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FILED  
CUMBERLAND COUNTY NC  
J. LEE WARREN, JR.  
REGISTER OF DEEDS  
FILED May 13, 2009  
AT 02:53:00 pm  
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END PAGE 0095  
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EXCISE TAX (None)  
DJ

**SECOND AMENDMENT TO DECLARATION OF  
COVENANTS FOR  
LONG BRANCH VILLAGE**

Prepared By and Return to: John G. Briggs III, Attorney at Law Lewis, Deese & Nance, LLP,  
Post Office Drawer 1358, Fayetteville, NC 28302

THIS FIRST AMENDMENT TO THE DECLARATION OF COVENANTS FOR  
LONG BRANCH VILLAGE is made and entered into this the 13<sup>th</sup> day of April, 2009, by  
LANDTEC DEVELOPMENT COMPANY, INC., a North Carolina Corporation, hereinafter  
referred to as "Declarant" or "Developer";

WITNESSETH

WHEREAS, Declarant is the original maker and Declarant of the Declaration of  
Covenants for Long Branch Village recorded in Book 7505, at Page 874, Cumberland County  
Registry, North Carolina (the "Declaration"); and

WHEREAS, the Declaration provides in Part Four, Article II that the Declaration may be  
amended at any time by Declarant as long as Declarant owns any lot or any portion of the  
property located in Long Branch Village; and

WHEREAS, Declarant, at the time of this amendment, owns lots located in Long Branch  
Village; and

NOW THEREFORE, Declarant does hereby amend the following portions of the  
Declaration as follows:


1) As to Part Two, Article I, Section 6 entitled, "Minimum Heated Living Space", the minimum heated living space square footage for a residence upon a Patio Home Lot is hereby amended to One Thousand Two Hundred (1,200) square feet instead of One Thousand Five Hundred (1,500) square feet. The minimum first floor heated area living space for a residence upon a Patio Home Lot remains, as set forth in the original Declaration, at Five Hundred (500) square feet.

THIS AMENDMENT shall be construed under the laws, statutes and ordinances of such governmental authority having jurisdiction. The provisions hereof are independent covenants and should any provision or provisions contained in this Amendment be declared by a Court or other tribunal of competent jurisdiction to be void, unenforceable or illegal, then such provision or provisions shall be severable and the remaining provisions hereof shall remain in full force and effect. The terms, covenants, conditions and agreements herein contained shall be binding upon and inure to the benefit of an shall be enforceable by the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, Declarant has caused this Amendment to be signed as of the date first written above.

LANDTEC DEVELOPMENT COMPANY, INC.  
Declarant and Developer

By:

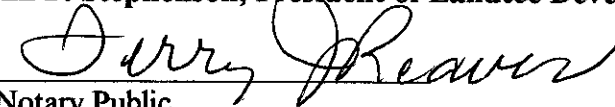
  
\_\_\_\_\_  
John P. Stephenson, President of  
Landtec Development Company, Inc.

STATE OF NORTH CAROLINA  
COUNTY OF CUMBERLAND

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

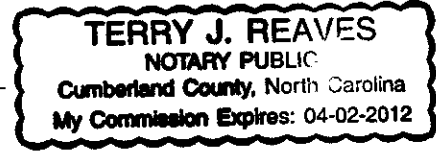
**Name of Principals: John P. Stephenson, President of Landtec Development Company, Inc.**

Date: 05/13/2009

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

My Comm. Expires: 04/02/2012

TERRY J REAVES  
\_\_\_\_\_  
Printed Name of Notary Public



(N.P. SEAL)