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This instrument by: Nathan A. Miller, Esq. P.O. Box 49, Boone, NC 28607

NORTH CAROL

CLEVELAND CO

SECOND AMENDMENT TO DECLARATION OF COVENANTS

CONDITIONS AND RESTRICTIONS

• BROAD RIVER HIGHLANDS


This Second Amendment Declaration of Covenants Conditions and Restrictions for Broad River Highlands made and entered into this the 11th day of October, 2022, by Benjamin Beshears, Member/Manager of NC Country Land, LLC, a North Carolina Limited Liability Company, (hereinafter known as "Declarant" pursuant to the assignment of Declarant Rights recorded on February 17, 2022 in Book 1865, Page 1029, Cleveland County, North Carolina Public Registry), and all parties hereafter: iring any part of the property acquired by Declarant in Book 1865, Page 1019, CCN and acquired by the previous Declarant in Book 1673, Page 612, CCNCPR and shown on the maps of Broad River Highlands, and duly recorded in Plat Book 31, Pages 98 and 99; Plat Book 3e, Page 003; Plat Book 33, Page 94; Plat Book 35, Page 127; Plat Book 35, Page 005; Plat Book 3 Q a g e 60; Plat Book 45, Page 137 and Plat Book 45, Page 138 all of the Cleveland County Register

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WITNESSE :

THAT WHEREAS, the original Declarant her re declared, gave, granted and conveyed for said real property listed above certain restrn e covenants for the benefit of said subdivision, as recorded in Book 1527, Page 221, Clevela ounty, North Carolina Public Registry; and

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submitted electronically by "Miller & Johnson, PLLC" in compliance with North Carolina statutes governing recordable  quirements and the terms of the submitter agreement with the Cleveland coun egister of Deeds.

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WHEREAS, Declarant is the owner of a number of lots set forth in their deed recorded in Book 1865, Page 1019, CCNCPR save and except those lots that have been conveyed by the Declarant prior to the execution of this Second Amendment to Declaration of Covenants and Restrictions for Broad River Highlands; and

WHEREAS, paragraph 19 of the Original Declaration of Restrictive Covenants for Broad River Highlands wherein the Declarant reserved the right to cancel, modify or change of any of the restrictive covenants by the written consent of the Declarant which written consent shall be duly executed, acknowledged, and recorded in the Office of the Register of Deeds of Cleveland County, North Carolina; and

WHEREAS, the Declarant has modified the Original Declaration of Restrictive Covenants for Broad River Highlands by filing the Amendment to Declaration of Covenants and Restrictions for Broad River Highlands on March 7, 2022 in Book 1866, Page 1990, CCNCPR;

WHEREAS, the Declarant wishes and desires to modify the Original Declaration of Restrictive Covenants for Broad River Highlands as set forth in Book 1527, Page 2211, CCNCPR and to file the Amendment to Declaration of Covenants and Restrictions for Broad River Highlands as set forth in Book 1866, Page 1990, CCNCPR; and

WHEREAS, Declarant has determined in their sole discretion that these amendments set forth below are in accordance with the general plan or scheme of the development; and

NOW, THEREFORE, the current Declarant hereby **REVISES AND AMENDS** said restrictive covenants for Broad River Highlands, Cleveland County Registry as follows:

25. **AMENDMENT** This Declaration may only be amended by the affirmative vote of 90% of the property owners with the votes apportioned as set forth in Paragraph 12(b) of the Original Declaration.

All other provisions of the DECLARATION OF RESTRICTIVE COVENANTS FOR BROAD RIVER HIGHLANDS recorded in Book 1527, Page 221, CCNCPR and AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS AND RESTRICTIONS FOR BROAD RIVER HIGHLANDS recorded in Book 1866, Page 1990, CCNCPR.

IN TESTIMONY WHEREOF, Declarant has hereunto set its hands and seal this the 1 day of October, 2022.

Seal

NC Country Land, LLC, a North Carolina Limited Liability Company

Benjamin Beshears, Member/Manager

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STATE OF NORTH CAROLINA

COUNTY OF Wake

I, Li 'd, a Notary Public of the state and county aforesaid, certify that Beshears personally appeared before me this day and acknowledged that they are the Member/Managers of NC Country Land, LLC, and that by authority duly given and as the act and deed; they signed the foregoing instrument in its name on its behalf as its act and deed.

WIT my hand and Notarial Seal this the 1 day of Q C::ra, 2022.

NOT SEAL

A.;Uvy:
Notary Public

My commission expires: yY\ a. a b \2rZD23

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