

20090930000239290 AMD Bk:RB4833 Pg:354 09/30/2009 04:56:20 PM 1/23

Prepared by: Robert H. Smith

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

## AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR TREE FARM SUBDIVISION REGARDING USE OF PROPERTY FOR VEHICULAR TRAFFIC

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THIS AMENDMENT, made this  $\frac{2}{}$  day of  $\frac{Sextember}{}$  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 subsection (k) to <u>ARTICLE IV- USE RESTRICTIONS</u>, Section 1. Use of <u>Property</u> and to otherwise have said Declaration and Supplement remain unchanged and in full force and effect;

NOW, THEREFORE, Owners hereby declare that a new subsection (k) to <u>ARTICLE IV- USE RESTRICTIONS</u>, <u>Section 1</u>. Use of <u>Property</u> is added as follows: "No lot may be used to permit vehicular access of any sort from property outside of Tree Farm Subdivision to Tree Farm Subdivision roads, or from Tree Farm Subdivision roads to property outside of Tree Farm Subdivision.", and that said Declaration and Supplement otherwise remain unchanged and in full force and effect.

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 352-353

IRREGULAR FORM No 3" Top Margin

## EXHIBIT "A"

## TO AMENDMENT TO DECLARATION FOR TREE FARM SUBDIVISION

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

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.



Amendment to Declaration of Covenants, Conditions and Restrictions for Tree Farm Subdivision Regarding Use of Property for Vehicular Traffic
OWNER, LOT 1 RB Jate
OWNER, LOT 1  Richard B. Tate  Deborah A. Tate
STATE OF N. Canolina.  COUNTY OF Drange
COUNTY OF
I, PAULETTE BARBEE, a Notary Public in and for the aforesaid
county and state do hereby certify that Richard B. Tate personally appeared before me
and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal this <u>16</u> day of <u>プレレソ</u>
Notary Public
My commission Expires:
STATE OF N. Carolina
COUNTY OF
I, PAULETTE BARBEE, a Notary Public in and for the aforesaid
county and state do hereby certify that Deborah A. Tate personally appeared before me
and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal this <u>16</u> day of <u>JULY</u>
Notary Public  My commission Expires:
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Regarding Use of Property for Vehicular Traffic
OWNER, LOT 2 Jan 2 lans
James G. Morrissette
OWNER, LOT 2 <u>Faren A Utorusette</u> Karen A. Morrissette
STATE OF A/C
COUNTY OF Drange
I, 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
and the same of th
BRITIS L. ROCKET
Notary Public
My commission Expires:
My commission Expires:    April 1/2013   April 1/20
And COUNTY AM COUNTY
STATE OF \(\(\)
COUNTY OF Oracle
I, Sherek L. Pache, 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 thisday of
My commission Expires: My comm. Exp.
20090930000239290 RB4833 357 4/23

OWNER, LOT 3	Junety Brien Anderson
OWNER, LOT 3	Timothy Brian Anderson
	Susanne N. Anderson
STATE OF North Carolina	
COUNTY OF	
I, LINDAC. BOWMAN, a	Notary Public in and for the aforesaid
county and state do hereby certify that Tim	
before me and acknowledged the due execut	ion of the foregoing instrument.
Witness my hand and notarial seal this	5 <u>17</u> day of <u>July</u>
D PUBLIC 2	Linds C Souman Notary Public
My commission Expires 7 COUNTINE	
STATE OF NORTH Carolina	
COUNTY OF WAKE	
I, BONETTA J ROSE, a	Notary Public in and for the aforesaid
county and state do hereby certify that So	
before me and acknowledged the due executi	ion of the foregoing instrument.
Witness my hand and notarial seal this2009.	day of July
	Conette Ros
	Notary Public
My commission Expires: // - 16 - 20/3	Bonetta J. Rose Notary Public Wake County
20090930000239290 RB4833 358 5/23	North Carolina My Commission Expires 11/16/2013

OWNER, LOT 4 OWNER, LOT 4	George S. Abell  Rosemary B. Abell
STATE OF North Caroling	
county of Wake	
	Domna R Brown Notary Public
My commission Expires:	
H-17-2012 STATE OF North Caroling	DONNA R BROWN Notary Public Lee County State of North Carolina My Commission Expires Apr 17, 2012
COUNTY OF WOKE	
My commission Expires: -4-17-2012	Donna R Brown Notary Public  DONNA R BROWN Notary Public Lee County State of North Casolina My Commission Expires Apr 17, 2012

	OWNER, LOT 5 OWNER, LOT 5	Elizateth M. West	Med
STATE OFN.C.			
COUNTY OF OCCUPE			
I, Clady K.	bidan, an	Notary Public in a	nd for the aforesaid
county and state do here	by certify that Elizat	oeth M. West person	nally appeared before
me and acknowledged the		•	• 1
Witness my hand a2009.	nd notarial seal this	day of	luly
2009.		Notary Public	protesinos
My commission Expires:	<del>-</del>	<b>!</b> .	O COLLANDIO
STATE OF			
COUNTY OF 10 MON	ge_		
I, Cindy	. Jordan a M	lotary Public in ar	nd for the aforesaid
county and state do hereb			
and acknowledged the du			,
Witness my hand a,2009.	nd notarial seal this _	Notary Public	Uly Condo
My commission Expires:			Walter A.
July 27, 200	2009093000023 RB4833 360	19290 7/23	ZATUVIONS

OWNER, LO	Elizabeth M. West
STATE OF <u>N.C.</u>	
COUNTY OF Dage	· 
I, Cindy K. brdan	, a Notary Public in and for the aforesaid
county and state do hereby certify that	at Elizabeth M. West personally appeared before
me and acknowledged the due execution	
Witness my hand and notarial se,2009.	eal this 16 day of July
	Notary Public Notary Public
My commission Expires:	
Auly 27, 2009	A TO A TO
STATE OF N.C.	
COUNTY OF DAME	
I, 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	f the foregoing instrument.
Witness my hand and notarial se2009.	al this // day of July
	Notary Public / ( うういしゅう)
My commission Expires:	J ZIANION S
July 27, 2809	20090930000239290 RB4833 361 8/23

Amendment to Declaration of Covenants, Conditions and Restrictions for Regarding Use of Property for Vehicular Traffic	or Tree Farm Subdivision
OWNER, LOT 7	
Çameron H. McNa	menor
STATE OF NORTH Carolina	
COUNTY OF Orange	
I, Prystal C. Ragland, a Notary Public in a	
county and state do hereby certify that Cameron H. McNaughto	
before me and acknowledged the due execution of the foregoing	instrument.
Witness my hand and notarial seal this day of	July
,2009.  SPINITARY  Notary Public	C. Rogland
My commission Expires:	v
06 20 2012	
STATE OF North Carolina	
COUNTY OF Orange	
I, Brystal C Ragland, a Notary Public in	and for the aforesaid
county and state do hereby certify that Karen W. McNaughto	on personally appeared
before me and acknowledged the due execution of the foregoing	instrument.
Witness my hand and notarial seal this day of and	July_
My commission Expires:	C. Kagland
My commission Expires:	



Amendment to Declaration of Covenants, Conditions and Restrictions for Tree Farm Subdivision Regarding Use of Property for Vehicular Traffic
A LR
OWNER, LOT 8 Momas & Story
OWNER, LOT 8  Robin C. Bedingfield
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 Thomas L. Brown personally appeared before
me and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal thisday of
(auch Caller Mining
Notary Public
My commission Expires:
•
May 5, 2012
May 5, 2017 STATE OF Morth Carolina
May 5, 2017 STATE OF Morth Carolina COUNTY OF Orange
COUNTY OF Orange
I, Caralyn Cotton, a Notary Public in and for the aforesaid
I, Condyn Cotton, a Notary Public in and for the aforesaid county and state do hereby certify that Robin C. Bedingfield personally appeared before
I, Consignation of 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
I, Consignation of 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

Amendment to Declaration of Covenants, Conditions and Restrictions for Tree Farm Subdivision Regarding Use of Property for Vehicular Traffic OWNER, LOT 9 Rodney C. Beaver Miones B OWNER, LOT 9 STATE OF Month Canalyng COUNTY OF ORDER I, Tenesa & Bullede, 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 <u>all</u> day of <u>August</u> My commission Expires: **COUNTY OF** A-Egger-Very , 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 <u>///\_\_</u> day of \_ <sup>,2009</sup> LISA A. EGGER-VRANA **NOTARY PUBLIC** Wake County North Carolina My Commission Expires March 5, 2011

My commission Expires:



(	OWNER, LOT 10	Grego S. Rydman I
(	OWNER, LOT 10	Adelle M. Rydman
STATE OF MONTH (	arolina	
COUNTY OF Ovary	2	
I, Carolyn	Cother, a 1	Notary Public in and for the aforesaid
county and state do hereby	certify that Greg	g S. Rydman personally appeared before
me and acknowledged the d		
Witness my hand and	I notarial seal this	Notary Public
My commission Expires:		
MAY 5, 2018	<del>)                                    </del>	
STATE OF North Ca	prolina	
COUNTY OF Overy		
I, Carolyn (	otto, a r	Notary Public in and for the aforesaid
county and state do hereby	certify that Adelle	e M. Rydman personally appeared before
me and acknowledged the d		· · · · · · · · · · · · · · · · · · ·
Witness my hand and,2009.	notarial seal this	(8) day of July 15 5 3
		Notary Public
My commission Expires:	_	Notely Fublic

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Amendment to Declaration of Covenants, Conditions and Restrictions for Tree Farm Subdivision Regarding Use of Property for Vehicular Traffic
OWNER, LOT 14 Culler Kent Komus
Arthur Kent Thomas OWNER, LOT 14 June Momas Linda Ann Thomas
STATE OF North Carolina
COUNTY OF
I, Luline B Bedone, 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 day of
My commission Expires:
MAy 5, 2012
STATE OF Dorth Cambria
I, Cauly Collow, a Notary Public in and for the aforesaid
county and state do hereby certify that Linda Ann Thomas personally appeared personally
me and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal this day of
Notary Public
My commission Expires:  My 5, 2012
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OWNER, LOT 16 Juny Benedich
Gregory L. Benedict OWNER, LOT 16  Carolyn H. Benedict
STATE OF Morth Carolina
COUNTY OF Overge
I, Corolyn 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 & day of July 2009.  ORANGE  Notary Public
My commission Expires:
May 5, 2012
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 Carolyn H. Benedict 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:
11) My 5, 2012

OWNER, LOT 17 <u>Enell Suss</u> Euell Goss
STATE OF MONTH 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
Caroly Cally in ORALINITY
Notary Public

My commission Expires:

OWNER, LOT 18 Fuell Soss
STATE OF North Carolina
COUNTY OF
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:

Amendment to Declaration of Covenants, Conditions and Restrictions for Tree Farm Subdivision Regarding Use of Property for Vehicular Traffic
OWNER, LOT 19
John Turner OWNER, LOT 19 <u>Laven Furner</u> Karen Turner
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 John 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:
MRy5,2012
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 Karen Turner 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:  My 5, 2017

OWNER, LOT 21
Eugene W. Desaulniers OWNER, LOT 21 Laura T. Desaulniers
STATE OF Moth Carolina
COUNTY OF Orange
I, Carolyn Cotton, a Notary Public in and for the aforesaid
county and state do hereby certify that Eugene W. Desaulniers personally appeared
before me and acknowledged the due execution of the foregoing instrument.
Witness my hand and notarial seal thisday of
Cawly Cotton
Notary Public /
My commission Expires:
MAY 5, 2017
STATE OF Morth Carolina
COUNTY OF Overge
I, Corolyn Cothon, 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 thisday of
Notary Public
My commission Expires:
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OWNER, LOT 22 Kinneth R. Thous
Kerneth R. Phanes  OWNER, LOT 22  Teresa S. Phanes
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 Kenneth R. 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 Motory Public  NOTARY PUBLIC Notary Public  ALAMANCE COUNTY, NC  MY COMMISSION EXPIRES APRIL 11, 2011
April 11, 2011
STATE OF North Cavolina
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 3 <sup>th</sup> day of 1,2009.
CYNTHIA H. PULLIAM  NOTARY PUBLIC  NOTARY PUBLIC  Notary Public  ALAMANCE COUNTY, NC  April 11, 2011

OWNER, LOT 25 Earl Wesley Tye
OWNER, LOT 25 <u>Alaskii B. Tye</u> Leslie B. Tye
STATE OF Nowh Corolina
COUNTY OF Orange
I, Carolyn Cotton, a 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 foregoing instrument.
Witness my hand and notarial seal this 18 day of
Notary Public
My commission Expires:
MAy 5, 2018
STATE OF Morsh Carolina
COUNTY OF Drage
I, Carolyn 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 day of
My commission Expires:

OWNER, LOT 26	shann38	pear
OWNER, LOT 26	Sharon B. Spear Peter D. Smith	
STATE OF North Carolina repe COUNTY OF ORANGE Alamance		
COUNTY OF ORANGE Alamance		
I, Katherine G. Rich, a		
county and state do hereby certify that Sharo		ppeared before whe willing and a property of the property of t
and acknowledged the due execution of the fo		Notary Public I
Witness my hand and notarial seal this2009.	day of _Sep	Hem DEC Alamance County  My Commission expires
	Catherine G	O3/13/2012
	Wowly I ablic	
My commission Expires:		
03/13/2012		
STATE OF North Carolina		
COUNTY OF Alaman Cl		
I, Katherine G. Rich, a	Notary Public in and	for the aforesaid
county and state do hereby certify that Peter	r B. Smith personally a	ppeared before me
and acknowledged the due execution of the fo	oregoing instrument.	tem be with the G. P. Milly
Witness my hand and notarial seal this2009.	day of _Sep-	Hem De KILLERINE G. P. P. Notary Public F. Alamance County
	Valuerine for Notary Public	My Commission expires 03/13/2012  A CAROLINATION  OTHER CAROLINATI
My commission Expires:		william.
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Amendment to Declaration of Covenants, Conditions and Restrictions for Tree Farm Subdivision Regarding Use of Property for Vehicular Traffic

OWNER, LOT 27

Newton B. Jones

STATE OF Mach Carolusa

COUNTY OF Orange

I, Caroly Other, 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 Aday of Notary Public

Notary Public

My commission Expires:

Regarding Use of Property for Vehicular Traffic
OWNER, LOT 28 MIB, FROM
Robert Berry Green
OWNER, LOT 28 Julius Valley Patricia J. Walker
STATE OF Atth Carolina
COUNTY OF
I, Cauly latter, 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
,2009.
Carlos Cotton Cotton
Notary Public
My commission Expires:
1/) Ay 5 2012
STATE OF
COUNTY OF <u>Alington</u>
I, Elema Godoma, 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 this day of
My commission Expires:  My commission Expires:  My commission Expires:  My commission Expires:
My commission Expires: