

Register of Deeds  
Sharon A. Davis  
Durham County, NC

09/14/2023 08:54:48AM

BT: OPR B: 9984 P: 882 Pages: 2

AMD - AMENDMENT

Fee: \$26.00 Excise Tax: \$0

**INSTRUMENT #2023074095**

April Carrington

MAIL AFTER RECORDING TO: J. Haydon Ellis  
Hutchens Law Firm LLP  
P.O. Box 2505  
Fayetteville, NC 28302

THIS INSTRUMENT WAS  
PREPARED BY: J. Haydon Ellis  
Hutchens Law Firm LLP

STATE OF NORTH CAROLINA

COUNTY OF DURHAM

**FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS FOR THE VIEW AT HIGHLAND SUBDIVISION**

**THIS FIRST AMENDMENT TO THE DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR THE VIEW AT HIGHLAND SUBDIVISION**  
(this "Amendment"), is made and entered into this 1<sup>th</sup> day of September, 2023, by Highland  
View 81, LLC, a Delaware limited liability company, hereinafter referred to as "Declarant" or  
"Developer."

**WITNESSETH**

**WHEREAS**, Declarant executed and caused to be recorded a certain Declaration of  
Covenants, Conditions and Restrictions For The View at Highland Subdivision as recorded in  
Book 9941, Page 632, Durham County Registry, North Carolina, (as amended, the "Declaration");  
and,

**WHEREAS**, pursuant to Article IX of the Declaration, Declarant has the authority to  
amend the Declaration; and,

**WHEREAS**, Declarant desires to amend the Declaration to alter certain duties and  
restrictions therein; and,

**WHEREAS**, pursuant to the Declaration, Declarant elects to modify and amend the  
Declaration as stated below.

**NOW, THEREFORE**, Declarant hereby amends the Declaration and declares that the  
property described therein shall be held, sold, conveyed, given, transferred, leased, occupied, and  
used subject to the Declaration and this Amendment as follows:

Article VII of the Declaration is hereby amended as follows:

**Section 24.** Above-ground propane tanks or similar storage tanks for liquified gas may be  
placed on any Lot provided that the location and size is approved by the Board of Directors. Any

Submitted electronically by "Hutchens Law Firm LLP"  
in compliance with North Carolina statutes governing recordable documents  
and the terms of the submitter agreement with the Durham County Register of Deeds.

such tank located on a Lot shall be screened from view of other Lots. In order to preserve the aesthetics of development, whether or not a tank is adequately concealed from public view shall be determined by the Board of Directors in its sole discretion.

All other terms of the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, this Declarant executes this First Amendment to the Declaration of Covenants, Conditions and Restrictions for the View at Highland Subdivision this the 12<sup>th</sup> day of September, 2023.

HIGHLAND VIEW 81, LLC

[Signature] (SEAL)

By: Patricia Sloan

Title: VP of Sales + Marketing

STATE OF North Carolina

COUNTY OF Wake

The undersigned, a Notary Public in and for said county and state, does hereby certify that Patricia Sloan, personally appeared before me this day in his or her capacity as VP of Sales + Marketing of HIGHLAND VIEW 81, LLC and acknowledged the due execution of the foregoing First Amendment to the Declaration of Covenants, Conditions and Restrictions for the View at Highland Subdivision and acknowledged that he/she had authority to sign on behalf of the principal in the capacity indicated above.

Witness my hand and notarial seal, this the 12 day of September, 2023.

ASHLEY NISONGER  
NOTARY PUBLIC  
Harnett County  
North Carolina  
(SEAL)  
My Commission Expires June 19, 2024

Ashley Nisonger  
Notary Public printed name

[Signature]  
Notary Public signature

My Commission expires: June 19, 2024

~~ASHLEY NISONGER  
NOTARY PUBLIC  
Harnett County  
North Carolina  
My Commission Expires June 19, 2024~~