

STATE OF NORTH CAROLINA
COUNTY OF BERTIE

AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR
BLACK ROCK FARM

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BLACK ROCK FARM ("Amendment") is made and entered into the 23rd day of December, 2013, by BLACK ROCK DEVELOPMENT CORPORATION, a North Carolina corporation, and WANDA H. BELL, Executor of the Estate of WILLIAM M. BELL (collectively, the "Declarant").

RECITALS

A. Declarant caused to be recorded the Declaration of Covenants, Conditions and Restrictions for Black Rock Farm in Book 773, at Page 96 in the office of the Register of Deeds of Bertie County (as amended and supplemented, the "Declaration"). The capitalized terms set forth in this Amendment shall have the same meanings as set forth in the Declaration unless otherwise defined or the context shall otherwise prohibit.

B. Section 11.8 of the Declaration of Covenants, Conditions and Restrictions for Black Rock Farm recorded in Book 773, at Page 96 in the office of the Register of Deeds of Bertie County, provides as follows:

The Declarant reserves the right to modify or amend this
Declaration at any time without prior notice and without consent of

Prepared by Ward and Smith, P.A., 127 Racine Drive, University Corporate Center (28403), Post Office Box 7068, Wilmington, NC 28406-7068

Please return to Ward and Smith, P.A., 127 Racine Drive, University Corporate Center (28403), Post Office Box 7068, Wilmington, NC 28406-7068

Attention: Justin M. Lewis

No opinion on title is rendered by Ward and Smith, P.A., without a separate written opinion on title from Ward and Smith, P.A.

any person or entity or the Association for any purpose whatsoever. Once the Declaration has been amended or modified, such amendment or modification shall extend to and be applicable to the Lots and Dwellings that were sold prior to or subsequent to such amendment or modification. Any such amendment or modification of the Declaration by the Declarant shall not require the joinder of the Association or any Lender. The Declarant, by itself, shall not have the right to modify or amend this Declaration after Turnover. The Board of Directors of the Association, after Turnover, as herein provided may modify or amend this Declaration provided any such amendment or modification may not materially alter the basic plan of development and is not in violation of Chapter 47F of the North Carolina General Statutes.

C. Pursuant to this Section 11.8 of the Declaration, the Declarant may amend the Declaration at any time without prior notice and without the consent of any person or entity or Black Rock Development Owners Association, Inc. for any purpose whatsoever, and this amendment is being taken pursuant to this authority in Section 11.8 of the Declaration recited above and in effect prior to the recordation of this Amendment.

D. Declarant desires to amend the Declaration pursuant to this Section 11.8 of the Declaration recited above to revise the section regarding amendments.

NOW THEREFORE, Declarant, acting pursuant to the provisions of Section 11.8 of the Declaration recited above, does hereby amend the Declaration as follows:

1. Section 11.8 of the Declaration is deleted in its entirety and the following is inserted in lieu thereof:

Section 11.8. Amendments. Except as otherwise specifically provided in this Declaration, and in accordance with the provisions of N.C. Gen. Stat. § 47F-2-117, this Declaration may be amended only by the affirmative vote or written agreement of Owners of Lots to which at least sixty seven percent (67%) of the total votes in the Association are allocated. Notwithstanding the above, the percentage of votes necessary to amend a specific clause shall not be less than the prescribed percentage of affirmative votes required for action to be taken under that clause. Amendments to this Declaration shall become effective upon recording in the register of deeds of Bertie County unless a later effective date is specified therein.

2. The foregoing amendment to the Declaration is effective as of the date and time of the recording of this Amendment.

3. Except as expressly provided in the paragraphs above, the terms and provisions of the Declaration shall continue in full force and effect according to the terms of the same as modified hereby.

IN TESTIMONY WHEREOF, the Declarant, acting pursuant to the authority above recited, has executed this Amendment under seal and in such form as to be legally binding and effective the day and year upon recording this Amendment in the office of the Register of Deeds of Bertie County North Carolina.

[Signatures on following pages]

ND: 4846-3710-9783, v. 3

Wanda H. Bell (SEAL)
WANDA H. BELL, Executor of the Estate of
William M. Bell

STATE OF North Carolina

COUNTY OF Bertie

I certify that the following person personally appeared before me this day, acknowledging to me that he signed the foregoing document for the purpose(s) stated therein, in the capacity indicated therein: WANDA H. BELL.

Date: 12/23/13

[Signature]
Signature of Notary Public

Hood Ellis

Notary's printed or typed name

My commission expires: 4/17/17

(Official Seal)

HOOD ELLIS
Notary Public
Chowan County, NC

Notary seal or stamp must appear within this box.

BLACK ROCK DEVELOPMENT
CORPORATION (SEAL)

By: Wanda H. Bell (SEAL)

Its: President

Name: Wanda H. Bell

STATE OF North Carolina

COUNTY OF Bertie

I certify that the following person personally appeared before me this day, acknowledging to me that he signed the foregoing document for the purpose(s) stated therein, in the capacity indicated therein: Wanda H. Bell.

Date: 12/23/13

[Signature]
Signature of Notary Public

Hood Ellis

Notary's printed or typed name

My commission expires: 4/17/17

(Official Seal)

HOOD ELLIS
Notary Public
Chowan County, NC

Notary seal or stamp must appear within this box.