

Prepared by and Hold for: Kristoff Law Offices, P.A.

NORTH CAROLINA
JOHNSTON COUNTY

AMENDMENT TO RESTRICTIVE
COVENANTS
SOUTHWICK FARM
SUBDIVISION

KNOW ALL MEN BY THESE PRESENTS:

THIS AMENDMENT is executed this 22nd day of September, 2000, by Southwick Development Co., L.L.C., a North Carolina Limited Liability Company, hereinafter referred to as Declarant.

WITNESSETH:

WHEREAS, Declarant is the developer of a subdivision known as Southwick Farm Subdivision, located in Johnston County, North Carolina; and

WHEREAS, Declarant has recorded Restrictive Covenants for all phases located in Southwick Farm Subdivision; and

WHEREAS, Declarant recorded a Declaration of Homeowners Association for Southwick Farm Subdivision which is recorded in Deed Book 1729, Page 646, Johnston County Registry which binds all properties in Southwick Farm Subdivision; and

WHEREAS, such Declaration of Homeowners Association was recorded subsequent to the recordation of Restrictive Covenants for some of the phases in Southwick Farm; and

WHEREAS, Article XIV of the Restrictive Covenants for each phase of Southwick Farm Subdivision that were recorded prior to the recordation of the Declaration of Homeowners Association provides that Declarant has the absolute right to amend the Restrictive Covenants as long as Declarant owns a lot in Southwick Farm Subdivision; and

WHEREAS, Declarant owns lots in Southwick Farm Subdivision; and

WHEREAS, Declarant now desires to amend all of the Restrictive Covenants for each phase in Southwick Farm Subdivision which were recorded prior to the recordation of said Declaration of Homeowners Association by requiring mandatory membership in the Southwick Farm Homeowners Association for all lot owners in Southwick Farm Subdivision who acquired their lot in Southwick Farm Subdivision prior to the recordation of said Declaration of Homeowners Association.

WHEREAS, it is for the mutual benefit of all homeowners in Southwick Farm Subdivision, both present and future, for Declarant to subject all of said lots to the Declaration of the Homeowners Association for Southwick Farm Subdivision.

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NOW, THEREFORE, Declarant does hereby declare that all of the lots in Southwick Farm Subdivision which were conveyed prior to the recordation of the Declaration of Homeowners Association for Southwick Farm Subdivision referred to above shall be held, sold and conveyed subject to said Declaration of Homeowners Association which was recorded in Deed Book 1729, Page 646, Johnston County Registry. This Amendment of Restrictive Covenants is made expressly for the purpose of protecting the value and desirability of Southwick Farm Subdivision and shall be binding on all parties having any right, title or interest in the above-described real property, or any part thereof, their heirs, successors and assigns, for the term of the Declaration of Homeowners Association and shall inure to the benefit of each holder thereof.

All other provisions set forth in the Restrictive Covenants for all phases of Southwick Farm Subdivision shall remain in full force and effect and are not affected by this Amendment

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IN WITNESS WHEREOF, the parties hereto have set their hands and seals this the 22nd day of September, 2000.

SOUTHWICK DEVELOPMENT CO, L.L.C., a North Carolina Limited Liability Company

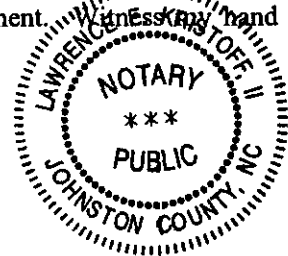
By: Phil York (SEAL)
PHIL YORK, Manager

STATE OF NORTH CAROLINA
COUNTY OF Johnston

I, the undersigned notary public, in and for the County and State aforesaid, do hereby certify that Phil York, Manager of Southwick Development Co., L.L.C. personally appeared before me and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial stamp or seal on this the 22nd day of September, 2000.

[Signature]
Notary Public

My commission expires: 3/24/2001



State of North Carolina-Johnston County
The foregoing Certificate(s) of Lawrence E. Krustoff II
Notary (Notaries) Public is (are) certified to be correct.
This instrument was prepared for registration and recorded in Book 2036 Page 001
This 28 March, 2001 at 3:30 PM
Cecil M. Massengill Joan B. Mascan
Register of Deeds Deputy Register of Deeds