

Prepared by and Mail to: Kristen L. Zillioux; 4879 Hwy 42E, Ste D, Clayton, NC 27527

NORTH CAROLINA **AMENDMENT TO RESTRICTIVE COVENANTS FOR**
JOHNSTON COUNTY **PINEVILLE EAST COTTAGES @ THE VILLAGE**

This Amendment to Declaration made and entered into this 13th day of July, 2007, by DWF Development, Inc., a North Carolina Corporation, hereinafter referred to as "Declarant", authorized to do and doing business in Johnston County, North Carolina;

WITNESSETH:

THAT WHEREAS, Declarant is the developer of all of the lots in Pineville East Cottages, Phase One, being in Wilders Township, Johnston County, North Carolina, and more particularly described by a map recorded in Plat Book 70, Page 398, Johnston County Registry; and

WHEREAS, Declarant heretofore declared, gave, granted, and conveyed for said Lots certain restrictive covenants for the benefit of said subdivision, as recorded in Book 3341, Page 575 and re-recorded in Book 3342, Page 409, Johnston County Registry; and

WHEREAS, Declarant has determined that it needs the use of an easement over all Lots in Pineville East Cottages, in order to install, maintain and repair the irrigation system serving said Lots; and

WHEREAS, per the Covenants, the Declarant has the right to amend the covenants under certain terms and conditions, which terms and conditions have been met; and

WHEREAS, the Declarant desires to amend the Covenants in order to reserve such an easement;

NOW, THEREFORE, Declarant hereby amends said restrictive covenants for Pineville East Cottages as recorded in Book 3341, Page 575 and re-recorded in Book 3342, Page 409, Johnston County Registry, as follows:


By adding the following provision as XII. 12.3 (c):

“Declarant also reserves for itself, so long as the Declarant owns any property described on Exhibit “A” or “B” of this Declaration, and grants to the Association and all utility providers, a perpetual, non-exclusive irrigation and landscape easement extending 65’ from the public right of way along the front of each Lot (specifically excluding the building envelope) for the purpose of installing, inspecting, operating, maintaining and repairing the irrigation system to be installed on the property described on Exhibits “A” and “B” of this Declaration, as well as for the purpose of landscaping said easement area.”

IN TESTIMONY WHEREOF, Declarant has caused this instrument to be executed, by authority of its Board of Directors, this the 13 day of July, 2007.

DECLARANT:

DWF DEVELOPMENT, INC.


BY: 
Rebecca D. Flowers, President

NORTH CAROLINA

JOHNSTON COUNTY

I, a Notary Public in and for said County and State aforesaid, do hereby certify that Rebecca D. Flowers personally appeared before me this day and acknowledged that she is President of DWF Development, Inc., a North Carolina Corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was executed in its corporate name by her as its President, by authority of its Board of Directors.

WITNESS my hand and official stamp or seal, this the 13th day of July, 2007.



Notary Public

My Commission Expires: 6-18-2008

