

2014

Prepared by: Robert H. Smith

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

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AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR TREE FARM SUBDIVISION REGARDING NEW ARTICLE V – GENERAL PROVISIONS, SECTION 9 UNPAID ASSESSMENTS



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 add a new <u>ARTICLE V- GENERAL PROVISOINS</u>, <u>Section 9. Unpaid Assessments</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 V- GENERAL</u> <u>PROVISIONS, Section 9. Unpaid Assesments</u> be added as follows:

"Owners who owe assessments, at the time that a vote occurs on any issue, will not be entitled to cast a vote."

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 <u>1833</u> PAGE 371

IRREGULAR FORM No 3" Top Margin

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.



OWNER, LOT 1	RB Jate
OWNER, LOT 1	Richard B. Tate Deborah A. Tate
STATE OF N Carolina	Deborali A. Tate
COUNTY OF <u>Orange</u>	
I, PAULETTE BARBEE	a Notary Public in and for the aforesaid
county and state do hereby certify that Ric	hard B. Tate personally appeared before me
and acknowledged the due execution of the	e foregoing instrument.
Witness my hand and notarial seal th2009.	nis 16 day of JULY
T HOTARL FA	Notary Public
My commission Expires:	
STATE OF N Carolina	
COUNTY OF <u>Orange</u>	
- · · · · · · · · · · · · · · · · · · ·	a Notary Public in and for the aforesaid porah A. Tate personally appeared before me
and acknowledged the due execution of the	e foregoing instrument.
Witness my hand and notarial seal th	nis 16 day of JULY
ME CONTRACTOR OF THE PROPERTY	Notary Public
My commission Expires:	
OP RESIDENCE OF STREET OF	3 090930000239310 4833 381 3/24

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR TREE FARM SUBDIVISION REGARDING NEW ARTICLE V - GENERAL PROVISIONS, SECTION 9 UNPAID **ASSESSMENTS** OWNER, LOT 2 James G. Morrissette OWNER, LOT 2 STATE OF \mathcal{N} COUNTY OF Drange I, Shere L. Roche, 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 $_{\cdot \cdot}$,2009. My commission Expires My COUNTY STATE OF \(\)(COUNTY OF Orange 1001/ 1200 hg., 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 $\sqrt{3}$ day of $\sqrt{3}$,2009.

My commission Expires:

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Notary Public

OWNER, LOT 3 Justy Anderson
Timothy Brian Anderson OWNER, LOT 3 Susanse h. ardush
Susanne N. Anderson
STATE OF North Carolina
COUNTY OF Hurham
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 execution of the foregoing instrument.
Witness my hand and notarial seal this 17 day of 5uly
William C. BOWA
Storage Linda (Scheman)
Notary Public
My commission Final Public Park
My commission Expression COUNTRIES
8 /15/09 Minimum
STATE OF NORTH CAROLINA
COUNTY OF WAKE
I, Bovern TRose, a Notary Public in and for the aforesaid
county and state do hereby certify that Susanne N. Anderson personally appeared
before me and acknowledged the due execution of the foregoing inst
Witness my hand and notarial seal thisday of
Bruttette
Notary Publighter
My commission Expires: Commission Expires: Bonetta J. Rose Notary Public Wake County Notary Public County Notary Public Notar
North Carolina My Commission Expires 11/16/2013 5

OWNER, LOT 4 GOORGE S. Abell OWNER, LOT 4 Rosemary B. Abell
STATE OF North Caroling
COUNTY OF WOKE
I, DORGABROWN a Notary Public in and for the aforesaid county and state do hereby certify that George S. Abell personally appeared before me and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial seal this 13 day of 30 4 2009.
Donna R. Brown Notary Public
My commission Expires:
H-17-2012 DONNA R BROWN Notary Public Lee County
STATE OF North Caroling State of North Caroling My Commission Expires Apr 17, 2012
COUNTY OF Wake
I, Donga Brown, a Notary Public in and for the aforesaid county and state do hereby certify that Rosemary B. Abell personally appeared before me and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial seal this 13 day of 2014, 2009.
My commission Expires:

ASSESSMENTS /
OWNER, LOT 5 Elizabeth M. West
OWNER, LOT 5 Stephen G. West
STATE OF
COUNTY OF <u>Oronge</u>
I, Cindy C. Ordon, 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
Motor Dublic
Notary Public / (
My commission Expires:
July 2) 2009
STATE OF
COUNTY OF <u>Oronge</u>
I, Cindy C. 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 16 day of 2009.
Notary Public / (no 3 3 3)
My commission Expires:
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AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR TREE FARM SUBDIVISION REGARDING NEW ARTICLE V - GENERAL PROVISIONS, SECTION 9 UNPAID **ASSESSMENTS** OWNER, LOT 6 OWNER, LOT 6 STATE OF _ N.C. COUNTY OF _ ____, 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 this 16th day of July ,2009. My commission Expires: STATE OF COUNTY OF Cindy 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 b day of ,2009. **Notary Public**

My commission Expires:

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AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR TREE FARM SUBDIVISION REGARDING NEW ARTICLE V - GENERAL PROVISIONS, SECTION 9 UNPAID **ASSESSMENTS** OWNER, LOT 7 Cameron H. McNaughton haven W McMaustiter OWNER, LOT 7 Karen W. McNaughton STATE OF North Carolina COUNTY OF Wande 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 10,2009. Notary My commission Expires: arolpha STATE OF COUNTY OF QQQQ, 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 10 ,2009. Notary Mublic My commission Expire

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR TREE FARM SUBDIVISION REGARDING NEW ARTICLE V - GENERAL PROVISIONS, SECTION 9 UNPAID **ASSESSMENTS** OWNER, LOT 8 OWNER, LOT 8 COUNTY OF Orange ardyn (offen, a Notary Public in and for the aforesaid county and state do hereby certify that Thomas L. Brown personally appeared be me and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial seal this $\frac{1277}{120}$ day of ,2009. **Notary Public** My commission Expires: COUNTY OF ___, 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. Witness my hand and notarial seal this $\frac{1277}{2}$ day of ,2009. **Notary Public** My commission Expires:



AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR TREE FARM SUBDIVISION REGARDING NEW ARTICLE V - GENERAL PROVISIONS, SECTION 9 UNPAID **ASSESSMENTS** OWNER, LOT 9 OWNER, LOT 9 Adriana B. Alvarez STATE OF North Caroling COUNTY OF ORDAY I. Tenesa 6 Bulloul-, a Notary Public in and for the aforesaid county and state do hereby certify that Rodney C. Beaver personally appeared before me and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial seal this _____ day of __August_ commission Expires: COUNTY OF WAKE I, Lisa A. Egge Veava, a Notary Public in and for the aforesaid county and state do hereby certify that Adriana B. Alvarez personally appeared before me and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial seal this 14 day of 4,2009. LISA A. EGGER-VRANA **NOTARY PUBLIC** Wake County North Carolina My Commission Expires March 5, 2011 My commission Expires: MARCH 5, 2011

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\sum_{i}	OWNER, LOT 10 OWNER, LOT 10	Sugg S Sydwa Gregg S. Rydman Gully Gudwi Adelle M. Rydman	on and
STATE OF / WWh	Carolina		
COUNTY OF OVER	rje_		
•		Notary Public in and for	2' ' ' \ O ' '
county and state do hereb	by certify that Greg	gg S. Rydman personally ap	ppeared before
me and acknowledged the			
Witness my hand ar,2009.	nd notarial seal this	Avalen (Notary Public	atter OR ANGE
My commission Expires:			
MAy5, 201	7		
STATE OF Month	Carolina	_	
COUNTY OF Orange	<u> </u>		
I, Carolyn	Cotton, a	Notary Public in and for	the aforesaid
county and state do hereb	y certify that Adell	le M. Rydman personally ap	opeared before
me and acknowledged the		· · · · · · · · · · · · · · · · · · ·	
Witness my hand an,2009.	nd notarial seal this	Carolin Ca	the the state of t
My commission Expires:		Notary Public '	
Mry5, 2012	200 RB48	90930000239310 933 390 12/24	12

OWNER, LOT 14 Cuttur funt fhimes
Arthur Kent Thomas OWNER, LOT 14 Sunday Homas Linda Ann Thomas
STATE OF North Caroling
COUNTY OF
I, Lilling B Bledow, a Notary Public in and for the aforesaid
county and state do hereby certify that Arthur Kent Thomas personally appeared before
me and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal this
My commission Expires:
MAY 5, 2017 STATE OF NORTH Carolina
I, Caroly Cattor, a Notary Public in and for the aforesaid
county and state do hereby certify that Linda Ann Thomas 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: 16

OWNER, LOT 16 Sugar Develation
OWNER, LOT 16 Carolyn H, Benedict Carolyn H, Benedict
STATE OF North Carolina
COUNTY OF Ovange
I, Cavolyn Cotton, a Notary Public in and for the aforesaid
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 Stay of July 2009.
Notary Public
My commission Expires:
May 5, 2012
STATE OF North Corolina
COUNTY OF Orange
I, Carolyn Cotton, a Notary Public in and for the aforesaid
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 \\ \frac{1}{2009}\tag{3} \\ \fra
and allar manusaman
Notary Public My commission Expires:
20090930000239310 RB4833 392 14/24

OWNER, LOT 17 Well Soss Euell Goss
STATE OF Month Carolina
COUNTY OF Overle
I, Carolyn Cotton, a Notary Public in and for the aforesaid
county and state do hereby certify that Euell Goss personally appeared before me and
acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal this
Notary Public

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OWNER, LOT 18 Fuell Suss
STATE OF Moth Carolina
I, Carolyn Cotton, a Notary Public in and for the aforesaid
county and state do hereby certify that Euell Goss 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:

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OWNER, LOT 19
John Turner OWNER, LOT 19 Karen Turner
STATE OF Morth Carolina
COUNTY OF Orange
I, Carolyn 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:
MRy 5, 2012
STATE OF North Corolina
country of Orenge
I, Corolyn Cothu, 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 _\(\frac{\frac{1}{2}}{2009}\).
Notary Public
My commission Expires: My 5, 2017 My 5, 2017
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OWNER, LOT 20	Con Wille
OWNER, LOT 20	George W. Williams II <u>Sham O. Wettersen</u> Shawn D. Williams
STATE OF Morth Carolina	
COUNTY OF	
I, Caroly Cotton, a 1	Notary Public in and for the aforesaid
county and state do hereby certify that Geo	orge W. Williams II personally appeared
before me and acknowledged the due execution	
Witness my hand and notarial seal this,2009.	Ausly Catter
My commission Expires:	
Mry 5, 2017	
STATE OF North Carolina	
COUNTY OF <u>Oranje</u>	
Ø	Notary Public in and for the aforesaid
county and state do hereby certify that Shaw	
me and acknowledged the due execution of the	e foregoing instrument.
Witness my hand and notarial seal this,2009.	auly atta
My commission Expires:	Notes y Fubile
10 My 5, 2017	2930000239310 333396 18724 22

OWNER, LOT 21
Eugene W. Desaulniers OWNER, LOT 21 Hawaa desaulmers Laura T. Desaulniers
STATE OF North Carolina
COUNTY OF
I, Corolyn Other, a Notary Public in and for the aforesaid
county and state do hereby certify that Eugene W. Desaulniers personally appeared
Witness my hand and notarial seal this
Notary Public
My commission Expires:
MAY 5,2017
COUNTY OF Orange
I, Carolyn Cotton, a Notary Public in and for the aforesaid
county and state do hereby certify that Laura T. Desaulniers 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: 2009099300002399310 2009099300002399310 23

OWNER, LOT 22 <u>/ Lensth fr. Thanks</u>) Kenneth R. Phares		
OWNER, LOT 22 Jusa James Teresa S. Phares		
STATE OF North Carolina		
COUNTY OF Drange		
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 4 day of July 2009.		
CYNTHIA H. PULLIAN NOTARY PUBLIC ALAMANCE COUNTY, NC Notary Public MY COMMISSION EXPIRES APRIL 11, 2011		
My commission Expires:		
Apr: 1 11,2011		
STATE OF North Carolina		
COUNTY OF Orange		
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 13th day of July 2009.		
CYNTHIA H. PULLIAM NOTARY PUBLIC ALAMANCE COUNTY, NC NOTARY Public My commission Expires OMMISSION EXPIRES APRIL 11, 2011		
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OWNER, LOT 25	Earl Wesley Tye
OWNER, LOT 25	<u>Assi B. De</u> Leslie B. Tye
STATE OF North Carolina	
COUNTY OF Orange	
//	Notary Public in and for the aforesaid
county and state do hereby certify that Earl	Wesley Tye personally appeared before me
and acknowledged the due execution of the f	
Witness my hand and notarial seal this	s 18th day of July 3, 9, 5
,2009.	
	(also Calla)
	Notary Public
My commission Expires:	
May 5) 2012	
STATE OF North Carolina	
COUNTY OF Orange	
0	Notary Public in and for the aforesaid
county and state do hereby certify that Les	
and acknowledged the due execution of the t	
Witness my hand and notarial seal this	s 18 day of July 20 20 00
,2009.	ORAMOUNT.
	(aisle (Atto)
	Notary Public
My commission Expires: Way 5 , 2010	30000235910 27
ZV RI	B4833 399 21/24

OWNER, LOT 26 Shaven Bypear
OWNER, LOT 26 Sharon B. Spear
Peter D. Smith
STATE OF North Carolina
country of Orange Alamance
I, Katherine G. Rich, a Notary Public in and for the aforesaid
county and state do hereby certify that Sharon B. Spear personally appeared before mention,
and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal this day of
Notary Public O3/13/2012 Notary Public
My commission Expires:
03/13/2012
STATE OF North Carolina
county of <u>Alaman ce</u>
I, Katherine G. Rich , a Notary Public in and for the aforesaid
county and state do hereby certify that Peter B. Smith personally appeared before me
and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal this 11 day of San Hem 1997 (1997) Public 3
My commission Expires:

OWNER, LOT 27

Newton B. Jones

STATE OF Many Carolina

COUNTY OF Carolina

I, Carolina Cotton, 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.

Witness my hand and notarial seal this 18 day of 1909.

Notary Publić

My commission Expires:

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SUBDIVISION REGARDING NEW ARTICLE V - GENERAL PROVISIONS, SECTION 9 UNPAID **ASSESSMENTS** OWNER, LOT 28 Robert OWNER, LOT 28 **COUNTY OF** 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 _ ,2009. My commission Expires: STATE OF COUNTY OF _ Godane, 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. 2009. Notary Public My commission Expires:

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AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR TREE FARM