



FOR REGISTRATION REGISTER OF DEEDS  
KIMBERLY S. HARGROVE  
HARNETT COUNTY, NC  
2011 MAR 10 09:20:14 AM  
BK: 2845 PG: 483-492 FEE: \$38.00

**INSTRUMENT # 2011003555**

Prepared by and return to:  
Gaylor Edwards & Vatcher, P.A.

**STATE OF NORTH CAROLINA  
COUNTY OF HARNETT**

**FIRST AMENDMENT TO DECLARATION OF  
PROTECTIVE COVENANTS FOR  
RICHMOND PARK, SECTION 6 (the "First Amendment")**

**THIS FIRST AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS FOR RICHMOND PARK, SECTION 6, is made this 28 day of February, 2011, by SUNSET COVE DEVELOPMENT, INC., a North Carolina corporation, hereinafter called the "Declarant", CATES BUILDING, INC., a North Carolina corporation, hereinafter called "Cates", CAVINESS LAND DEVELOPMENT, INC., a North Carolina corporation, hereinafter called "Caviness", HOMEKO BUILDERS, INC., a North Carolina corporation, hereinafter called "Homeko", J & L CONTRACTORS, INC., a North Carolina corporation, hereinafter called "J & L", BRIESE BUILDERS, LLC, a North Carolina limited liability company, hereinafter called "Briese", SAVVY HOMES, LLC, a North Carolina limited liability company, hereinafter called "Savvy";**

**W I T N E S S E T H:**

**WHEREAS, Declarant did execute that certain document entitled, "Declaration of Protective Covenants for RICHMOND PARK, SECTION 6", dated September 15, 2010, recorded in the Office of the Register of Deeds of Harnett County, North Carolina in Book 2785, Page 297, hereinafter referred to as the "Declaration", subjecting the real property described therein to certain covenants, conditions, restrictions and easements; and**

**WHEREAS, the real property subject to the covenants, conditions, restrictions and easements of the Declaration is shown and more particularly described on a map of the RICHMOND PARK, SECTION 6,**

prepared by Enoch Engineers, P.A. and recorded Book of Plats 2010, Page 656 - 659, in the Office of the Register of Deeds of Harnett County, North Carolina. Said map being incorporated by reference as if fully set forth and referred to for the purpose of furnishing a more complete and accurate description of the property which is subject to this First Amendment; and

**WHEREAS, ARTICLE XXIV** of the Declaration entitled, "**MODIFICATION**", provides that "**These restrictions are subject to being altered, modified, canceled or changed at any time as to said subdivision as a whole or as to any subdivided Lot or part thereof by written document executed by the Declarant or its successor in title and the owner of not less than two-thirds (2/3) of the subdivided Lots or parts of said subdivision to which these restrictions apply, and recorded in the Office of the Register of Deeds of Harnett County, North Carolina.**"; and

**WHEREAS, ARTICLE IV** of the Declaration entitled, "**BUILDING TYPE AND SETBACK REQUIREMENTS**", sets forth in the fourth paragraph of said **ARTICLE IV** the building line setback requirements."

**WHEREAS, Declarant, Cates, Caviness, Homeco, J & L, Briese and Savvy** are the owners of two-thirds of the Lots in the Richmond Park, Section 6 subdivision; and

**WHEREAS, Declarant, Cates, Caviness, Homeco, J & L, Briese and Savvy** desire to modify and change the building setback requirements for the location of buildings on the Lots in the Richmond Park, Section 6 subdivision as described herein.

**NOW, THEREFORE, the Declarant, Cates, Caviness, Homeco, J & L, Briese and Savvy** hereby declare that the fourth paragraph in **ARTICLE IV** of the Declaration be and is hereby stricken in its entirety, and the following substituted therefore:

No building, except as hereinafter specified, shall be located on any Lot nearer than 20 feet to the front line, provided however, no building on Lots 288, 289, 290, 291 shall be located nearer than 35 feet to the front line line, and no building on Lot 292 with the structure's main entrance facing Sullivan Lane shall be nearer than 35 feet to the front lot line, nor shall any building on any Lot be nearer than 20 feet to any side street line. No building shall be located with respect to interior side lot lines so as to be nearer than 5 feet to either such line. No dwelling shall be located nearer than 10 feet to the rear lot line, and no garage or other permitted accessory building shall be located nearer than 10 feet to the rear lot line. For the purposes of this restriction, eaves, steps, open porches, and carports shall not be considered as part of a building provided, however, that this shall not be construed to permit any portion of a building on a Lot to encroach upon another Lot. An error of not more than 10 percent in the location of a building on the Lot with respect to the minimum set back lines shall not be considered a violation of this restriction.

Except as herein modified and amended the Declaration of Protective Covenants for RICHMOND PARK, SECTION 6, recorded in Book 2785, Page 297, Harnett County Registry, referred to herein shall remain in full force and effect.

IN WITNESS WHEREOF, the Declarant, Cates, Caviness, Homeco, J & L, Briese and Savvy have caused this instrument to be signed by their respective officer or manager, with authority duly given, the day and year first above written.

SUNSET COVE DEVELOPMENT, INC., a North Carolina corporation

By: Betty Bullock  
Betty Bullock  
Its President

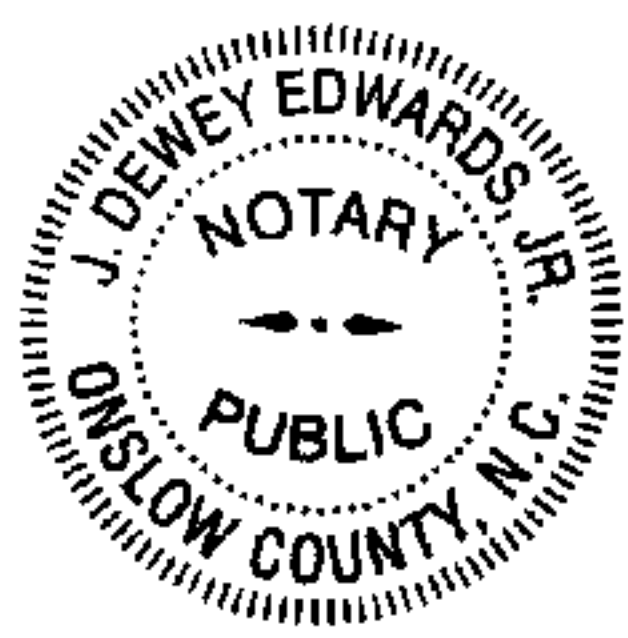
STATE OF NORTH CAROLINA  
COUNTY OF ONSLOW

The undersigned, a Notary Public in and for said County and State, do hereby certify that Betty Bullock, personally came before me this day and acknowledged that she is the President of SUNSET COVE DEVELOPMENT, INC., a North Carolina corporation, and that by authority duly given by its board of directors and as the act of said corporation, the foregoing instrument was signed in its name by her as its President as the act and deed of the corporation for the purposes set forth therein and in the capacity indicated.

Witness my hand and official stamp or seal, this 16<sup>th</sup> day of February, 2011.

J. Dewey Edwards, Jr.  
Notary Public

My Commission Expires: July 9, 2011



BRIESE BUILDERS, LLC, a North Carolina  
limited liability company

By: Lex Anthony Biese

Name: Lex Anthony Biese

Its Manager

STATE OF NORTH CAROLINA

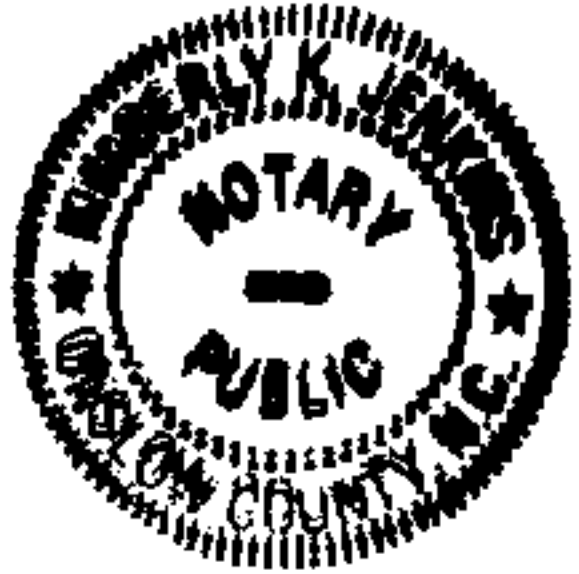
COUNTY OF Andrew

The undersigned, a Notary Public in and for said County and State, do hereby certify that Lex Anthony Biese, personally came before me this day and acknowledged that he is the Manager of BRIESE BUILDERS, LLC., a North Carolina limited liability company, and that by authority duly given by its Members and as the act of said limited liability company, the foregoing instrument was signed in its name by him as its Manager as the act and deed of the limited liability company for the purposes set forth therein and in the capacity indicated.

Witness my hand and official stamp or seal, this 28 day of February, 2011.

[Signature]  
Notary Public

My Commission Expires: 6-16-13



CATES BUILDING, INC., a North Carolina corporation

By: [Signature]  
Name: Chris Cates

Its \_\_\_\_\_ President

STATE OF NORTH CAROLINA  
COUNTY OF Cumberland

The undersigned, a Notary Public in and for said County and State, do hereby certify that Chris Cates, personally came before me this day and acknowledged that he is the \_\_\_\_\_ President of CATES BUILDING, INC., a North Carolina corporation, and that by authority duly given by its board of directors and as the act of said corporation, the foregoing instrument was signed in its name by him as its President as the act and deed of the corporation for the purposes set forth therein and in the capacity indicated.

Witness my hand and official stamp or seal, this 23<sup>rd</sup> day of February, 2011.

[Signature]  
Notary Public

My Commission Expires: 6/9/2015



CAVINESS LAND DEVELOPMENT, INC., a North Carolina corporation

By: [Signature]

Name: Watson Caviness

Its \_\_\_\_\_ President

STATE OF NORTH CAROLINA,  
COUNTY OF Comberland

The undersigned, a Notary Public in and for said County and State, do hereby certify that Watson Caviness personally came before me this day and acknowledged that he is the \_\_\_\_\_ President of CAVINESS LAND DEVELOPMENT, INC., a North Carolina corporation, and that by authority duly given by its board of directors and as the act of said corporation, the foregoing instrument was signed in its name by him as its President as the act and deed of the corporation for the purposes set forth therein and in the capacity indicated.

Witness my hand and official stamp or seal, this 25 day of February, 2011.

[Signature]  
Notary Public

My Commission Expires: 6/3/2014



HOMEBO BUILDERS, INC., a North Carolina corporation

By: [Signature]  
Name: Jimmy Pierce  
Its \_\_\_\_\_ President

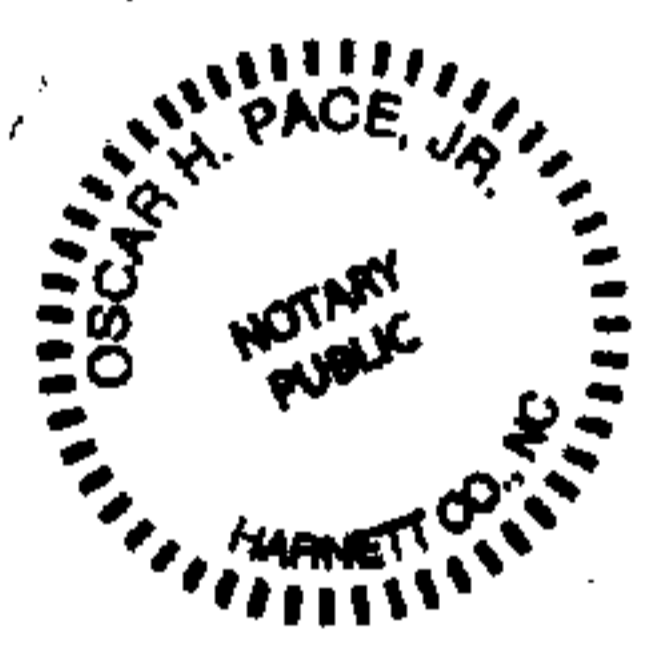
STATE OF NORTH CAROLINA  
COUNTY OF Cumberland

The undersigned, a Notary Public in and for said County and State, do hereby certify that Jimmy Pierce personally came before me this day and acknowledged that he is the \_\_\_\_\_ President of HOMEBO BUILDERS, INC., a North Carolina corporation, and that by authority duly given by its board of directors and as the act of said corporation, the foregoing instrument was signed in its name by him as its President as the act and deed of the corporation for the purposes set forth therein and in the capacity indicated.

Witness my hand and official stamp or seal, this 28 day of February, 2011.

[Signature]  
Notary Public

My Commission Expires: 6/3/2014



J & L CONTRACTORS, INC., a North Carolina corporation

By: Jimmy Pierce

Name: Jimmy Pierce

Its \_\_\_\_\_ President

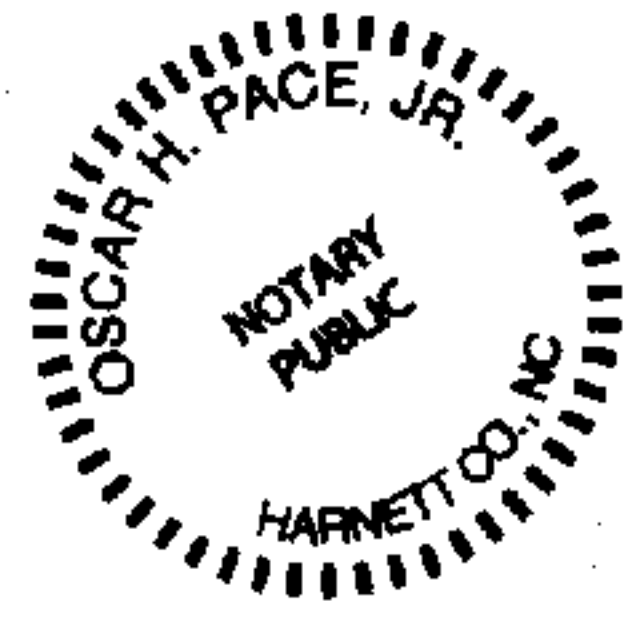
STATE OF NORTH CAROLINA  
COUNTY OF Cumberland

The undersigned, a Notary Public in and for said County and State, do hereby certify that Jimmy Pierce, personally came before me this day and acknowledged that he is the \_\_\_\_\_ President of J & L CONTRACTORS, INC., a North Carolina corporation, and that by authority duly given by its board of directors and as the act of said corporation, the foregoing instrument was signed in its name by him as its President as the act and deed of the corporation for the purposes set forth therein and in the capacity indicated.

Witness my hand and official stamp or seal, this 28 day of February, 2011.

Oscar H. Page, Jr.  
Notary Public

My Commission Expires: 6/3/2014





SAVVY HOMES, LLC, a North Carolina  
limited liability company

By: 

Name: DARRELL DAIGRE

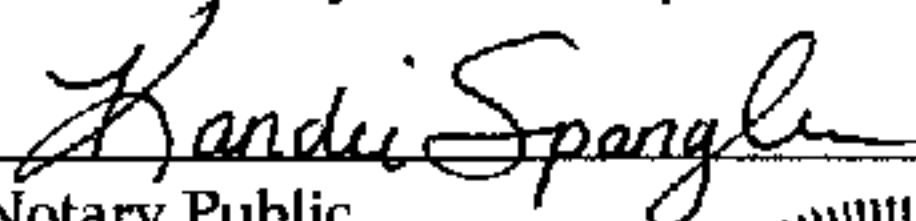
Its Manager

STATE OF NORTH CAROLINA

COUNTY OF Wake

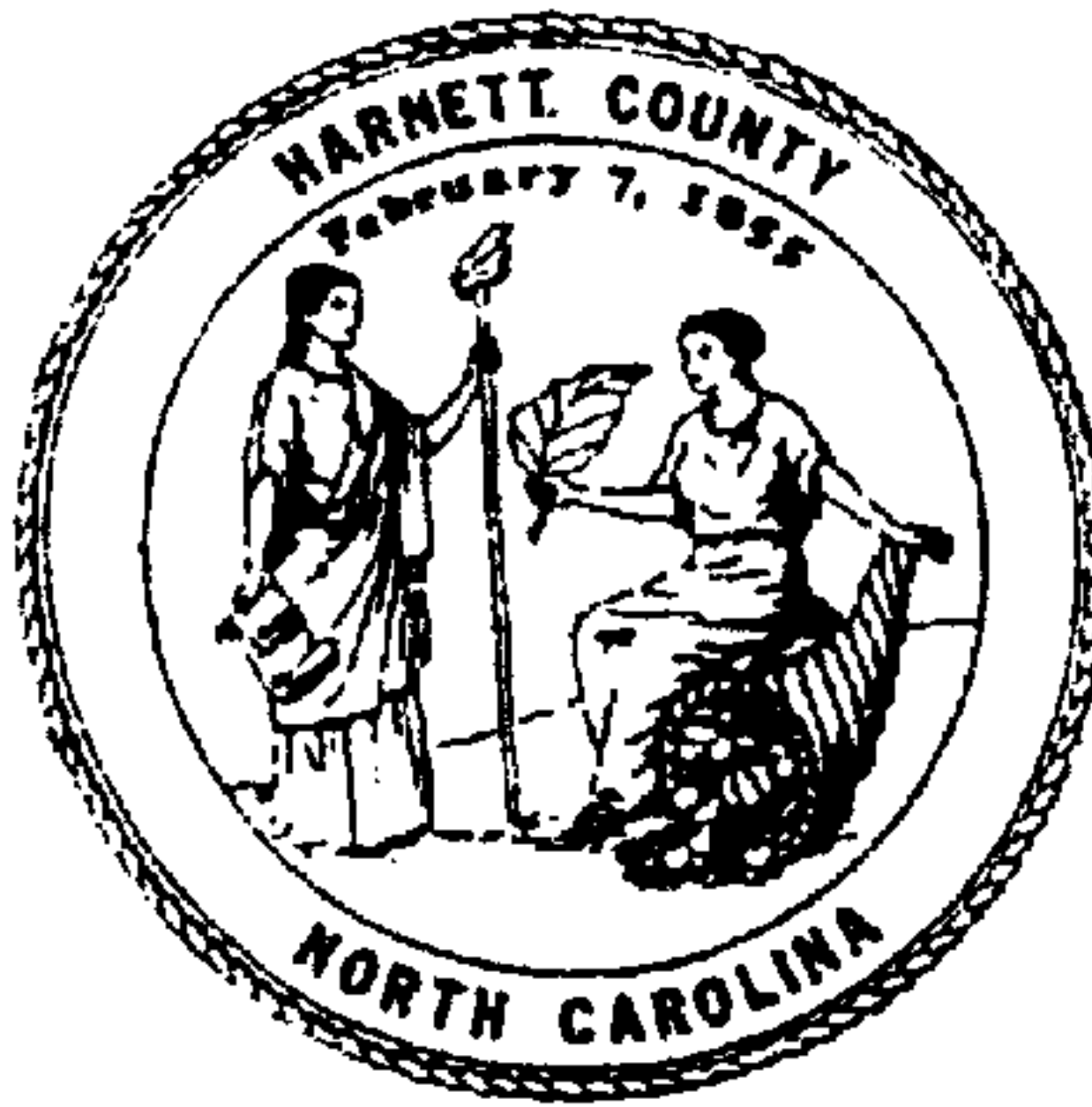
The undersigned, a Notary Public in and for said County and State, do hereby certify that  
Darrell Daigre, personally came before me this day and  
acknowledged that he is the Manager of SAVVY HOMES, LLC., a North Carolina limited liability company,  
and that by authority duly given by its Members and as the act of said limited liability company, the  
foregoing instrument was signed in its name by him as its Manager as the act and deed of the limited liability  
company for the purposes set forth therein and in the capacity indicated.

Witness my hand and official stamp or seal, this 24<sup>th</sup> day of February, 2011.

  
Notary Public

My Commission Expires: 10/03/15





KIMBERLY S. HARGROVE  
REGISTER OF DEEDS, HARNETT  
305 W CORNELIUS HARNETT BLVD  
SUITE 200  
LILLINGTON, NC 27546

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**Filed For Registration:** 03/10/2011 09:20:14 AM  
**Book:** RE 2845 Page: 483-492  
**Document No.:** 2011003555  
AMDT/COV 10 PGS \$38.00  
**Recorder:** ANGELA J BYRD

State of North Carolina, County of Harnett

KIMBERLY S. HARGROVE , REGISTER OF DEEDS

**DO NOT DISCARD**

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