

FILED

HOKE COUNTY NC

CAMILLE D. HURST

REGISTER OF DEEDS

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END PAGE 0394

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EXCISE TAX (None)

ELB

Prepared by and return to: F. Stuart Clarke, THORP AND CLARKE, P.A.
Post Office Box 670, Fayetteville, NC 28302

NORTH CAROLINA

HOKE COUNTY

**SECOND AMENDMENT TO
DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
FOR TURNBERRY, SECTION 1;
TURNBERRY SECTION 1, PART 1;
SECTION 1, PART 2; SECTION 1, PART
3; AND SECTION 1, PART 4**

**THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS OF TURNBERRY, SECTION ONE, TURNBERRY SECTION 1, PART
1, TURNBERRY SECTION 1, PART 2, TURNBERRY SECTION 1, PART 3, and
TURNBERRY SECTION 1, PART 4 entered into this the 28th day of August, 2013, by
FLOYD PROPERTIES AND DEVELOPMENT, INC., hereinafter referred to as "Declarant"**

WITNESSETH:

WHEREAS, pursuant to Article IX of the original Declaration of Covenants, Conditions and
Restrictions of Turnberry, Section One Subdivision recorded in Book 977, Page 547, Hoke County
Registry, Floyd Properties and Development, Inc. has authority to amend said Covenants, Conditions
and Restrictions of Turnberry subdivision;

NOW THEREFORE, Declarant does hereby amend said Declaration of Covenants,
Conditions and Restrictions of Turnberry subdivision, Section One, Turnberry Section 1, Part 1,
Section 1, Part 2, Section 1, Part 3 and Section 1, Part 4 by deleting Article III, Section 3 in its
entirety and substituting therefor the following:

"Section 3. Set Back Requirements. There shall be no structure on any of the designated
single-family lots within twenty five (25) feet of the street on which the lot fronts. There shall be
no structure on any of the Lots less than ten (10) feet of the interior side lines of the lot and not less
than twenty five (25) feet from any side street, or within the setback areas provided in the provisions
of the Hoke County ordinance, whichever is more restrictive, as amended. There shall be no
structure on any of the Lots closer than twenty (20) feet to rear line on peripheral lots or closer than
twenty five (25) feet to the rear of any single-family interior lot. For the purposes of this covenant,
eaves, steps and overhangs shall not be considered as a part of the structure, provided however, that
this shall not be construed to permit any portion of an improvement on a lot to encroach upon
another lot. Outbuildings, as permitted in Section 2 above, may be erected or placed no closer than

five (5') feet to the side and rear lot line of lot. When consistent with the Zoning Ordinance, the building line set-back as provided for in this Paragraph may be varied by as much as ten (10) percent with the express written consent of Floyd Properties and Development, Inc., which said consent document need not be of record in the Office of the Register of Deeds, Hoke County, North Carolina, so long as Floyd Properties and Development, Inc. has authority herein to amend these covenants."

Except as specifically amended herein, the original Declaration of Covenants, Conditions and Restrictions for Turnberry, Section One Subdivision, recorded in Book 977, Page 547, Hoke County, NC Registry, and all amendments thereto shall remain in full force and effect as written.

IN WITNESS WHEREOF, FLOYD PROPERTIES AND DEVELOPMENT, INC., the Declarant has caused this Amendment to Covenants, Conditions and Restrictions of Turnberry, Section One Subdivision to be signed this 28th day of August, 2013.

FLOYD PROPERTIES AND DEVELOPMENT, INC.

By: Gregory W. Floyd
Name: Gregory W. Floyd
Title: Vice President

NORTH CAROLINA
CUMBERLAND COUNTY

I, Vanessa King Sautterland, the undersigned Notary Public of the County and State aforesaid, certify that Gregory W. Floyd, personally came before me this day and acknowledged that he is the Vice President of **FLOYD PROPERTIES AND DEVELOPMENT, INC.**, a North Carolina corporation, and that by authority duly given and as an act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed.

Witness my hand and notarial stamp or seal this the 28th day of August, 2013.

My Commission expires:

11/29/2013

Vanessa King Sautterland
Notary Public

