

~~BK 5840 PG 303~~

BK 5863 PG 481

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RECEIVED
9-12-2002 PM 2:21:12
GEORGE E. TATUM
REGISTER OF DEEDS
CUMBERLAND CO., N.C.

RECEIVED
10-4-2002 AM 11:47:11

Prepared by and return to: F. Stuart Clarke, THORP AND CLARKE, GEORGE E. TATUM
P.O. Box 670, Fayetteville, NC, 28302 REGISTER OF DEEDS
CUMBERLAND CO., N.C.

NORTH CAROLINA) AMENDMENT TO DECLARATION
) OF COVENANTS, CONDITIONS AND RESTRICTIONS
CUMBERLAND COUNTY) OF SOUTH MAIN, SECTION ONE

THIS AMENDMENT TO DECLARATION, entered into this the 12th day of September, 2002 by SOUTH MAIN HOPE MILLS, LLC, hereinafter referred to as "Declarant";

WITNESSETH:

WHEREAS, SOUTH MAIN HOPE MILLS, LLC (hereinafter Owner) is the owner of at least one or more of the lots in South Main, Section One, as shown on plat of same duly recorded in Book of Plats 107, Page 98, Cumberland County, NC Registry; and

WHEREAS, South Main Hope Mills, LLC is the Declarant of the original Declaration of Covenants, Conditions and Restrictions for South Main, Section One, recorded in Book 5824, Page 284, Cumberland County Registry; and

JTC

NOW THEREFORE, Owner and Declarant, pursuant to ARTICLE XI, Section 1. Amendment, do hereby amend said Declarations in pertinent part as follows:

1. By deleting from said Declaration of Covenants, Conditions and Restrictions of South Main, Section One, all of the property shown as Tracts "A", "B", "C" and "D" as described in plat of South Main, Section One, duly recorded in Plat Book 107, Page 98, Cumberland County Registry.

2. By deleting Section 2 under Article X in its entirety and substituting in lieu thereof the following:

"Section 2. If at any time before January 1, 2010, the Declarant shall decide to develop additional lands or any portion thereof, said additional lands may be annexed to said properties without the assent of the Class A Members."

This Amendment to Declaration of Covenants, Conditions and Restrictions of South Main, Section One, is being re-recorded to correct the book and page number stated for the original Declaration of Covenants, Conditions and Restrictions as being Book 5824, Page 284, Cumberland County Registry.

JTC
18-19

3. By deleting Section 4. Under Article XI in its entirety.

In all other respects, the Declaration of Covenants, Conditions and Restrictions of South Main, Section One shall apply as originally recorded.

IN WITNESS WHEREOF, SOUTH MAIN HOPE MILLS, LLC, the Declarant and Owner herein has caused this Amendment to Declarations to be signed in its name this 12th day of September, 2002.

SOUTH MAIN HOPE MILLS, LLC, Declarant
BY: TERRY SPELL REALTY, INC., Member-Manager

By: Terry W. Spell
Terry W. Spell, President

BY: H & H INVESTMENTS, INC., Member-Manager

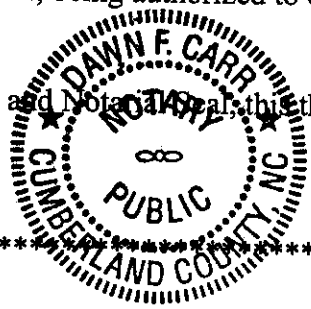
By: D. Ralph Huff, III
D. Ralph Huff, III, President

NORTH CAROLINA
CUMBERLAND COUNTY

I, Dawn F. Carr a Notary Public of Cumberland County, North Carolina certify that **TERRY W. SPELL, President of Terry Spell Realty, Inc., Member-Manager of South Main Hope Mills, LLC**, personally came before me this day and acknowledged that he is President of Terry Spell Realty, Inc., a corporation, member-manager of South Main Hope Mills, LLC, and that he, as President, being authorized to do so, executed the foregoing on behalf of the corporation.

WITNESS my hand and Notary Seal, this the 12th day of September, 2002.

My Commission Expires:
11/16/2003



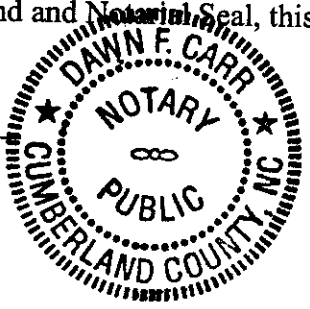
Dawn F. Carr
NOTARY PUBLIC

NORTH CAROLINA
CUMBERLAND COUNTY

I, Dawn F. Carr a Notary Public of Cumberland County, North Carolina certify that **D. RALPH HUFF, III, President of H & H INVESTMENTS, INC., Member-Manager of South Main Hope Mills, LLC**, personally came before me this day and acknowledged that he is President of H & H Investments, Inc., member-manager of South Main Hope Mills, LLC, and that he, as President, being authorized to do so, executed the foregoing on behalf of the corporation.

WITNESS my hand and Notary Seal, this the 12th day of September, 2002.

My Commission Expires:
11/16/2003



Dawn F. Carr
NOTARY PUBLIC

The foregoing Certificate(s) of Dawn F. Carr

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

By: George E. Tatum REGISTER OF DEEDS FOR CUMBERLAND COUNTY, Deputy/Assistant - Register of Deeds

EXPLANATION STATEMENT TO CORRECT OBVIOUS ERRORS(S) MADE IN AN INSTRUMENT AS ORIGINALLY RECORDED:

RE: BOOK 5840
PAGE 303

RECORDED IN THE CUMBERLAND COUNTY REGISTRY.

NAMES OF ALL PARTIES TO THE ORIGINAL INSTRUMENT:

DECLARANT:
~~GRANTOR(S)~~ SOUTH MAIN HOPE MILLS, LLC

~~GRANTEE(S)~~ _____

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

I/WE, the undersigned, hereby certify that the following corrections are made in the above named recorded instrument:

DESCRIPTION OF CORRECTION(S): This Amendment to Declaration of Covenants, Conditions and Restrictions of South Main, Section One, is being re-recorded to correct the book and page no. stated for original Declaration of Covenants, Conditions and Restriction as being Book 5824, Page 284, Cumberland County Registry.

THIS THE 3rd day of October, 2002
By: F. Stuart Clarke (SEAL)
F. Stuart Clarke (SEAL)

This explanation statement, together with the attached instrument duly re-recorded at 11:47:11 o'clock A.m., this the 4 day of October, 2002 in the Book and Page shown on the first page hereof.

Register of Deeds GEORGE E. TATUM
REGISTER OF DEEDS
CUMBERLAND COUNTY, N.C.

By: Robin Torres
Deputy/Assistant Register of Deeds