

PREPARED BY AND MAIL TO:
MAUPIN, TAYLOR, ELLIS & ADAMS
POST OFFICE BOX 19764
RALEIGH, NORTH CAROLINA 27619

NORTH CAROLINA

BOOK 3932 PAGE 854

WAKE COUNTY

SECOND AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR THE WOODS AT GREYSTONE TOWNHOMES

PRESENT
FOR
REGISTRY

APR 6 12 1

KENNETH C.
REGISTER
WAKE CO.

THIS AMENDMENT TO DECLARATION, made on the
day of March, 1987, by the undersigned:

W I T N E S S E T H:

THAT WHEREAS, Ammons, Inc. as Declarant executed and caused to be recorded in the Wake County Registry in Book 3740, Page 398, an instrument entitled "Declaration of Covenants, Conditions and Restrictions for the Woods at Greystone Townhomes", which document was amended by instrument recorded in Book 3844, Page 821 of the Wake County Registry, said two documents being herein referred to as the "Declaration"; and

WHEREAS, Article XIII, Section 7, "Amendment" provides that the Declaration may be amended by an instrument signed by the members entitled to cast two-thirds of the votes of the Class A membership and two-thirds of the votes of the Class B membership.

NOW, THEREFORE, the undersigned which represent at least two-thirds of the vote of the Class A membership as defined in the Declaration and at least two-thirds of the votes of the Class B membership as defined in the Declaration, hereby amend the Declaration as follows:

1. On the first page of the Declaration, the second paragraph beginning with the phrase "THAT WHEREAS" deleted and replaced with the following paragraph:

"THAT WHEREAS, the Declarant is the owner of certain property in the City of Raleigh, Wake County, North Carolina, consisting of 8.17913 acres which includes Blocks 1 through 18, Green Drive, Wood Cove Court, and the common area, shown on a map recorded in Book of Maps 1986 714 of the Wake County Registry".

The effect of this amendment is to limit the application of the Declaration to the 8 17913 acres described in the paragraph above.

2. A new section 4 "Annexation by Declarant" shall be added to Article II as follows:

Section 4. Annexation by Declarant. Any provisions of this article to the contrary notwithstanding, if within six years of the date of incorporation of the Association, the Declarant should develop additional lands within the boundaries of that 8.17360 acres labeled "Future Development" on that map recorded in Book of Maps 1986, Page 714 of the Wake County Registry, additional lands may be annexed to said property without the assent of the Class A members.

3. A new section 5 "Method of Annexation by Declarant" shall be added to Article II of the Declaration as follows:

Section 5. Method of Annexation by Declarant. Annexation of additional properties by Declarant shall be accomplished by recording in the Wake County Registry a declaration of annexation, executed by the Declarant describing the lands to be annexed and incorporating the provisions of the Declaration, either by reference or fully set out said provisions of this Declaration. The additional lands shall be deemed annexed to the properties on the date of recordation of the declaration of annexation, and upon approval by the City of Raleigh, if required by its ordinances. Subsequent to recordation of the

declaration of annexation by Declarant, the Declarant shall deliver to the Association one or more deeds conveying any common area within the lands annexed as such common area is developed, as set forth in Article V, Section 3 of this Declaration.

4. Subparagraph (a) of that paragraph entitled "Class B", of Section 1, Voting Classes of Article IV, said paragraph beginning with the words "when the total" shall be deleted and the following paragraph shall be substituted in its place:

(a). When the total votes outstanding in Class A membership equal the total votes outstanding in Class B membership, but provided that the Class B membership shall be reinstated if thereafter and before the time stated in Subparagraph (b) below, such additional lands are annexed to the properties without the assent of Class A members on account of the development of such additional lands by the Declarant, all as provided for in Article 2, Section 4 above, or"

Except as herein amended, the Declaration remains in full force and effect.

IN TESTIMONY WHEREOF, the undersigned, if individual, set their hands and seals, and, if corporate, have caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

CLASS A MEMBERS:

TINGEN CONSTRUCTION COMPANY, INC

BY: Daniel H. Tingen
President



[Signature]
Secretary

CLASS B MEMBER:

AMMONS, INC.

BY: [Signature]
President

ATTEST:

[Signature]
Secretary

NORTH CAROLINA

BOOK 3992 PAGE 858

WAKE COUNTY

I, the undersigned, a Notary Public in and for the State and County, do hereby certify that Bill J. King personally appeared before me this day and acknowledged that is _____ Secretary of TINGEN CONSTRUCTION COMPANY, corporation, and that by authority duly given as the act of t corporation, the foregoing instrument was signed in its name its _____ President, sealed with its corporate seal and attested by _____ self as its _____ Secretary.

WITNESS my hand and notarial seal this the 27 da March, 1987.



William A. Batts
Notary Public

My Commission Expires:

February 17, 1991

NORTH CAROLINA

WAKE COUNTY

I, the undersigned, a Notary Public in and for the State and County, do hereby certify that _____ personally appeared before me this day and acknowledged the execution of the foregoing instrument.