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EX8090PG0899

FILED
 CUMBERLAND COUNTY NC
 J. LEE WARREN, JR.
REGISTER OF DEEDS
 FILED Mar 06, 2009
 AT 08:37:00 am
 BOOK 08090
 START PAGE 0899
 END PAGE 0902
 INSTRUMENT # 07504
 RECORDING \$23.00
 EXCISE TAX (None)

KSJ

Return after recording to:

Hold

STATE OF NORTH CAROLINA
 COUNTY OF CUMBERLAND
 Reference:
 Deed Book: 7875
 Page: 811

**THIRD AMENDMENT TO THE
 DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
 FOR
 THE COTTAGES AT NORTH RAMSEY**

This Third Amendment to the Declaration of Covenants, Conditions and Restrictions for The Cottages at North Ramsey is made this 4th day of March, 2009 by North Ramsey Partners, LLC a North Carolina limited liability company (hereinafter referred to as the "Declarant").

WITNESSETH:

WHEREAS, The Cottages at North Ramsey (hereinafter the "Property") is a residential townhome development located in Cumberland County, North Carolina, created pursuant to that certain Declaration of Covenants, Conditions and Restrictions for The Cottages At North Ramsey, recorded on April 30, 2008 in Deed Book 7875, Page 811, Cumberland County, North Carolina Records (hereinafter, as amended, the "Declaration"); and

WHEREAS, Plats relating to the Property are respectively recorded in the Cumberland County, North Carolina Records as follows:

<u>Phase</u>	<u>Buildings</u>	<u>Plat</u>
Phase 1	1, 11	Plat Book 122, Page 95
Phase 2	14	Plat Book 123, Page 27
Phase 3	12, 13	Plat Book 123, Page 71
Phase 4	10	Plat Book <u>124</u> Page <u>21</u>

WHEREAS, by virtue of the recording of said Declaration, certain real property and improvements more particularly described therein, including twenty (20) townhome Lots within Buildings 1,11,12,13 and 14 have been submitted to the townhome development known as The Cottages at North Ramsey and to the jurisdiction of The Cottages at North Ramsey Homeowners Association, Inc. (hereinafter, the "Association"); and

WHEREAS, pursuant to Section 9 of the Declaration, the Declarant has the unilateral right and option, to be exercised in its sole discretion, to submit all or any portion of the Additional Property (as described in the Declaration) to the terms of the Declaration by adopting and recording an amendment to the Declaration; and

WHEREAS, pursuant to Section 9 of the Declaration, such an amendment does not require the consent of the Owners of Lots in the Property; and

WHEREAS, Declarant wishes to exercise its option to submit to the provisions of the Declaration a portion of the Additional Property more particularly described on **Exhibit "A"** attached hereto and by this reference made a part hereof, together with the four (4) townhome Lots and other improvements located within Building 10 thereon (hereinafter, the "Submitted Property") and to thereby cause the Submitted Property to become part of the Property;

NOW, THEREFORE, the Declarant hereby amends the Declaration in the following respects for the purpose of submitting the Submitted Property to the Declaration and to the jurisdiction of the Association:

1. Declarant hereby declares that the Submitted Property is hereby submitted to and made subject to the Declaration. The Submitted Property shall, from and after the date of recordation of this Amendment, be owned, held, transferred, sold, conveyed, used, occupied and mortgaged or otherwise encumbered subject to the provisions of the the Declaration, and every grantee of every interest in the Submitted Property, by acceptance of a deed or other conveyance of such interest, whether or not such deed or other conveyance is expressly made subject to the provisions of the Declaration, and whether or not such grantee shall consent thereto in writing, shall take such interest subject to the provisions of the Declaration and shall be deemed to have consented to the same. From and after the filing of this Amendment in the Cumberland County, North Carolina Records, the "Property", as such term is defined by and described in the Declaration, shall include the Submitted Property and the term "Lot" as used therein shall refer to and include the Lots located on the Submitted Property.

2. Pursuant to Section 5 of the Declaration, each Lot in the Property, including the Lots located on the Submitted Property, are hereby allocated a vote equal in weight to each other Lot in the Property.

3. Except as modified hereinabove, the Declaration shall remain in full force and effect and shall, from and after the effective date hereof, apply to the Submitted Property. This Amendment shall be effective upon its filing for record in the Public Records of Cumberland County, North Carolina and shall be binding upon and inure to the benefit of all Owners of Lots in the Property and their respective heirs, executors, administrators, legal representatives, successors and assigns.

IN WITNESS WHEREOF, the undersigned has executed this instrument under seal this 4th day of March, 2009.

Signed, sealed and delivered
in the presence of:

NORTH RAMSEY PARTNERS, LLC, a
North Carolina limited liability company

By: Pat McKee (SEAL)
Pat McKee,
Managing Member

Witness

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

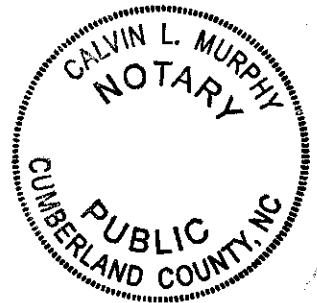
I, Calvin L. Murphy, a Notary Public for the above County and State do hereby certify that Patrick McKee personally appeared before me this day and acknowledged that he/she is the Managing Member of NORTH RAMSEY PARTNERS, LLC, being authorized to do so, executed the foregoing on behalf of the corporation

Witness my hand and official seal, this 4th day of March 2009.

Calvin L. Murphy
Notary Public, State of North Carolina

My Commission Expires: Oct 18, 2012

[Notary Seal]



(N.P. SEAL)

EXHIBIT "A"

SUBMITTED PROPERTY

NORTH CAROLINA -- CUMBERLAND COUNTY
CARVERS CREEK TOWNSHIP
Property of
NORTH RAMSEY PARTNERS, LLC
THE COTTAGES AT NORTH RAMSEY
PHASE 4

The following described tract of land lies on the western side of US Highway 401 North (Ramsey Street), being a portion of the lands of North Ramsey Partners, LLC, as described in a deed recorded in Deed Book 7690, Page 835 and shown on a map recorded in Plat Book 121, Page 88 of the Cumberland County, North Carolina Registry.

Beginning at an existing iron rod, the southwest corner of the lands of South River EMC recorded in Deed Book 5964, Page 322 and in Plat Book 108, Page 65, also being the southeast corner of the lands of Tonya Strickland, Trustee recorded in Deed Book 5821, Page 764 and in Plat Book 104, Page 4 of the Cumberland County Registry, thence with the southern line of said South River EMC S 41°14'36" E 65.28 feet to an iron rod set; thence leaving the line of said South River EMC S 48°46'23" W 219.26 feet to an iron rod set in the northern right of way margin of Nandina Court (40' wide right of way – private street); thence with said northern margin, S 41°13'37" E, 675.49 feet to an existing iron rod, being the northwest corner of The Cottages at North Ramsey-Phase 2, recorded in Plat Book 123, Page 27 of the Cumberland County Registry; thence crossing Nandina Court S 48°46'23" W, 40.00 feet to an existing iron rod in the southern right of way margin of Nandina Court; thence with the southern margin of Nandina Court N 41°13'37" W, 873.20 feet an iron rod set at the P.C. of a curve; thence with the right-of-way margin of the cul-de-sac at the western end of Nandina Court, a tangent curve to the right having a radius of 50.00 feet, an arc distance of 230.39 feet (Chord Bearing and Distance of S 89°13'32" E, 74.31 feet) to an iron rod set at the P.R.C of a curve in the northern right-of-way margin of said Nandina Court; thence leaving said margin of Nandina Court N 48°46'23"E, 203.99 to an iron rod set in the southern line of the lands of Tonya Strickland, Trustee recorded in Deed Book 5821, Page 764 and in Plat Book 104, Page 4 of the Cumberland County Registry; thence with said southern lands of Tonya Strickland, Trustee S 41°14'51" E, 82.70 feet to the **Point of Beginning**, containing 1.69 acres, more or less.