

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

FILED Sep 21, 2018  
 AT 01:44:15 pm  
 BOOK 10378  
 START PAGE 0877  
 END PAGE 0883  
 INSTRUMENT # 28322  
 RECORDING \$26.00  
 EXCISE TAX (None)  
 DJ

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

Return - Jennifer Kirby Fincher  
 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 20 day of September, 2018, by THE VILLAGE AT ROCKFISH, LLC, a North Carolina limited liability company, whose address is 3400 Walsh Parkway, Fayetteville, North Carolina (the "Declarant") and COLDSTREAM DEVELOPERS, LLC, (the "Owner"), JSJ BUILDERS, INC., (the "Owner"), MCKEE HOMES, LLC (the "Owner") and LWS INVESTMENTS, LLC, (the "Owner").

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 the property described in the plat entitled Village at Rockfish, Phase 1, Section 2 recorded at Plat Book 135, Page 72, Cumberland County Registry; and

WHEREAS, Owner 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 2 Lots 143-154 and Recombination of Open Space" per the plat recorded at Plat Book 138, Page 79, 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, Section 2 (a) 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 138, Page 79, Cumberland County Registry, and Declarant and Owner, Chillis, Turrentine, Sweiger, Prestel, and Dogherra 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.

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 Two, described in the plat recorded at Plat Book 138, Page 79, Cumberland County Registry, is subject to the Declaration and is annexed into The Village at Rockfish.
2. OWNER nor a subsequent lot owner shall have any rights of membership in any Class. Only the purchasing homeowner shall become a member in accordance with the restrictive covenants upon payment of the applicable homeowners association fees in effect at the closing of the home.
3. DECLARATION REMAINS IN FULL FORCE. Except as herein amended, the Declaration and any prior amendments thereto 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

Owners:

COLDSTREAM DEVELOPERS, LLC

By: \_\_\_\_\_

John D. Hornaday, Jr., Managing Member

JSLBUILDERS, INC.

By: [Signature]  
Jay Johnson, President

MCKEE HOMES, LLC

By: \_\_\_\_\_  
Patrick McKee, Managing Member

LWS INVESTMENTS, LLC

By: [Signature]  
Larry Strother, Managing Member

STATE NORTH CAROLINA

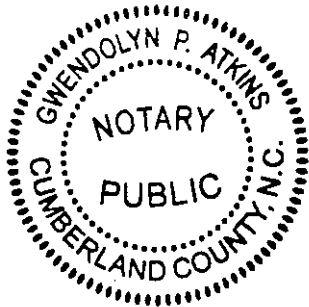
COUNTY OF CUMBERLAND

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 21 day of September, 2018.

My Commission Expires:  
11-16-2020  
[NOTARY SEAL]

[Signature]  
Notary Public



(N.P. SEAL)

MCKEE HOMES, LLC

By:

*Patrick McKee*

Patrick McKee, Managing Member

Michelle Lawanda Chillis

Kimberly L. Turrentine

Jon B. Sweiger

Melissa R. Sweiger

Joshua Prestel

Wesley M. Dogherra

Amanda J. Dogherra

STATE NORTH CAROLINA

COUNTY OF CUMBERLAND

I, \_\_\_\_\_, 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 \_\_\_\_ day of \_\_\_\_\_, 2015.

My Commission Expires:

[NOTARY SEAL]

\_\_\_\_\_  
Notary Public

STATE NORTH CAROLINA

COUNTY OF CUMBERLAND

I, \_\_\_\_\_, a Notary Public of Cumberland County, North Carolina, certify that Patrick McKee, personally came before me this day and acknowledged that he is Managing Member of McKee Homes, LLC, as the Member-Manager of McKee Homes, 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 \_\_\_\_ day of \_\_\_\_\_, 2018.

My Commission Expires:

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
[NOTARY SEAL]

STATE NORTH CAROLINA

COUNTY OF CUMBERLAND

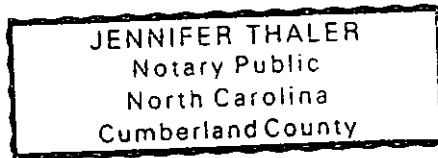
I, Jennifer Thaler, a Notary Public of Cumberland County, North Carolina, certify that Larry Strother, personally came before me this day and acknowledged that he is Managing Member of LWS Investments, LLC, as the Member-Manager of LWS Investments, LLC, a North Carolina limited liability company, and 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 20 day of September, 2018.

My Commission Expires:

Jennifer Thaler  
Notary Public

9/13/22  
[NOTARY SEAL]



(N.P. SEAL)

STATE NORTH CAROLINA

COUNTY OF CUMBERLAND

I, Jennifer Thaler, a Notary Public of Cumberland County, North Carolina, certify that JASON S. JOHNSON, personally came before me this day and acknowledged that he is President of JSJ Builders, Inc., as the President of JSJ Builders, Inc., a North Carolina corporation, and that he, as President, being authorized to do so, executed the foregoing on behalf of the corporation.

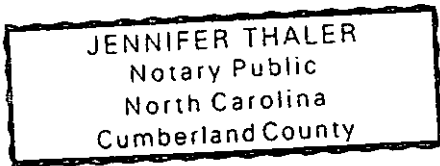
Witness my hand and official stamp or seal this 20 day of September, 2018.

My Commission Expires:

9/13/22

[NOTARY SEAL]

Jennifer Thaler  
Notary Public



(N.P. SEAL)

STATE NORTH CAROLINA

COUNTY OF CUMBERLAND

I, \_\_\_\_\_, a Notary Public of Cumberland County, North Carolina, certify that Patrick McKee, personally came before me this day and acknowledged that he is Managing Member of McKee Homes, LLC, as the Member-Manager of McKee Homes, 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 \_\_\_\_\_ day of \_\_\_\_\_, 2018.

My Commission Expires:

[NOTARY SEAL]

\_\_\_\_\_  
Notary Public

NORTH CAROLINA  
CUMBERLAND COUNTY

SEAL-  
STAMP

I certify that the following person(s) personally appeared before me  
this day, each acknowledging to me that he or she voluntarily signed  
the foregoing document for the purpose stated therein and in the  
capacity indicated:

Ashley L. Tucker  
NOTARY PUBLIC  
Cumberland County  
North Carolina

Patrick McKee  
Managing Member  
This the 20<sup>th</sup> day of September, 2018.

Ashley L. Tucker  
Official Signature of Notary

Notary's printed/typed name:  
Ashley L. Tucker

My Commission Expires: 6/8/22

(N.P. SEAL)

NORTH CAROLINA  
CUMBERLAND COUNTY

SEAL-  
STAMP

I certify that the following person(s) personally appeared before me  
this day, each acknowledging to me that he or she voluntarily signed  
the foregoing document for the purpose stated therein and in the  
capacity indicated:

\_\_\_\_\_  
This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Official Signature of Notary

Notary's printed/typed name:  
\_\_\_\_\_

My Commission Expires: \_\_\_\_\_