

BOOK 1689 PAGE 440

002644

NORTH CAROLINA

FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE VILLAGE COURTYARDS AT THE VILLAGE/COUNTRY CLUB WEST

WILSON COUNTY

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THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE VILLAGE COURTYARDS AT THE VILLAGE/COUNTRY CLUB WEST (the "Amendment"), made and entered into on Sept. 25, 1998, by THE BERRY DEVELOPMENT GROUP, INC., hereinafter referred to as "Declarant";

WITNESSETH:

WHEREAS, the Declarant is the owner of a certain tract of land containing approximately 160 acres located on N. C. Highway 58 (Nash Street), Wilson County, North Carolina to be known as "The Village/Country Club West"; and

WHEREAS, the Declarant recorded a Declaration of Covenants, Conditions and Restrictions for the Village Courtyards at The Village/Country Club West which document is recorded in Book 1662, Page 949, Wilson County Registry (the "Declaration"); and

WHEREAS, none of the lots in the Village Courtyards have been sold; and

WHEREAS, Section 4.2 of the Declaration states that Owners shall be responsible for maintaining the exterior of the townhomes; and

WHEREAS, the Village Association shall be responsible for maintaining the exterior of the townhomes.

NOW, THEREFORE, for valuable consideration, the sufficiency of which is hereby acknowledged, the Declarant does hereby agree as follows:

- 1. Section 4.2 of the Declaration is hereby amended to read as follows:

The Specific Assessments levied by the Village Association shall be used exclusively for the purpose of promoting the beautification of the Property (including maintaining the trees, shrubs, grass and plantings outside of the residences but within the individual Lot boundaries) and for maintaining the exterior of the townhomes.

- 2. Except as set forth herein, all of the other provisions of the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, THE BERRY DEVELOPMENT GROUP, INC. has caused this instrument to be executed in its name by its President, attested to by its Secretary, and its corporate seal to be affixed hereto all as of the day and year first above written.

RETURN

TO Connor Bunn

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THE BERRY DEVELOPMENT GROUP, INC.,  
a North Carolina corporation

By: B. Vaughn Berry  
B. Vaughn Berry, President



Ava D. Newsome  
Ava D. Newsome, Secretary

NORTH CAROLINA  
Wilson COUNTY

I, Catherine Lamm, a Notary Public, certify that Ava D. Newsome personally appeared before me this day and acknowledged that she is Secretary of THE BERRY DEVELOPMENT GROUP, INC., a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal, and attested by herself as its Secretary.

WITNESS my hand and Notarial Seal, this 28 day of September, 1998.

Catherine Lamm  
Notary Public

My Commission Expires: 12-21-98

Catherine Lamm  
Notary Public-North Carolina  
Wilson County

NORTH CAROLINA, WILSON COUNTY  
The foregoing certificate(s) of \_\_\_\_\_

Catherine Lamm  
\_\_\_\_\_ and \_\_\_\_\_

Notary(ies) Public is (are) certified to be correct. This instrument was presented for registration and recorded in this office in Book 1689 Page 440. This 5 day of Oct 1998 A. D., at 1:50 o'clock P. M.

Celia W. Bunson  
Register of Deeds, Wilson County

By Linda Pitt  
act Register of Deeds