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CUMBERLAND COUNTY NC  
J. LEE WARREN, JR.  
REGISTER OF DEEDS

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EXCISE TAX (None)

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Prepared by and mail to: The Village at Rockfish, LLC  
3400 Walsh Parkway, Fayetteville, NC 28311

*Return to Jennifer Fincher (Box)*  
NORTH CAROLINA

CUMBERLAND COUNTY

AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS FOR THE VILLAGE AT  
ROCKFISH SUBDIVISION

THIS AMENDMENT to Declaration of Covenants, Conditions and Restrictions for the Village at Rockfish Subdivision is made this 4<sup>th</sup> day of March, 2015, by THE VILLAGE AT ROCKFISH, LLC, a North Carolina limited liability company, whose address is 3400 Walsh Parkway, Fayetteville, North Carolina (the "Declarant").

WITNESSETH:

WHEREAS, Declarant is the owner and developer of certain real estate in Cumberland County, North Carolina, more particularly described on the plat entitled "Village at Rockfish, Phase 1, Section 1" per the plat recorded at Plat Book 131, Page 99, Cumberland County Registry; and

WHEREAS, Declarant recorded a "Declaration of Covenants, Conditions and Restrictions for the Village at Rockfish in Deed Book 9018, Page 590, Cumberland County Registry,(the "Declaration"), under which Declaration Declarant reserves the right under Article II to unilaterally amend the Declaration to include within the real property subject to the Declaration all or a portion of the real property described on Exhibit "B of the Declaration; and

WHEREAS, Declarant desires to amend the Declaration to include within the property subject to the Declaration the real property within The Village at Rockfish described in the plat recorded at Plat Book 135, Page 72, Cumberland County Registry, and Declarant desire to make said property subject to the covenants, conditions, and restrictions of the Declaration, which land is part of the real property described in Exhibit "B" of the Declaration.

WHEREAS, Class B membership exists because Declarant owns lots in The Village at Rockfish;  
and

WHEREAS, Declarant desires to amend the Declaration to change the minimum square footage requirement in Section 12.3 to 1,800 square feet from 2,000 square feet; to correct the storm water maximum allowable built-upon area per lot to 5,000 square feet; and allow for vinyl siding.

NOW, THEREFORE, in consideration of the premises contained herein, and other good and valuable consideration, the parties hereto agree as follows:

1. ANNEXATION OF THE VILLAGE AT ROCKFISH, PHASE ONE, SECTION TWO. Pursuant to Article II of the Declaration, Declarant declares the real property with The Village at Rockfish, Phase One, Section Two, described in the plat recorded at Plat Book 135, Page 72, Cumberland County Registry, is subject to the Declaration and is annexed into The Village at Rockfish.

2. AMENDMENT TO DECLARATION. Pursuant to Article II and Section 13.5 of the Declaration, Declarant amends the Declaration to delete the first sentence of the second paragraph of Section 12.3 in its entirety and to substitute the following therefor:

No residence or dwelling unit shall be constructed which shall have a heated area living area space of less than 1,800 square feet.

3. AMENDMENT TO DECLARATION. Pursuant to Article II and Section 13.5 of the Declaration, Declarant amends the Declaration to delete the first sentence of Section 11.5 in its entirety and to substitute the following therefor:

The maximum allowable built-upon area per lot is 5,000 square feet.

4. AMENDMENT TO DECLARATION. Pursuant to Article II and Section 13.5 of the Declaration, Declarant amends the Declaration to delete the Section 12.13 in its entirety and to substitute the following therefor:

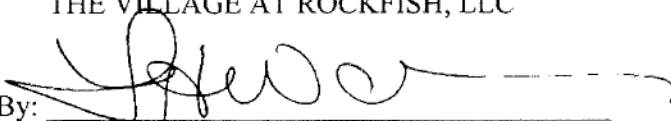
Section 12.13 Type of Construction: No building or other improvement may be constructed with an exterior wall finish of concrete or cinder block construction or shall be finished in asbestos siding shingles.

5. DECLARATION REMAINS IN FULL FORCE. Except as herein amended, the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, Declarant has caused this instrument to be executed as of the day and year first above written.

Declarant:

THE VILLAGE AT ROCKFISH, LLC

By: 

Larry Walsh, Managing Member of River Landing Center, LLC, as Member Manager of The Village At Rockfish, LLC

STATE NORTH CAROLINA

COUNTY OF CUMBERLAND

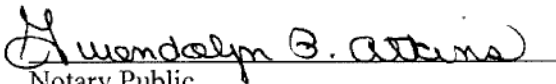
I, Gwendolyn P. Atkins, a Notary Public of Cumberland County, North Carolina, certify that LARRY WALSH, personally came before me this day and acknowledged that he is Managing Member of River Landing Center, LLC, as the Member-Manager of The Village at Rockfish, LLC, a North Carolina limited liability company, and that he, as Managing-Manager, being authorized to do so, executed the foregoing on behalf of the limited liability company.

Witness my hand and official stamp or seal this 4th day of March, 2015.

My Commission Expires:

11-9-2015

[NOTARY SEAL]

  
Notary Public



(N.P. SEAL)