires:	
2010	
STATE OF N. Carolina	
COUNTY OF OAAAAA	
COUNTY OF <u>Urange</u>	
_	
I, PAULETTE BARBEE	, a Notary Public in and for the aforesaid
county and state do hereby certify tha	t Deborah A. Tate personally appeared before me
and acknowledged the due execution of	of the foregoing instrument.
Witness my hand and notarial s	eal this 16 day of JULY
,2009.	
imummin.	1 A R
HANNER ON ONE	Notary Public
My commission Expires:	Notary Public '
My commission Expires:	
The others	RB4833 434 3/25
二十十五十二十二十二十二十二十二十二十二十二十二十二十二十二十二十二十二十二十	3

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR TREE FARM SUBDIVISION REGARDING ARTICLE IV - USE RESTRICTIONS, SECTION 10 DRIVEWAYS OWNER, LOT 2 OWNER, LOT 2 STATE OF \downarrow **COUNTY OF** (a), a Notary Public in and for the aforesaid county and state do hereby certify that James G. Morrissette personally appeared before me and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial seal this day of ,2009. **Notary Public** My commission Expires ... STATE OF COUNTY OF Rocke, a Notary Public in and for the aforesaid county and state do hereby certify that Karen A. Morrissette personally appeared before me and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial seal this _ ,2009. **Notary Public** My commission Expires

OWNER, LOT	3 Inely Brian Andersa
	Timothy Brian Anderson
OWNER, LOT	3 Susane n. arderson
	Susanne N. Anderson
STATE OF Nath Carolina COUNTY OF Ducham	20090930000239350 394833 436 5725
I, LINDA C. BOWMAN	, a Notary Public in and for the aforesaid
county and state do hereby certify that	Timothy Brian Anderson personally appeared
before me and acknowledged the due ex	ecution of the foregoing instrument.
_	
Witness my hand and notarial sea	it tills _77 _ day of
STOP TO STORY	
LA TARY	Linda Deuman Notary Public
AURLIC X	Notary Public
My commission Expires out in	
X/1- /00 minimum	
0/13/09	
STATE OF NAPTH PROPERTY	
STATE OF	<u>-</u>
COUNTY OF WAKE	
	<u>-</u>
I, BONETTA S'TOSE	, a Notary Public in and for the aforesaid
	at Susanne N. Anderson personally appeared
before me and acknowledged the due ex	recution of the foregoing instrument.
Witness my hand and notarial sea,2009.	al this 16th day of July
	Janual for
	Notary Publication Rose
My commission Expires:	Notary Public Wake County
11/16/2013	North Carolina N
/ /	My Commission Expires 11/16/2013

OWNER, LOT 4 OWNER, LOT 4	George S. Abell Fasmay B. Abell Rosemary B. Abell
STATE OF North Caroling	, , , , , , , , , , , , , , , , , , , ,
COUNTY OF Wake	
I, Donno Brown, a county and state do hereby certify that Georand acknowledged the due execution of the Witness my hand and notarial seal this,2009.	foregoing instrument.
	Donna R. Brown Notary Public
My commission Expires:	
4-17-2012 STATE OF North Carolina COUNTY OF WAKE	DONNA R BROWN Notary Public Lee County State of North Carolina My Commission Expires Apr 17, 2012
I, Dumma Brown, a county and state do hereby certify that Ros me and acknowledged the due execution of Witness my hand and notarial seal this	the foregoing instrument.
My commission Expires:	Notary Public DONNA R BROWN Notary Public Lee County State of Morth Carolina My Commission Expires Apr 17, 2012 6
KD4033 40', 5',=5	

OWNER, LOT 5 Elizabeth M. West
OWNER, LOT 5 Stephen G. West
STATE OF
COUNTY OF OCONGL
I, <u>Cindy K. Jordan</u> , a Notary Public in and for the aforesaid
county and state do hereby certify that Elizabeth M. West personally appeared before
me and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal thisday of
Notary Public Notary Public
My commission Expires:
City Commission Expires.
1009 71, 1001
Al A
STATE OF
COUNTY OF OCAP
I, Cody K. Jordan, a Notary Public in and for the aforesaid
county and state do hereby certify that Stephen G. West personally appeared before me
and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal this _/e ^t day of
Cind (Jorden Marie
Notary Public
My commission Expires:
4 July 21, 2009 RB4833 438 7/25

OWNER, LOT 6 Elizabeth M. OWNER, LOT 6 Stephen G.	West West
STATE OF	
COUNTY OF Ovenage	
I, CEndy C. Jordan a Notary Public	in and for the aforesaid
county and state do hereby certify that Elizabeth M. West	personally appeared before
me and acknowledged the due execution of the foregoing in	
Witness my hand and notarial seal this $\frac{16^{44}}{2009}$ day2009.	of July
<u> </u>	de Consciono
Notary Publi	c / VANTONS
My commission Expires:	
July 27, 2009	***************************************
STATE OF	
COUNTY OF Orange	
I, Condy C. Jordan a Notary Public	in and for the aforesaid
county and state do hereby certify that Stephen G. West pe	rsonally appeared before me
and acknowledged the due execution of the foregoing instru	ument,
Witness my hand and notarial seal thisday =2009.	of les
Notary Publi	C
My commission Expires:	U .o .o .
2009930000239350 RB4B33 439 8/25	A THATON'S

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR TREE FARM SUBDIVISION REGARDING ARTICLE IV — USE RESTRICTIONS, SECTION 10 DRIVEWAYS
OWNER, LOT 7
Cameron H. McNaughton OWNER, LOT 7 Karen W. McNaughton
STATE OF North Carolina
COUNTY OF Drange
I, brytal C. Ragland, a Notary Public in and for the aforesaid
county and state do hereby certify that Cameron H. McNaughton personally appeared
before me and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal this day of
Notary Public Naglad
My commission Expires:
My commission Expires: 06 20 20 20 20 20 20 20 20 20 20 20 20 20
STATE OF NORth Carolona Proce country
COUNTY OF Orange
I, Krysta C. Magaro, a Notary Public in and for the aforesaid
county and state do hereby certify that Karen W. McNaughton personally appeared
before me and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal this day of
My commission Expires: Notary Public Notary Public Notary Public
20000930000239350 RB4833 440 9725

OWNER, LOT 8 THOMAS FLOWER
Thomas L. Brown
OWNER, LOT 8 Robin C. Bedingfield
STATE OF North Carolina
COUNTY OF Ovange
I, Condyn Cotton, a Notary Public in and for the aforesaid
county and state do hereby certify that Thomas L. Brown personally appeared before
me and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal this
(dealer Catter
Notary Public
My commission Expires:
MAY 5, 2012
STATE OF North Carolina
COUNTY OF
I, Covelyn Cotton, a Notary Public in and for the aforesaid
county and state do hereby certify that Robin C. Bedingfield personally appeared before
me and acknowledged the due execution of the foregoing instrument. $\frac{2}{3}$
Witness my hand and notarial seal this 18 m day of Julio 3 3 3 2 2009.
aulen aller
Notary Public
My commission Expires: My S, 2017
The state of the s

20090930000239350 RB4833 441 10/25

OWNER, LOT 9	Rodney C. Beaver Converse Books Adriana B. Alvarez
STATE OF Month Canaling	
COUNTY OF Ones	
I, Tenera G Bullale, a	Notary Public in and for the aforesaid
county and state do hereby certify that Rod	
me and acknowledged the due execution of t	he foregoing instrument.
Witness my hand and notarial seal this2009.	and the state of August
My commission Expires:	Notary Public
11-08-2010	
STATE OF NORTH GRESLINA	
COUNTY OF WAKE	
I, LISA A. Eggen-VernA, a	Notary Public in and for the aforesaid
county and state do hereby certify that Adri	
me and acknowledged the due execution of t	he foregoing instrument.
Witness my hand and notarial seal this	s_14 day of August
,2009. LISA A. EGGER-VRANA NOTARY PUBLIC Wake County North Carolina My Commission Expires March 5, 2011	Notary Public Ush A. Egger
My commission Expires:	<i>p</i>

20090930000239350 RB4833 442 11/25

		1 18	
OWI	NER, LOT 10	Treggs Sty	Aman
OWI	NER, LOT 10	Gregg 8. Rydman b	Ymar
	1111 July 201 20	Adelle M. Rydman	
STATE OF MONTH CO	rolina		
COUNTY OF Orange	<u>e</u>		
I, Corolyn C	Mm, a	Notary Public in and f	for the aforesaid
county and state do hereby ce			
me and acknowledged the due	execution of t		
Witness my hand and no	tarial seal this	18 day of Ja	ly
,2009.		Public (Patter of of the second
My commission Expires:			THE ORATE
Mry 5, 2012			The state of the s
STATE OF North Co	roliva		
COUNTY OF Orange			
I, Carolyn Con	₩, a	Notary Public in and f	for the aforesaid
county and state do hereby ce	rtify that Adel	le M. Rydman personally	appeared before
me and acknowledged the due			A
Witness my hand and no	tarial seal this	18 day of Jul	
,2009.		Cauly (Jethan 23
My commission Expires:		Notary Public	
May 5, 2012	m u m 10	1 NOBEL CONTROL TO A CONTROL TO A CONTROL TO STATE	O & State of the s
/ ′	2009093		12
	RB4833	445 12/20	14

OWNER, LOT 16 Jugay & Buretut
Gregory / Benedict OWNER, LOT 16
Carolyn H. Benedict
STATE OF That Carolina
COUNTY OF JAnel
I, Maly Cally, a Notary Public in and for the aforesald
county and state do hereby certify that Gregory L. Benedict personally appeared before
me and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal this _/ 8 day of
Notary Public
My commission Expires:
M/Ay 5, 2012
STATE OF North Carolina
COUNTY OF MUCH
I, Carely Atter, a Notary Public in and for the aforesalth 3
county and state do hereby certify that Carolyn H. Benedict personally appeared before
me and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal this day of
Notary Public
My commission Expires:

OWNER, LOT 17 <u>Evell Syst</u> Euell Goss
STATE OF North Carolina
COUNTY OF Orange
I, Coroly Cotton, a Notary Public in and for the aforesaid county and state do hereby certify that Euell Goss personally appeared before the and the county and state do hereby certify that Euell Goss personally appeared before the county and the county and the county and the county and the county are considered to the county and the county are considered to the county and the county are considered to the county are considered to the county and the county are considered to the considered to
acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal this
•

My commission Expires:

200909300000239350 684833 446 15/25

My commission Expires:

20090930000239356 RB4833 447 16/25

OWNER, LOT 19 John Lune
John Turner OWNER, LOT 19 <u>Laun Durun</u> Karen Turner
STATE OF North Carolina
COUNTY OF Orange
I, Carelyn Cotton, a Notary Public in and for the aforesaid
county and state do hereby certify that John Turner personally appeared before me and
acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal this
Notary Public '
My commission Expires:
MAy 5, 2017
STATE OF North Carolina
COUNTY OF <u>Orange</u>
I, Carolyn Cotton, a Notary Public in and for the aforesaid
county and state do hereby certify that Karen Turner personally appeared before me
and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal this day of
Notary Public
My commission Expires:
20090930000239350 RB4833 448 17/25
/1 -

Court Walle

,	OWNER, LOT 20	Com Willes
	OWNER, LOT 20	George W. Williams II Shawn D. Williams
STATE OF North Co	rolina	
COUNTY OF Oren	ge	
I, Carolyn	Cotton, a 1	Notary Public in and for the aforesaid
county and state do herel		orge W. Williams II personally appeared
		on of the foregoing instrument.
Witness my hand and,2009.	d notarial seal this	Avalen Collar Notary Public
My commission Expires:		
MAy 5,201	7	
STATE OF Morth C	prolina	
COUNTY OF Orenja	==	
I, <u>Carolyn</u> county and state do hereby		Notary Public in and for the aforesaid
me and acknowledged the	-	
Witness my hand and,2009.		
My commission Evoiros:		Notary Public
My commission Expires:		[

	CANIATI'N FOL ST		
	014/11/20 1 0 2 4	Eugene W. Desaulniers	A.L.
	OWNER, LOT 21	Hurad Albanemu	EAS .
_ .	2	Laura T. Desaulniers	
STATE OF North (prolina		
COUNTY OF Over	<u> </u>		
I, Corolyn	Cotton, a 1	Notary Public in and for	the aforesaid
county and state do here	by certify that Eug	ene W. Desaulniers perso	nally appeared
		on of the foregoing instrum	
_		(8 day of July Carolen Ca	1 Continue of the state of the
·		Notary Public	
My commission Expires:			
MAY5,21	217		
STATE OF NOTA (prolina		
COUNTY OF Orenje			•
I, Carolyn	Cotton, a 1	Notary Public in and for	the aforesaid
county and state do hereb	y certify that Laura	T. Desaulniers personally ap	ppeared before
me and acknowledged the	due execution of th	e foregoing instrument.	(1011 3.1m)
_	nd notarial seal this	110 h	0.13.2 CO 13.2
		Notary Public	TO THE WAR THE
My commission Expires:	1017		
11/M 510	70 10	(C)	
	2009093000 RB4833 450	0239350 19725	23

OWNER, LOT 22 / lenseth K. Theres
OWNER, LOT 22
Teresa S. Phares
STATE OF North Carolina
COUNTY OF <u>Viange</u>
I, Cynthia H. Pulliam, a Notary Public in and for the aforesaid
county and state do hereby certify that Kenneth R. Phares personally appeared before
me and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal this 13 th day of July 2009.
CYNTHIA H. PULLIAM NOTARY PUBLIC ALAMANCE COUNTY, NOVOTATY Public MY COMMISSION EXPIRES APRIL 11, 2011
My commission Expires:
April 11, 2011
STATE OF North Carolina
COUNTY OF <u>Orange</u>
I, Cynthia H. Pulliam, a Notary Public in and for the aforesaid
county and state do hereby certify that Teresa S. Phares personally appeared before me
and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal this 134 day of July 2009.
CYNTHIA H. PULLIAM Commission ALAMANCE COUNTY, NO NOTARY PUBLIC ALAMANCE C

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR TREE FARM SUBDIVISION REGARDING ARTICLE IV – USE RESTRICTIONS, SECTION 10 DRIVEWAYS
OWNER, LOT 24 Missail Affanis
OWNER, LOT 24 Jane C. Flannelly Jane C. Flannelly
STATE OF North Carolina
COUNTY OF Orange
I, Carolyn Cotton, a Notary Public in and for the aforesaid
county and state do hereby certify that Michael S. Flannelly personally appeared before
me and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal thisday of
(aroles totter
Notary Public
My commission Expires:
May 5, 2012
STATE OF North Carolia
COUNTY OF
I, Carolyn Cotton, a Notary Public in and for the aforesaid
county and state do hereby certify that Jane C. Flannelly personally appeared before me
and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal this 18 h day of 2 l so
Notary Public
My commission Expires:

OWNER, LOT 25 Zaver egley (
OWNER, LOT 25 Earl Wesley Tye Leslie B. Tye
STATE OF North Carolina
COUNTY OF
I, Carolyn Cotton, a Notary Public in and for the aforesaid
county and state do hereby certify that Earl Wesley Tye personally appeared before the
and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal this
My commission Expires:
May 5, 2012
STATE OF North Carolina
COUNTY OF Olarge
I, Caroly Cotton, a Notary Public in and for the aforesaid
county and state do hereby certify that Leslie B. Tye personally appeared before me
and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal this 18th day of July 2009.
Caroler Cotton
Notary Public Notary Public
My commission Expires:

OWNER, LOT 26	Shanm Speak
OWNER, LOT 26	Sharon B. Spear
	Peter D. Smith
STATE OF North Carolina	
COUNTY OF Drange Akamar	icl
I, Katherine G. Rich, a 1	Notary Public in and for the aforesaid
county and state do hereby certify that Sharor	
and acknowledged the due execution of the fo	regoing instrument.
Witness my hand and notarial seal this	day of September Mamance County 03/13/2012
	Notary Public
My commission Expires:	
03 13 2012	
STATE OF North Carolina	
COUNTY OF Alamance	
I, Katherine G. Rich, a 1	Notary Public in and for the aforesaid
county and state do hereby certify that Peter	Notary Public in and for the aforesaid B. Smith personally appeared before menuing the RINE G. Application of the aforesaid before a public transport of
and acknowledged the due execution of the fo	pregoing instrument. Notary Public 2. N
Witness my hand and notarial seal this,2009.	11 day of Sentember Alamance County
	My Commission expires 03/13/2012 My Commission expires 03/13/2012 Notary Public
My commission Expires:	Howly I ublic
_03 13 2012	0930000239350 33 454 23/25

OWNER, LOT 27

Newton B. Jones

STATE OF Month Carolina COUNTY OF Orange

I, Carolyn Catton, a Notary Public in and for the aforesaid...

county and state do hereby certify that Newton B. Jones personally appeared before me and acknowledged the due execution of the foregoing instrument.

day of _

Notary Public

My commission Expires:

2005093000239350 2005093000239350 RB4B93 465 24 75

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR TREE FARM SUBDIVISION REGARDING ARTICLE IV – USE RESTRICTIONS, SECTION 10 DRIVEWAYS
OWNER, LOT 28 A. J.
OWNER, LOT 28 July alker
Patricia J. Walker
STATE OF Moth Caroline
COUNTY OF SIMES
I, Auly Ala, a Notary Public in and for the aforesaid
county and state do hereby certify that Robert Berry Green personally appeared before
me and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal this day of
OR A
Carly Catter
Notary Public *
My commission Expires:
MAy5,2012
STATE OF
COUNTY OF Arlungton
I, Clema Gudoma, a Notary Public in and for the aforesaid
county and state do hereby certify that Patricia J. Walker personally appeared before
me and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal thisday of
My commission Expires: 91301 2011 My commission Expires: 91301 2011
20090930000239350 RB4833 456 25/25