

Prepared by and return to: Hope Derby Carmichael, P.O. Box 10669, Raleigh, NC 27605

STATE OF NORTH CAROLINA

AMENDMENT TO SUPPLEMENTARY  
DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS:  
ARLEN PARK AT SOUTHERN VILLAGE,  
PHASE 3A

COUNTY OF ORANGE

THIS AMENDMENT to the Supplementary Declaration of Covenants, Conditions and Restrictions: Arlen Park at Southern Village, Phase 3A, made this 9 day of October, 2003 by the owners of lots subject to said restrictive covenants (hereinafter, "the Phase 3A Arlen Park lot owners");

WITNESSETH

THAT WHEREAS, the original Declaration caused to be recorded on 9<sup>th</sup> day of May, 1996, a Supplementary Declaration of Covenants, Conditions and Restrictions: Arlen Park at Southern Village, Phase 3A in Book 1463, Page 468 in the Orange County Registry, (hereinafter, "Declaration"); and

WHEREAS, Paragraph 12 of the Declaration provides that such Declaration may be amended at this time by the execution of this Amendment by a majority of the owners of lots subject to the Declaration, the Phase 3A Arlen Park lot owners. This amendment shall become effective upon recordation of this amendment in the Orange County Registry.

NOW, THEREFORE, the undersigned do hereby declare that the Supplementary Declaration of Covenants, Conditions and Restrictions: Arlen Park at Southern Village, Phase 3A shall be amended as follows:

1. To amend Paragraph 7 of the Declaration by deleting that paragraph in its entirety and inserting in lieu thereof the following:

"7. EXTERIOR MAINTENANCE. The responsibility for exterior maintenance upon each Lot shall be that of the Owner and not the Sub-Association, regardless of the type of dwelling which is constructed on such lot (detached or attached dwellings). The rules pertaining to party walls as stated in Paragraph 6 above shall apply for any shared costs of maintenance on attached dwellings or attached dwelling lots which costs cannot be directly assigned to on particular lot (including, but not limited to roofs, siding, painting, drainage issues, etc.)."

2. This amendment shall be effective upon recordation in the Office of the Orange County Registry.

3. Except as amended hereinabove, the remaining portions of the Declaration as originally recorded are hereby restated and reacknowledged.

WHEREFORE, the undersigned, being a majority of the Phase 3A Arlen Park lot owners hereby set their hands and seals the date and year first above written.

\*\*\* SIGNATURE PAGES AND NOTARY ACKNOWLEDGMENT FOLLOW \*\*\*

"NORTH CAROLINA  
COUNTY OF ORANGE

I, KATHERINE A. BLOCKSIDGE, a Notary Public of Orange County, North Carolina, certify that Laura A. Honeycutt personally appeared before me this day, and being duly sworn, and stated that in her presence the following persons signed the foregoing instrument.

- ~~Earl D. Honeycutt, Jr.~~ ✓ Earl D. Honeycutt, Jr. ✓
- Betty W. Philips ✓
- Donna I. Gilbert ✓
- Bobbie Lawrie ✓
- Betty H. Myers ✓
- Mary D. Wrighton ✓
- Kathleen White ✓
- Deborah P. Redfearn ✓
- Marianne Keadey ✓
- Andy Rindos ✓
- Jane Boltman ✓
- Erin Furr ✓
- Creston Woods ✓
- Cynthia Viness ✓
- Ann S. Bolner ✓
- Kimberle Osman ✓
- Susan Hutchinson ✓
- Leonard Lundstrum ✓

- Steven H. White ✓
- Richard W. Redfearn ✓
- Stephen Keadey ✓
- J. Rindos ✓

Laura A. Honeycutt, WITNESS  
Laura A. Honeycutt

Witness my hand and official seal, this the 9 day of October, 2003

Katherine A. Blocksidge  
Notary Public

My commission expires: 11-1-2006

