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 CUMBERLAND COUNTY NC
 J. LEE WARREN, JR.
 REGISTER OF DEEDS

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SJB

Prepared By and Return To:
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**TWELFTH AMENDMENT TO THE
 DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
 FOR
 THE COTTAGES AT NORTH RAMSEY**

THIS TWELFTH AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE COTTAGES AT NORTH RAMSEY (this "Amendment") is made and entered into, as of the date set forth in the below notary acknowledgment, by **McKee Homes LLC**, a Delaware limited liability company (the "Declarant").

WITNESSETH:

WHEREAS, Transferor is the named "Declarant" (by transfer of Declarant rights) in that certain Declaration of Covenants, Conditions and Restrictions for The Cottages at North Ramsey recorded in Book 7875, Page 811, as amended by First Amendment recorded in Book 7975, Page 621, as amended by Second Amendment recorded in Book 7991, Page 268, as amended by Third Amendment recorded in Book 8090, Page 899, as amended by Fourth Amendment recorded in Book 8208, Page 803, as amended by Fifth Amendment recorded in Book 8343, Page 70, as amended by Sixth Amendment recorded in Book 8420, Page 429, as amended by Transfer of Declarant Rights recorded in Book 8487, Page 537, as amended by Seventh Amendment recorded in Book 8574, Page 820, as amended by Eighth Amendment in Book 8712, Page 246, as amended by Ninth Amendment in Book 8808, Page 692, as amended by Tenth Amendment in Book 9315, Page 623, as amended by Eleventh Amendment in Book 9816, Page 550, all Cumberland County, NC Registry (as amended, the "Declaration");

WHEREAS, it is noted that the Cottages at North Ramsey subdivision, which is governed by the terms of the Declaration (and which is generally referred to therein as the Property) has not achieved Buildout, as such term is defined in Section 1(e) thereof;

WHEREAS, pursuant to Section 3(b)(iv) of the Declaration, prior to Buildout, the Declarant reserved the unilateral right to dedicate, transfer or grant property easements for purposes reasonably necessary or useful for the property development, maintenance or operation of the Property;

WHEREAS, in addition, pursuant to Section 15(d) of the Declaration, the Declarant reserved the unilateral right to amend the Declaration if necessary to bring any provision into compliance with any government rule or regulation;

WHEREAS, the City of Fayetteville has required that a minimum three-foot (3') fire separation be created between the exterior perimeter walls of Townhomes constructed upon adjacent Lots;

WHEREAS, the Declarant desires to amend the Declaration to require such fire separation.

NOW, THEREFORE, pursuant to its rights as set forth in Sections 3(b)(iv) of 15(d), the Declarant hereby amends the Declaration as follows:

1. The above recitals are incorporated herein by reference;
2. It is hereby declared that there shall be a minimum three-foot (3') fire separation between the exterior perimeter walls of Townhomes constructed upon adjacent Lots; and a negative easement is hereby created around the exterior perimeter walls of any Townhome to provide for such minimum physical separation;
3. Except as modified hereinabove, the Declaration shall remain in full force and effect; and the terms and conditions of the Declaration are hereby ratified and reaffirmed in their entirety. This Amendment shall be effective upon its filing for record in the Cumberland County, NC Registry and shall be binding upon and inure to the benefit of all Owners of Lots and their respective heirs, executors, administrators, legal representatives, successors and assigns. All capitalized terms used herein, which are not expressly defined herein, shall have the meanings attributed to the in the Declaration.

[Signature Page Attached Hereto]

IN WITNESS WHEREOF, the undersigned Declarant has executed this Amendment as of the date set forth in the below notary acknowledgment

DECLARANT:

MCKEE HOMES LLC

By: *Patrick J. McKee*
Patrick J. McKee, Manager

STATE OF NORTH CAROLINA

COUNTY OF CUMBERLAND

I certify that the following person personally appeared before me this day, each acknowledging to me that he signed the foregoing document for the purpose stated therein and in the capacity indicated: Patrick J. McKee, as Manager of McKee Homes LLC, a Delaware limited liability company.

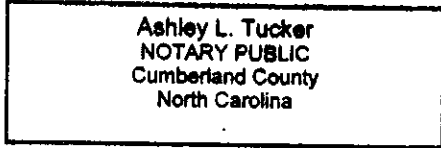
Date: January 23, 2017

Official Signature of Notary: *Ashley L. Tucker*

Notary's Printed Name: Ashley L. Tucker

My commission expires: June 8, 2021

[Affix Notary Seal or Stamp]



(N.P. SEAL)