

Wyatt AP

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RECORDED - 899946
 KATHERINE LEE PAYNE
 REGISTER OF DEEDS
 GUILFORD COUNTY, NC
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 2 MISC DOC ADDN PGS \$6.00
 1 PROBATE FEE \$2.00

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Prepared by and mail to: Wyatt Early Harris & Wheeler, L.L.P.
 (R. Bruce Laney), P.O. Drawer 2086, High
 Point, NC 27262

NORTH CAROLINA
 GUILFORD COUNTY

**AMENDMENT TO DECLARATION OF
 COVENANTS, CONDITIONS, AND RESTRICTIONS
 FOR ORCHARD KNOB AND ANNEXATION OF
 PROPERTY (PHASE 3)**

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR ORCHARD KNOB AND ANNEXATION OF PROPERTY (Phase 3) is made on the date hereinafter set forth by Triad Property Group, LLC, a North Carolina Limited Liability Company having an office in Guilford County, North Carolina, hereinafter referred to as "Declarant."

WITNESSETH:

Declarant caused to be recorded the Declaration of Covenants, Conditions, and Restrictions for Orchard Knob in Book 5129, Page 694 in the Office of the Register of Deeds of Guilford County, North Carolina and subsequently caused to be recorded the First Amendment to Declaration of Covenants, Conditions, and Restrictions for Orchard Knob in Book 5216, Page 2001 in the Office of the Register of Deeds of Guilford County, North Carolina ("the Declaration"). Article X, Section 4 of the Declaration provides that additional land within the area described on Schedule A of the Declaration may be annexed by the Declarant without the consent of members within ten (10) years of the date of that instrument.

Declarant desires to amend the Declaration to add additional property to the subdivision development, and to subject the additional property to the Covenants, Conditions, Restrictions, and Easements contained in the Declaration. The additional property to be annexed by Declarant is a part of the land described on Schedule A of the Declaration.

NOW, THEREFORE, Declarant hereby amends the Declaration as follows:

I. The property described herein shall be and hereby is annexed into and shall be a part of Orchard Knob (the "Annexed Property"):

Being all of the property shown on the Final Plat of Orchard Knob Townhomes, Phase 3, as per plat thereof recorded in Plat Book 156, Page 72 in the Office of the Register of Deeds of Guilford County, North Carolina.

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II. Declarant hereby amends the Declaration and declares that the Annexed Property shall be held, sold, and conveyed subject to the Covenants, Conditions, Restrictions, Easements, Assessments, and Home Owners Association provisions contained in the Declaration, and the provisions of the Declaration shall run with the Annexed Property and be binding on all parties having any right, title, or interest in and to said property and the Lots described therein. The Declaration and all parts thereof shall be binding on the purchaser of any Lot in the Annexed Property, their heirs, successors, and / or assigns, and shall inure to the benefit of each owner thereof. Pursuant to the Declaration, every owner of any Lot in the Annexed Property agrees to abide by all of the Covenants, Conditions, Restrictions, Easements, Assessments, and Home Owners Association provisions contained in the Declaration, including the agreement to pay any assessments or dues levied pursuant thereto and the agreement that each Lot be subject to the lien for such assessments imposed therein.

III. Except as modified, amended, and supplemented herein, the Declaration shall be and remain in full force and affect.

IN WITNESS WHEREOF, the Declarant has executed this document this the 12 day of OCTOBER, 2004.

Triad Property Group, LLC

By: [Signature] (SEAL)

R. Dale Britt, Member/Manager

Central Carolina Bank and Trust Company as the holder of an existing loan secured by the Deed of Trust recorded in Book 4999, Page 635 of the Guilford County Registry; and the UCC Financing Statement recorded in Book 4999, Page 641, and Southland Associates, Inc. as Trustee under the Deed of Trust, join in the execution of this instrument for the purpose of subjecting the aforesaid Deed of Trust to the terms and provisions of this Second Amendment to Declaration of Covenants, Conditions, and Restrictions for Orchard Knob and Annexation of Property and to subordinate the lien of the Deed of Trust to this agreement but for no other purpose.

Central Carolina Bank and Trust Company

By:

[Signature]
VICE PRESIDENT

Southland Associates, Inc.

By:

[Signature]
Vice Pres.

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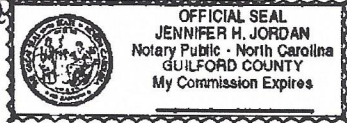
State of North Carolina

County of Guilford

I, Jennifer Jordan, a Notary Public for said County and State, certify that **R. Dale Britt, Member / Manager of Triad Property Group, LLC**, personally came before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and Notarial Seal this the 12 day of October, 2002.

Jennifer Jordan
Notary Public

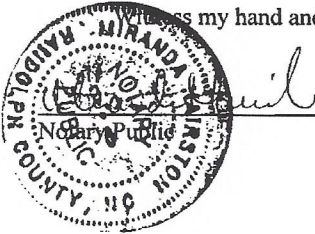


My Commission Expires: 7/6/08

STATE OF NORTH CAROLINA
COUNTY OF Guilford

I, a Notary Public, certify that O. M. Hough, Jr. personally came before me this day and acknowledged that he is the Vice Pres. of **Central Carolina Bank and Trust Company**, a Corporation, and that he, as Vice Pres., being authorized to do so, executed the foregoing on behalf of the corporation.

Witness my hand and official seal, this 24 day of Sept., 2004.

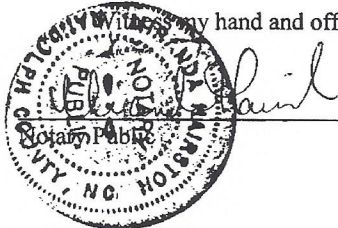


My Commission Expires: 1-28-06

STATE OF NORTH CAROLINA
COUNTY OF Guilford

I, a Notary Public, certify that Jeffrey S. Sims personally came before me this day and acknowledged that he is the Vice Pres of **Southland Associates, Inc., a Corporation, as Trustee**, and that he, as Vice Pres, being authorized to do so, executed the foregoing on behalf of the corporation, as Trustee.

Witness my hand and official seal, this 26 day of Sept., 2004.



My Commission Expires: 1-28-06

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KATHERINE LEE PAYNE, REGISTER OF DEEDS
GUILFORD COUNTY
201 SOUTH EUGENE STREET
GREENSBORO, NC 27402

* * * * *

State of North Carolina, County of Guilford

The foregoing certificate of

Miranda Taylor & Jennifer H. Jordan

A Notary (Notaries) Public is/are certified to be correct. This instrument and this certificate are duly registered at the date and time shown herein.

KATHERINE LEE PAYNE, REGISTER OF DEEDS

By

[Signature]
Deputy - Assistant Register of Deeds

* * * * *

**This certification sheet is a vital part of your recorded document.
Please retain with original document and submit when re-recording.**