
FILED	Apr 17, 2019
AT	02:41:39 PM
BOOK	10484
START PAGE	0172
END PAGE	0174
INSTRUMENT #	10883
RECORDING	\$26.00
EXCISE TAX	\$0.00

Prepared By and Return To:
Holden Reaves, Esq.
Reaves Law, PLLC
P.O. Box 53187
Fayetteville, NC 28305

**FOURTH AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS**

FOR

PARK VIEW TOWNHOMES

[Annexation of Building 4 & 5 Townhome Lots]

THIS FOURTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR PARK VIEW TOWNHOMES (this "Amendment") is made by **PARKVIEW OF FAYETTEVILLE, LLC**, a North Carolina limited liability company (the "Declarant").

WITNESSETH:

WHEREAS, the Declarant executed and caused to be recorded that certain Declaration of Covenants, Conditions, and Restrictions for Park View Townhomes recorded in Book 9405, Page 525, as amended by First Amendment in Book 9408, Page 588, as further amended by Second Amendment in Book 9872, Page 131, as further amended by Third Amendment in Book 10302, Page 42, Cumberland County, NC Registry (together, the "Declaration"), which encumbered and created a plan of residential townhome development for certain real property located in downtown Fayetteville, Cumberland County, North Carolina, as more particularly described therein (the "Park View Townhome Development");

WHEREAS, Section 9.1(e) of the Declaration provides that Declarant may unilaterally annex additional property into the Park View Townhome Development;

WHEREAS, the Declarant has caused to be recorded a plat entitled "Building Pad Plat of Parkview Phase 1 – Building 4 & 5", said plat having been duly recorded in Plat Book 142, Page 97, aforesaid Registry (the "Plat"), which creates the following new townhome lots: Lots 23, 24, 25, 26, 27, 28, and 29 (together, the "New Lots");

WHEREAS, Declarant desires to annex all of the New Lots, as well as other areas, into the Park View Townhome Development and subject same to the terms of the Declaration; and

WHEREAS, Declarant hereby amends the Declaration, as follows:

NOW, THEREFORE, pursuant to its rights set forth in Section 9.1(e), and as may be contained elsewhere within the Declaration; and in consideration of the covenants herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Declarant hereby amends the Declaration as follows:

1. The above recitals are hereby incorporated herein by reference;
2. The New Lots are hereby annexed into the Park View Townhome Development; and the New Lots shall be subject to all restrictions and obligations set forth in the Declaration, and shall also benefit from all easements and other rights set forth therein.

In addition, all of the Common Elements identified on the Plat are hereby annexed into the Park View Townhome Development, and all such Common Elements shall be subject to all restrictions and obligations set forth in the Declaration, and shall also benefit from all easements and other rights set forth therein.

3. The Declarant hereby reserves the right to alter the boundaries of the New Lots as shown on the Plat (as well as the Common Elements, as the case may be). As such, for Lot conveyance purposes, the title examiner is advised to consult more recent plats of record, if any, to obtain accurate Lot descriptions;
4. The Declarant by its execution hereof, hereby ratifies, affirms and approves the Declaration, as amended hereby. All capitalized terms used herein, if not expressly defined herein, shall have the same meanings attributed to them, as such terms are defined in the Declaration.

**{The Remainder of This Page Intentionally Left Blank;
Signature Page attached hereto**

IN WITNESS WHEREOF, the undersigned party has executed this Amendment as of the date set forth in the below notary acknowledgment.

DECLARANT:

PARKVIEW OF FAYETTEVILLE, LLC

By: [Signature] (SEAL)

D. Ralph Huff III
Manager

STATE OF NORTH CAROLINA

COUNTY OF Cumberland

I certify that the following person personally appeared before me this day, acknowledging to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: D. Ralph Huff III, as Manager of Parkview of Fayetteville, LLC, a North Carolina limited liability company.

Date: 16 April 2019

Official Signature of Notary: [Signature]

Notary's Printed Name: Jill Riley

My commission expires: 8-3-2020

[Affix Notary Seal or Stamp]

