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Prepared by and return to: F. Stuart Clarke, THORP, CLARKE, NEVILLE & KIRBY, PA
 Post Office Box 670, Fayetteville, NC 28302

NORTH CAROLINA

**SECOND AMENDMENT TO
 DECLARATION OF COVENANTS,
 CONDITIONS AND RESTRICTIONS
 FOR BRENTHAVEN, SECTION ONE**

HOKE COUNTY

THIS AMENDMENT TO DECLARATION, made this the 29th day of July, 2009, by
**FLOYD PROPERTIES AND DEVELOPMENT, INC. f/k/a FLOYD CONSTRUCTION CO.,
 INC.**, a North Carolina Corporation with its principal place of business in Cumberland County,
 North Carolina, hereinafter referred to as "**Declarant**" and "**Owner**".

WITNESSETH:

WHEREAS, Declarant is the owner of at least one (1) lot in Brenthaven, Section One, as
 shown on plat recorded in Cabinet 3, Slide 3-83, Map 002-003, McLaughlin Township, Hoke County
 Registry; and

WHEREAS Floyd Properties and Development, Inc. is the Declarant of the original
 Declaration of Covenants, Conditions and Restrictions for Section One, Brenthaven recorded in
 Book 835, Page 231, Hoke County, NC Registry, and amended in Book 848, Page 298; and

WHEREAS, pursuant to Article X, Section 2. Amendment, Declarant desires to amend the
 Declaration of Covenants, Conditions and Restrictions previously filed in Book 835, Page 231, Hoke
 County NC Registry, and amended in Book 848, Page 298.

NOW, THEREFORE, Declarant and Owner, pursuant to Article X, Section 2. Amendment,
 does hereby amend said Declarations in pertinent part as follows:

ARTICLE II, PROPERTY RIGHTS, is amended by adding Section 4. Retention Ponds as
 follows:

"Section 4. Retention Ponds. Any and all retention ponds and/or detention basin lots,
 hereinafter referred to as "retention pond", as shown on any plat of Brenthaven are a part of the

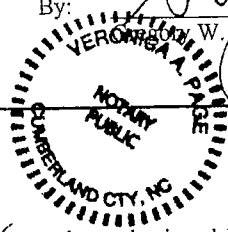
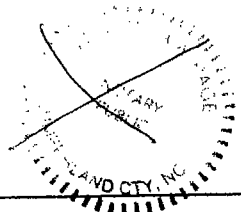
common area and will be conveyed to the Homeowners Association from Declarant. The Retention Ponds will be the responsibility of the Homeowners Association which will be responsible for the maintenance, repair and upkeep of any and all such Retention Ponds.”

Except as specifically amended herein and in Book 848, Page 298, the original Declaration of Covenants, Conditions and Restrictions for Brenthaven, Section One, recorded in Book 835, Page 231, Hoke County, NC Registry, shall remain in full force and effect as written.

TO THE TRUE AND FAITHFUL PERFORMANCE OF THESE COVENANTS AND AGREEMENTS, FLOYD PROPERTIES AND DEVELOPMENT, INC., has caused this instrument to be signed in its name by its Vice President all by proper authority duly granted by its Board of Directors, this the 29th day of July, 2009.

FLOYD PROPERTIES AND DEVELOPMENT, INC.

By: Gregory W. Floyd
Gregory W. Floyd, Vice President



NORTH CAROLINA
CUMBERLAND COUNTY

I, Veronica A. Page, the undersigned Notary Public of the County and State aforesaid, certify that GREGORY W. FLOYD, personally came before me this day and acknowledged that he is the Vice President of FLOYD PROPERTIES AND DEVELOPMENT, INC., a North Carolina corporation and that by authority duly given and as an act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed.

Witness my hand and notarial stamp or seal this the 30 day of July, 2009.

My Commission expires:
5/23/2011

Veronica Page
Notary Public