FILED CUMBERLAND COUNTY NC J. LEE WARREN, JR. REGISTER OF DEEDS FILED Jul 06, 2011 AΤ 02:15:00 pm BOOK 08675 0854 START PAGE **END PAGE** 0857 **INSTRUMENT#** 21695 RECORDING \$28.00 **EXCISE TAX** (None)

Prepared by and mail to: Steven J. O'Connor, Attorney at Law

P.O. Box 87009, Fayetteville, NC 28304

NORTH CAROLINA

CUMBERLAND COUNTY

FIRST SUPPLEMENT AND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR PATRIOT PARK SUBDIVISION (TO INCLUDE SECTION 2)

THIS FIRST SUPPLEMENT AND AMENDMENT to Declaration of Covenants, Conditions and Restrictions for Patriot Park Village Subdivision is made this ______ day of ________, 2011, by RIVER LANDING CENTER, LLC, a North Carolina limited liability company, whose address is 6200 Ramsey Street, 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 "Patriot Park Village, Section 1" per the plat recorded at Plat Book 127, Page 192, Cumberland County Registry; and

WHEREAS, Declarant recorded a "Declaration of Covenants, Conditions and Restrictions for Patriot Park Village at Deed Book 8540, Page 118, Cumberland County Registry, which instrument was re-recorded at Deed Book 8672, Page 205, Cumberland County Registry to add the plat book and page reference in the legal description (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 in Exhibit "B" of the Declaration; and

WHEREAS, Declarant desires to hereby amend the Declaration to include within the property subject to the Declaration the real property within Patriot Park Village Section 2 described in the plat recorded at Plat Book 128, Page 178, Cumberland County Registry, and Declarant desires 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. <u>ANNEXATION OF PATRIOT PARK VILLAGE SECTION 2</u>. Pursuant to Article II of the Declaration, Declarant declares that the real property with Patriot Park Village, Section 2, described in the plat recorded at Plat Book 128, Page 178, Cumberland County Registry, is subject to the Declaration and is annexed into Patriot Park Village Subdivision.
- 2. <u>AMENDMENT TO DECLARATION</u>. Pursuant to Article II and Section 13.5 of the Declaration, Declarant hereby amends the Declaration to delete Exhibit "A" of the Declaration in its entirety and to substitute therefor the Exhibit "A" attached hereto and incorporated herein by reference.
- 3. <u>DECLARATION REMAINS IN FULL FORCE</u>. 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:

RIVER LANDING CENTER, LLC

Lawrence H. Walsh, Manager

STAT. NORTH CAROLINA

COUNTY OF CUMBERLAND

I, Guendolyn f. Atkins, a Notary Public of Cumberland County, North Carolina, certify that LAWRENCE H. WALSH, personally came before me this day and acknowledged that he is Manager of RIVER LANDING CENTER, LLC, a North Carolina limited liability company, and that he, as Member-Manager, being authorized to do so, executed the foregoing on behalf of the limited liability company.

NOTARY SEALING OLYN PARTY OF (N.P. SEAL)

EXHIBIT "A"

Legal Description

CUMBERLAND COUNTY

NORTH CAROLINA

All of that land designated and known as "PATRIOT PARK VILLAGE SEC. 1" as shown on that certain plat recorded in Plat Book 127, Page 192, Cumberland County Registry, and all of that land designated and known as "Patriot Park Village Sec. 2" as shown on that certain plat recorded in Plat Book 128, Page 178, Cumberland County Registry.

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