

9408
0588

BK 09408 PG 0588

FILED
CUMBERLAND COUNTY NC
J. LEE WARREN, JR.
REGISTER OF DEEDS
FILED Apr 08, 2014
AT 02:18:00 pm
BOOK 09408
START PAGE 0588
END PAGE 0591
INSTRUMENT # 09950
RECORDING \$26.00
EXCISE TAX (None)
SMD

Prepared By and Return To:
Holden Reaves, Esq.
Reaves Law, PLLC
P.O. Box 53187
Fayetteville, NC 28305

**FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
PARK VIEW TOWNHOMES**

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR PARK VIEW TOWNHOMES (this "Amendment") is made and entered into as of the date set forth in the below notary acknowledgment, by **PARKVIEW OF FAYETTEVILLE, LLC**, a North Carolina limited liability company (the "Declarant") and **H&H CONSTRUCTORS, INC.**, a North Carolina corporation (the "H&H Constructors").

WITNESSETH:

WHEREAS, the Declarant executed and caused to be recorded that certain Declaration of Covenants, Conditions, and Easements for Park View Townhomes recorded in Book 9405, Page 525, Cumberland County, NC Registry (the "Declaration"), which encumbered and created a plan of residential development for certain real property located in downtown Fayetteville, Cumberland County, North Carolina, as more particularly described therein (the "Park View Townhome Land");

WHEREAS, it is noted that a portion of the Park View Townhome Land is owned by H&H Constructors [as evidenced by prior deed recorded in Book 9310, Page 573, aforesaid Registry (the "H&H Portion")], and H&H Constructors was inadvertently not joined as a party to the Declaration;

WHEREAS, H&H Constructors desires to join in the execution of the

Declaration, such that all of the Park View Townhome Land will be encumbered by the terms of the Declaration, so as to create the intended plan of residential development;

WHEREAS, the Declarant and H&H Constructors hereby take the following action:

NOW, THEREFORE, pursuant to Section 9.1m of the Declaration, as well as pursuant to authority found elsewhere therein; and for and in consideration of the covenants herein contained and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Developer and H&H Constructors hereby take the following action:

1. The above recitals are incorporated herein by reference;
2. H&H Constructors hereby joins in the execution of the Declaration, and hereby declares, that all of the H&H Portion shall be hereinafter held, sold, and conveyed subject to the terms of the Declaration;
3. The parties by their execution hereof, hereby ratify, affirm and approve the Declaration, as amended hereby;
4. All capitalized terms used herein, if not expressly defined herein, shall have the same meanings attributed to them, as such terms are defined in the Declaration. Except as specifically amended herein, the Declaration remains unchanged and in full force and effect.

**[The Remainder of This Page Intentionally Left Blank;
Signature Pages attached hereto]**

IN WITNESS WHEREOF, the undersigned parties have executed this Amendment as of the dates set forth in the below notary acknowledgments, the latter of which shall be the effective date of this Amendment.

DECLARANT:

PARKVIEW OF FAYETTEVILLE, LLC

By: 

(SEAL)

D. Ralph Huff III
Manager

STATE OF NORTH CAROLINA

COUNTY OF Harnett

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: D. Ralph Huff III, as Manager of Parkview of Fayetteville, LLC, a North Carolina limited liability company.

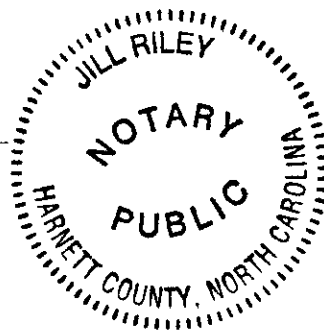
Date: 7 April 2014

Official Signature of Notary: Jill Riley

Notary's Printed Name: Jill Riley

My commission expires: 3 August 2015

[Affix Notary Seal or Stamp]



(N.P. SEAL)

PK 09408 PG0591
H&H CONSTRUCTORS, INC.
By: [Signature] (SEAL)
D. Ralph Huff, III
Chairman of Board

STATE OF NORTH CAROLINA

COUNTY OF Harnett

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: D. Ralph Huff III as Chairman of the Board of H&H Constructors, Inc., a North Carolina corporation.

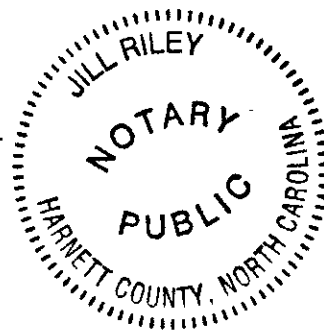
Date: 7 April 2014

Official Signature of Notary: [Signature]

Notary's Printed Name: Jill Riley

My commission expires: 3 August 2015

[Affix Notary Seal or Stamp]



(N.P. SEAL)