

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

AMENDMENT TO
DECLARATION OF RESTRICTIONS
CREEK'S EDGE TOWNHOMES
BOOK OF PLATS 55, PAGE 76
AS AMENDED, BOOK OF PLATS 56, PAGE 33

THIS DECLARATION, made this the 19th day of April, 1984, by THOMAS FAMILY BUSINESS, INC., a North Carolina Corporation with its principal offices located at 593 S. Reilly Road, Fayetteville, Cumberland County, North Carolina, hereinafter referred to as "DECLARANT":

W I T N E S S T H :

WHEREAS, Declarant is the owner of certain property located in the Seventy-First Township, known as Creek's Edge Townhomes, as shown on a plat of the same duly recorded in Book of Plats 55, at Page 76, Cumberland County, North Carolina Registry.

AND WHEREAS, Declarant has caused to be recorded an amended plat of Creek's Edge Townhomes, said amended plat being recorded at Book of Plats 56, Page 33, Cumberland County, North Carolina Registry;

AND WHEREAS, said property is subject to those Declaration of Restrictions placed upon the property by Declarant by an instrument dated April 19, 1984 and recorded in Book 2989, Page 281, Cumberland County, North Carolina Registry;

AND WHEREAS, Declarant is still the sole owner of said property and desires to amend the Declaration of Restrictions thereon.

NOW, THEREFORE, the Declaration of Restrictions, dated April 19, 1984 and Recorded in Book 2989 at Page 281, Cumberland County, North Carolina Registry are amended to read as follows:

ARTICLE I

DEFINITIONS

Section 3. (a) "Lot" shall mean and refer to any plot of land shown upon any recorded subdivision map of the properties;

(b) "Unit" shall mean a single family dwelling unit within a duplex, triplex or a quadruplex building.

ARTICLE V

PERMITTED TYPES OF CONSTRUCTION

Section 2. Residential Construction.

(a) Single Family. Lot 12 of said subdivision shall be used for a single family dwelling only. Any of the remaining lots may be used for a single family residence, but may so be used as hereinafter set out.

(b) The Lots in the subdivision remaining (excluding Lot 12, as designated in (a) above), may be used for construction of Quadruplex Residences, containing no more than four (4) family residences.

END OF AMENDMENT

EXCEPT as herein amended, the Declaration of Restrictions dated April 19, 1984, recorded in Book 2989, Page 281, Cumberland County, North Carolina

Registry, shall remain in full force and effect and the property known as Creek's Edge Townhomes as shown on that plat of the same recorded in Book of Plats 55, Page 76, Cumberland County, North Carolina Registry, as amended by plat recorded in Book of Plats 56, Page 33 shall be subject thereto.

TO THE TRUE AND FAITHFUL PERFORMANCE OF THESE COVENANTS AND AGREEMENTS, THOMAS FAMILY BUSINESS, INC. has caused this instrument to be signed in its name by its President, attested by its Secretary and its Corporate Seal to be hereto affixed, all by proper authority duly granted by its Board of Directors, this the 26th day of July, 1984.

THOMAS FAMILY BUSINESS, INC.

BY: Raymond Carroll Thomas
RAYMOND CARROLL THOMAS

CORPORATE SEAL

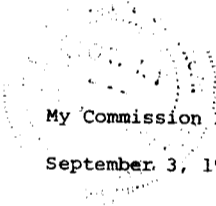


ATTEST:
Alexander H. Thomas
ALEXANDER H. THOMAS, Secretary

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

I, Elizabeth P. Hager, a Notary Public of said County and State certify that Alexander H. Thomas personally came before me this day and acknowledged that he is Secretary of Thomas Family Business, Inc., a corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its president, sealed with its corporate seal, and attested by Alexander H. Thomas as its Secretary.

WITNESS my hand and Notarial Seal, this the 26th day of July, 1984.



Elizabeth P. Hager
NOTARY PUBLIC

My Commission Expires:
September 3, 1984

Prepared by H. Dolph Berry
Attorney at Law

NORTH CAROLINA, CUMBERLAND COUNTY

The foregoing or annexed certificate of Elizabeth P. Hager

Notary Public/Notaries Public is/are certified to be correct.

This instrument was presented for registration and recorded in this Office at Book 3018, Page 503

This 16 day of August, 1984 at 3:40 O'clock P.M.

George E. Tatum
Register of Deeds

By Janice L. Wilburn
Deputy Register of Deeds