



FOR REGISTRATION REGISTER OF DEEDS
KIMBERLY S. HARGROVE
HARNETT COUNTY, NC
2011 MAY 12 10:18:30 AM
BK: 2865 PG: 584-593 FEE: \$38.00

INSTRUMENT # 2011006897

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

STATE OF NORTH CAROLINA
COUNTY OF HARNETT

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

THIS SECOND AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS FOR RICHMOND PARK, SECTION 6, is made this 30th day of April, 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", HOMECO BUILDERS, INC., a North Carolina corporation, hereinafter called "Homeco", J & L CONTRACTORS, INC., a North Carolina corporation, hereinafter called, "J & L", BRIESE BUILDERS, LLC, a North Carolina limited liability company, hereinafter called "Briese", and 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, Declarant, Cates, Caviness, Homeco, J & L, Briese, and Savvy did execute an amendment to the Declaration, dated February 28, 2011, recorded in the Office of the Register of Deeds of Harnett County, North Carolina in Book 2845, Page 483, hereinafter referred to as the "First Amendment"; and

WHEREAS, the real property subject to the covenants, conditions, restrictions and easements of the Declaration and First Amendment 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 Second 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, Declarant, Cates, Caviness, Homeco, J & L, Briese, and Savvy are the owners of not less than two-thirds (2/3) of the Lots in the Richmond Park, Section 6 subdivision; and

WHEREAS, the Declarant, Cates, Caviness, Homeco, J & L, Briese, and Savvy have determined that the expenses for maintenance and repair of the Open Space and Streetscape Buffer (both as defined in the Declaration), will be greater than anticipated, and that additional funds will be required to adequately maintain the Open Space and Streetscape Buffer; and

WHEREAS, Declarant, Cates, Caviness, Homeco, J & L, Briese, and Savvy desire to amend the Declaration, as amended by the First Amendment, to increase the annual general assessment and require an initial deposit to be paid by the purchasers of Lots at the time of closing.

NOW, THEREFORE, the Declarant, Cates, Caviness, Homeco, J & L, Briese, and Savvy hereby declare and modify the Declaration, as amended by the First Amendment, as follows:

ARTICLE XX, entitled, "RICHMOND PARK SECTION 6 HOA, INC.", be and is hereby modified and amended as follows:

The first sentence in **ARTICLE XX**, sub-paragraph h. is amended by deleting the first sentence in said sub-paragraph in its entirety, and substituting the following: Each owner of any Lot, which has been improved with the construction of a dwelling thereon, by acceptance of a deed for same (whether or not so expressed in such deed), is deemed to covenant and agree to pay to the Association an initial deposit in the amount of One Hundred Eighty Dollars (\$180.00) at the time of closing the purchase of said Lot, in addition to the annual general assessments or charges as hereinafter provided.

ARTICLE XX, sub-paragraph h.(i) is amended by deleting said sub-paragraph in its entirety and substituting the following: Until January 1, 2011, the annual general assessment shall be One Hundred Eighty Dollars (\$180.00) per Lot, which has been improved by the construction of a dwelling thereon.

ARTICLE XX, sub-paragraph h.(ii) is amended by deleting said sub-paragraph in its entirety and substituting the following: From and after January 1, 2011, the annual general assessment may be increased by the Declarant or upon the vote of a majority of the Board of Directors of the Association by no more than ten percent (10%) of the annual general assessment for the preceding year.

ARTICLE XX, sub-paragraph h.(iii) is amended by deleting said sub-paragraph in its entirety and substituting the following: Any increase of the annual general assessment exceeding ten percent (10%) of the annual general assessment for the preceding year must be approved by the owners of at least two-thirds (2/3) of the Lots who are voting in person or by proxy at a meeting called for this purpose.

Except as herein modified and amended the Declaration of Protective Covenants for RICHMOND PARK, SECTION 6, recorded in Book 2785, Page 297, as amended by the First Amendment recorded in Book 2845, Page 483, in the 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 5th day of April, 2011.



J. Dewey Edwards, Jr.
Notary Public

July 9, 2011

CATBS BUILDING, INC., a North Carolina corporation

By: [Signature]
Name: _____

Its _____ President

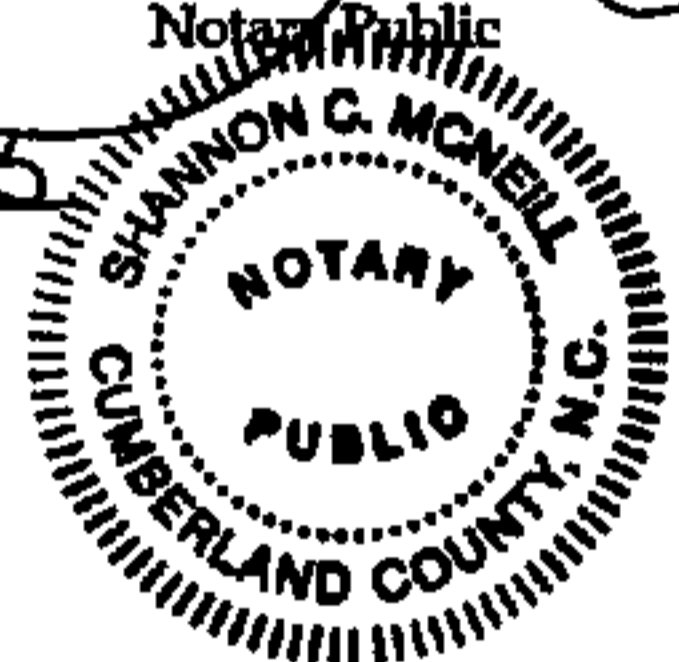
STATE OF NORTH CAROLINA
COUNTY OF Cumberland

The undersigned, a Notary Public in and for said County and State, do hereby certify that Christopher E. Cates, personally came before me this day and acknowledged that he is the _____ President of CATBS 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 15th day of April, 2011.

[Signature]
Notary Public

My Commission Expires: 6/9/2015



CAVINESS LAND DEVELOPMENT, INC., a North Carolina corporation

By: [Signature]

Name: _____

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 Watson G. 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 15th day of April, 2011.

[Signature]

Notary Public

My Commission Expires: 6/9/2015



HOMECO BUILDERS, INC., a North Carolina corporation

By: Jimmy Pierce
Name: Jimmy Pierce

Its _____ President

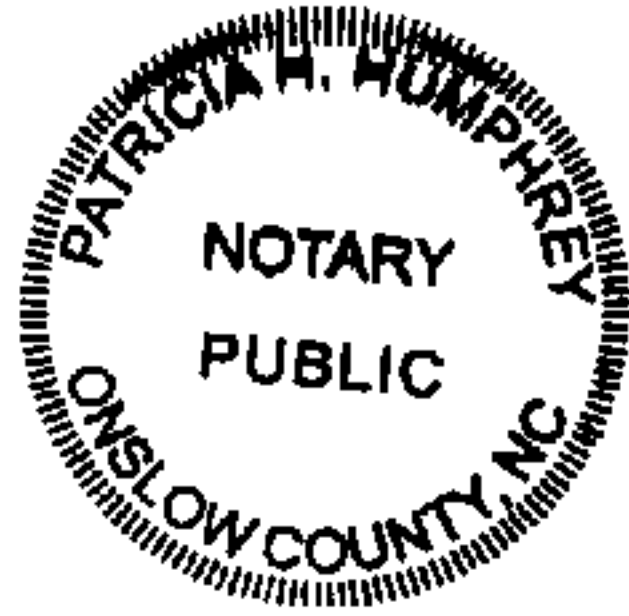
STATE OF NORTH CAROLINA
COUNTY OF ONSLOW

The undersigned, a Notary Public in and for said County and State, do hereby certify that Jimmy Pierce, personally came before me this day and acknowledged that he is the _____ President of HOMECO 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 20th day of April, 2011.

Patricia H. Humphrey
Notary Public

My Commission Expires: 3/30/2016



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

By: Jimmy Pierce
Name: Jimmy Pierce

Its _____ President

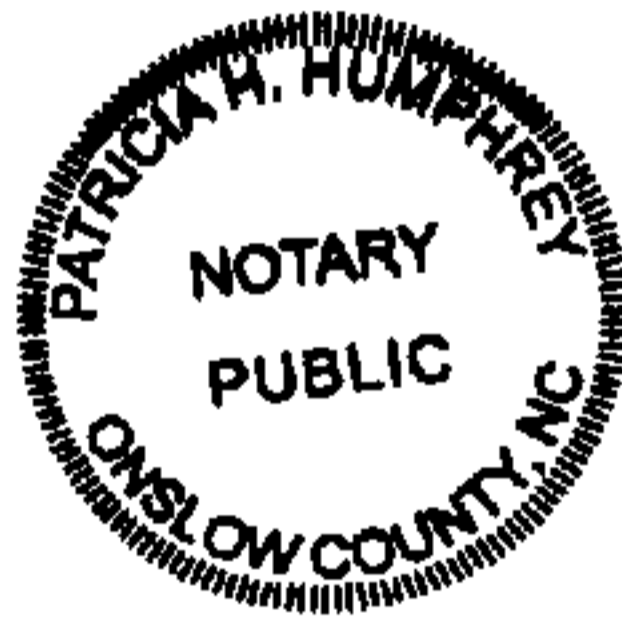
STATE OF NORTH CAROLINA
COUNTY OF Onslow

The undersigned, a Notary Public in and for said County and State, do hereby certify that 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 20th day of April, 2011.

Patricia H. Humphrey
Notary Public

My Commission Expires: 3/30/2016



BRIESE BUILDERS, LLC, a North Carolina
limited liability company

By: Lex Briese

Name: Lex Briese

Its Manager

STATE OF NORTH CAROLINA

COUNTY OF Onslow

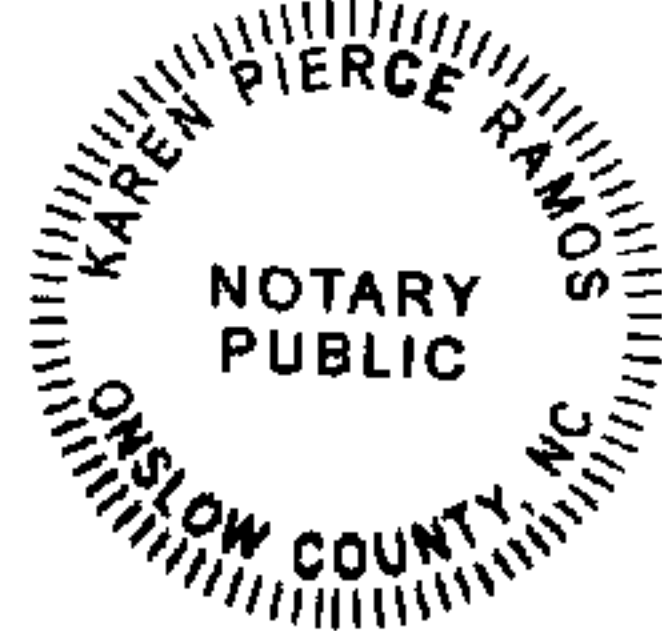
The undersigned, a Notary Public in and for said County and State, do hereby certify that Lex Briese, personally came before me this day and acknowledged that he is the Manager of BRIESE BUILDERS, LLC., a North Carolina limited liability company, and that by authority duly given by its Members and as 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 29 day of April, 2011.

Karen Pierce Ramos

Notary Public

My Commission Expires: 1/27/2014



SAVVY HOMES, LLC, a North Carolina
limited liability company

By: *[Signature]*

Name: Darrell Daigre

Its Manager

STATE OF NORTH CAROLINA
COUNTY OF Johnston

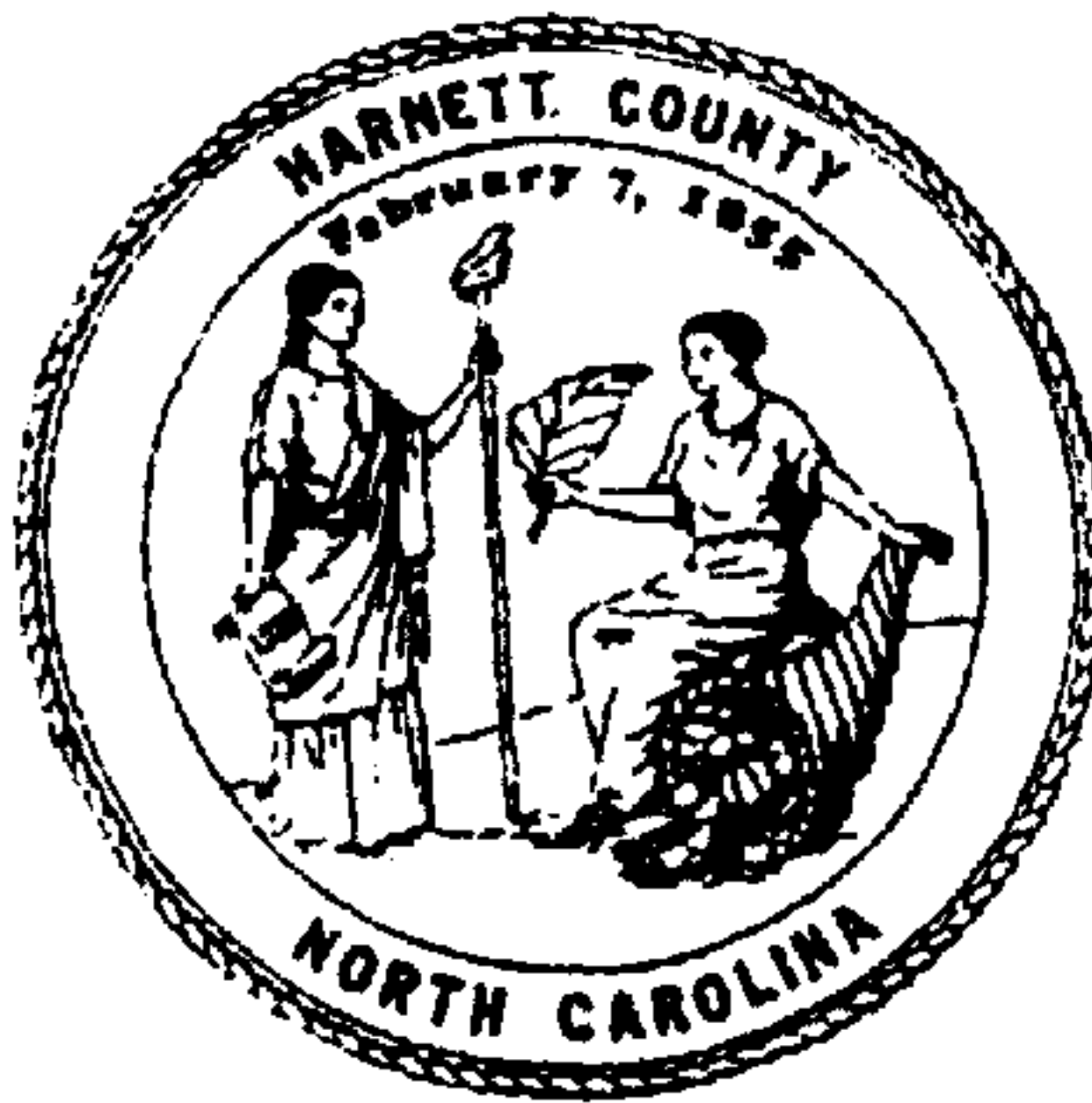
The undersigned, a Notary Public in and for said County and State, do hereby certify that
Darrell Daigre, personally came before me this day and
acknowledged that he is the Manager of SAVVY HOMES, LLC., a North Carolina limited liability company,
and that by authority duly given by its Members and as 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 5th day of April, 2011.

Kandie Spangler
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

Filed For Registration: 05/12/2011 10:18:30 AM
Book: RE 2865 Page: 584-593
Document No.: 2011006897
COVENANTS 10 PGS \$38.00
Recorder: MARY ANNE WOOD

State of North Carolina, County of Harnett

KIMBERLY S. HARGROVE , REGISTER OF DEEDS

DO NOT DISCARD

2011006897