

*Prepared by and
upon recording, please return to:*

**McCullers, Whitaker & Hamer, PLLC –
104 N. Fayetteville Street, Clayton, NC 27520**

**ABANDONMENT OF
RESTRICTIVE COVENANTS**

This Abandonment of Restrictive Covenants is made this the 6 day of March, 2019, by RMS Investments, LLC, a North Carolina limited liability company (hereinafter known as RMS) and Sam's Branch II, LLC, a North Carolina limited liability company (hereinafter known as Declarant).

WITNESSETH

WHEREAS, the parties are the owners and Declarant of the properties located in Regal Pond Subdivision (hereinafter known as the Subdivision), further described below:

Tract One:

BEING all of lots 13-14 as depicted on that map entitled "Final Plat Regal Pond Subdivision, Phase I, for Sam's Branch, LLC," and recorded in Plat Book 86, Page 3, Johnston County Registry.

Tract Two:

BEING all of Lots 1-12 and open space as depicted on that map entitled "Final Plat Regal Pond Subdivision, Phase 2, for Sam's Branch, LLC," and recorded in Plat Book 87, Pages 20-21, Johnston County Registry.

Tract Three:

**BEING all of Lots M1 and M2 as depicted on that map entitled "Minor Subdivision for Larry D. McLamb," and recorded in Plat Book 85, Page 333, Johnston County Registry;
and**

WHEREAS, the Declarant is the developer of the Subdivision and subjected the Subdivision those Restrictive Covenants, Conditions and Restrictions recorded in **Deed Book 5187, Page 463**, Johnston County Registry (hereinafter referred to as the "Covenants"); and

WHEREAS, RMS and Declarant wish to remove said restrictive covenants from Lots M1 and M2 described below:


BEING all of Lots M1 and M2 as depicted on that map entitled "Minor Subdivision for Larry D. McLamb," and recorded in Plat Book 85, Page 333, Johnston County Registry; and

WHEREAS, the recorded restrictive covenants allow said covenants to be amended by 67% of lot owners. RMS owns 68.75% of lots in Regal Pond Subdivision.

NOW, THEREFORE, in consideration of the premises, and the sum of ten dollars, the receipt of which is hereby acknowledged, the parties, for themselves and their heirs, successors and assigns, hereby declare that as it pertains to Lots M1 and M2, as described above, the said restrictive covenants are null and void.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals, or if corporate, has caused this instrument to be executed by duly authorized officers and its seal affixed by authority of its Board of Directors, the day and year set forth above.

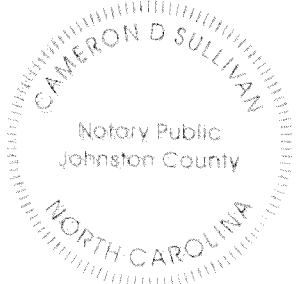
RMS INVESTMENTS, LLC
a North Carolina limited liability company

BY: 
Reid M. Smith, Member

STATE OF North Carolina
COUNTY OF Johnston

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Reid M. Smith as Member of RMS Investments, LLC

This the 6 day of March, 2019.



Notary Public



Notary Printed Name

My Commission Expires: 8/16/2020

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals, or if corporate, has caused this instrument to be executed by duly authorized officers and its seal affixed by authority of its Board of Directors, the day and year set forth above.

Sam's Branch II, LLC
a North Carolina limited liability company

BY: 
Reid M. Smith, Manager

STATE OF North Carolina

COUNTY OF Johnston

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Reid M. Smith as Manager of Sam's Branch II, LLC.

This the 6 day of March, 2019.



Notary Public



Notary Printed Name

My Commission Expires: 8/16/2020

