

Matthew S. Willis Register of Deeds
Harnett County, NC
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FIFTH AMENDMENT OF
DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS OF
FOREST OAKS SUBDIVISION, PHASES 4A & 4B

Prepared by/return to:
Rebecca F. Person
Person & Lee PLLC
231 Fairway Drive
Fayetteville, NC 28305

THIS FIFTH AMENDMENT OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF FOREST OAKS SUBDIVISION, PHASES 4A & 4B (this "Amendment") is made and entered into this 19th day of December, 2023 by WOODSHIRE PARTNERS, LLC, a North Carolina limited liability company, hereinafter referred to as "Declarant":

WITNESSETH:

Declarant executed and caused to be recorded a certain Declaration of Covenants, Conditions, and Restrictions for Forest Oaks Subdivision, Phases 4A & B in Book 3021, Page 877, of the Harnett County, NC, Registry. The terms of said document were amended by: (i) First Amendment to Declaration of Covenants and Restrictions recorded in Book 3064, Page 704; (ii) Second Amendment to Declaration of Covenants and Restrictions in Book 3082, Page 338; (iii) Supplemental & Amended Declaration of Covenants in Book 3761, Page 76; and (iv) Fourth Supplemental & Amended Declaration of Covenants in Book 3829, Page 578; all of the Harnett County Registry. The Declaration of Covenants, Conditions, and Restrictions for Forest Oaks Subdivision, Phases 4A & B, as amended, is referred to as the "Declaration".

The Declaration provides that as long as Declarant owns any Lot within the subdivision, Declarant shall have the right and ability to amend the Declaration unilaterally. Declarant owns

the properties described on Exhibit B and desires to amend the Declaration as set forth below.

NOW, THEREFORE, in consideration of the premises, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Declarant hereby expressly declares that the Declaration is amended as follows:

Section 1.11 is deleted and in lieu thereof the following is substituted:

Section 1.11 "Common Areas" shall mean all the real estate (including retention ponds, storm drainage improvements, entrance signage, streets (including any dedicated streets prior to their acceptance for public maintenance) and all landscaping, sidewalks, and other improvements thereof) owned by the Association for the common use and enjoyment of the Owners. Common Areas shall include, but not be limited to "COS", "Open Space", "Alley (Private)", "Common Area" or reserved as an access drive or private street. Common Areas shall include the real properties described on Exhibit B attached hereto and incorporated herein by this reference.

Except as amended hereby, the Declaration shall continue and remain in full force and effect in accordance with its terms. From and after the date hereof, all references to the Declaration shall mean and refer to the Declaration, as amended hereby.

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY; SIGNATURE PAGE(S) TO FOLLOW.]

IN WITNESS WHEREOF, Declarant has set its hand and seal effective the day and year first above written.

WOODSHIRE PARTNERS, LLC

By: [Signature]
Name: Watson G. Caviness
Title: Manager

NORTH CAROLINA
CUMBERLAND COUNTY

I certify that the following person(s) personally appeared before me this day and acknowledged to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Name of Principal: Watson G. Caviness

Date: 12/19/2023

[Signature]
Notary Public

Shannon C. McNeill
Printed or Typed Name of Notary Public

My commission expires: 6/9/2025

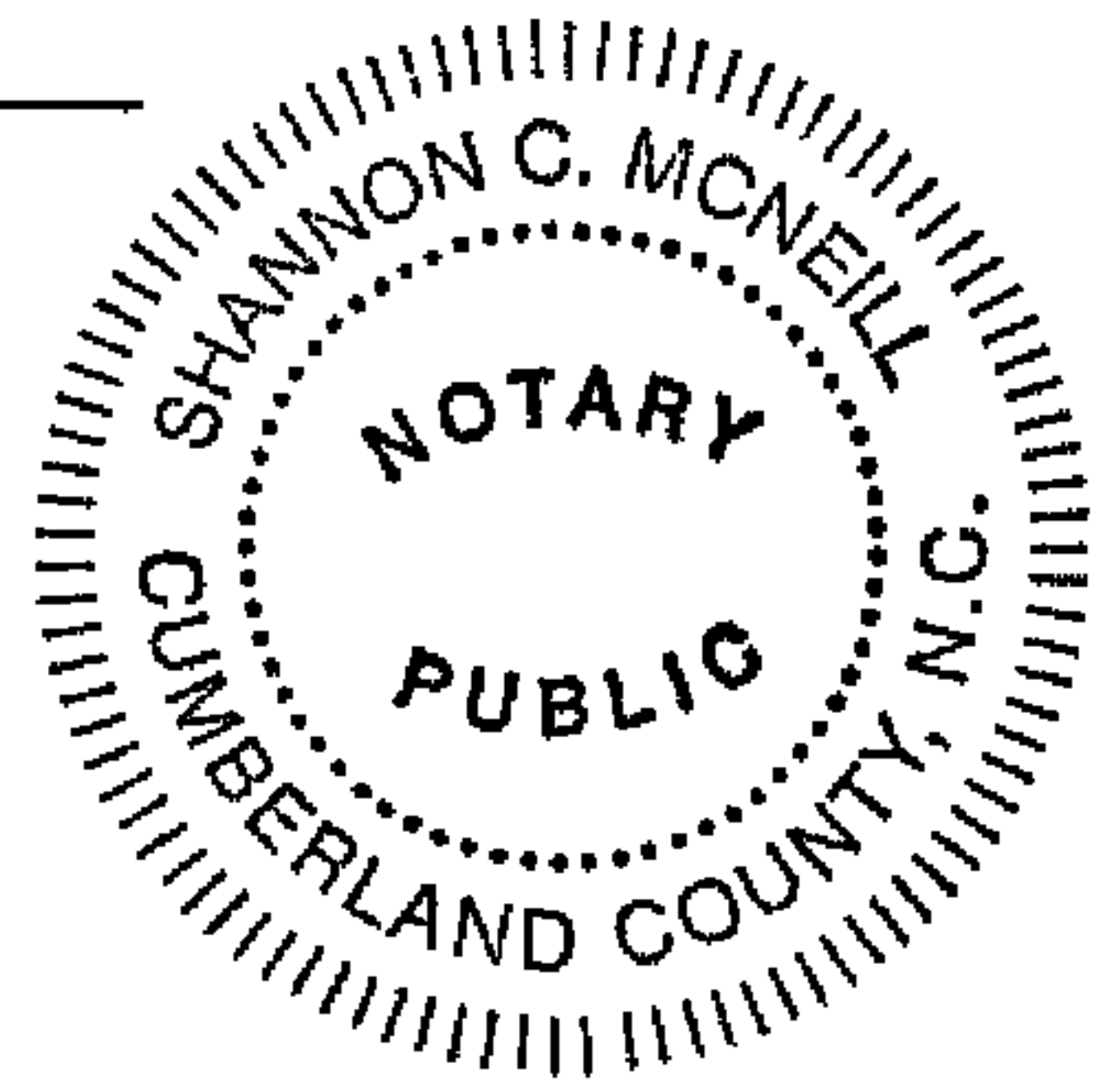


EXHIBIT A
[Legal Descriptions]

TRACT ONE:
PIN: 0506-95-6229.000

BEING ALL of Lot 26, consisting of 1.06 acres, more or less, as shown on plat entitled "Lot Recombination Lot 26 & 27 Forest Oaks Survey For: Woodshire Partners LLC" duly recorded in Map Book 2013, Page 288, of the Harnett County, NC, Registry.

For history of title see deed recorded in Book 2596, Page 404, of the aforesaid Registry.

TRACT TWO:
PIN: 0516-04-6948.000

BEING ALL of Lot 101, consisting of 0.943 acres, more or less, as shown on plat entitled "Lot Recombination & Septic Easements Survey for: Revision Forest Oaks Phase One & Two" duly recorded in Map Book 2006, Page 1042, of the Harnett County, NC, Registry.

For history of title see deed recorded in Book 2590, Page 362, of the aforesaid Registry.

TRACT THREE:
PIN: 0516-05-2074.000

BEING ALL of Lot 104, consisting of 0.868 acres, more or less, as shown on plat entitled "Lot Recombination Survey- Lots – 104 & 105 – Forest Oaks S/D, Phases 1 & 2 Survey for :H & H Constructors, Inc." duly recorded in Map Book 2007, Page 743, of the Harnett County, NC, Registry.

For history of title see deed recorded in Book 2590, Page 362, of the aforesaid Registry.

TRACT FOUR:
PIN: 0516-05-1711.000

BEING ALL of Lot 208 as shown on plat entitled "Lot Recombination Lots 208 & 209, Lots 210 & 211 Survey for: Woodshire Partners, LLC" duly recorded in Map Book 2013, Page 289, of the Harnett County Registry.

For history of title see deeds recorded in Book 2435, Page 876 and deed from H&H Constructors, Inc. to Grantor recorded prior to this deed.

TRACT FIVE:
PIN: 0506-95-9610.000

BEING ALL OF Lot 210 as shown on plat entitled ""Lot Recombination Lots 208 & 209, Lots 210 & 211 Survey for: Woodshire Partners, LLC"" duly recorded in Map Book 2013, Page 289, of the Harnett County Registry.

TRACT SIX:

PIN: 0516-05-6331.000

BEING THAT certain lot on the eastern margin of Basket Oak Drive, north of Lot 103, and southwest of Lot 112 of Forest Oaks subdivision and labeled "THIS LOT CANNOT BE USED FOR BUILDING. SEPTIC EASEMENT LOT 100 AS SHOWN ON MAP NO. 2004-1042" duly recorded in map entitled "Survey for Forest Oaks Phase Three" in Map Book 2007, Page 847, of the Harnett County Registry.

For history of title see deed recorded in Book 2315, Page 105, of the aforesaid Registry.

TRACT SEVEN:

PIN: 0506-98-9081.000

BEING ALL of that certain 10.79 acre tract labeled "OS" [Open Space] on plats entitled "FOREST OAKS SUBDIVISION PHASE FIVE SECTION ONE" duly recorded in Map Book 2017, Pages 314 through 317, of the Harnett County Registry.

For history of title see deed recorded in Book 3446, Page 969, of the aforesaid Registry.

All of the above-described properties are being conveyed subject to the terms and provisions of that certain Declaration of Covenants, Conditions, and Restrictions for Forest Oaks Subdivision, Phases 4A & B in Book 3021, Page 877, of the Harnett County, NC, Registry, as amended by: (i) First Amendment to Declaration of Covenants and Restrictions recorded in Book 3064, Page 704; (ii) Second Amendment to Declaration of Covenants and Restrictions in Book 3082, Page 338; (iii) Supplemental & Amended Declaration of Covenants in Book 3761, Page 76; (iv) Fourth Supplemental & Amended Declaration of Covenants in Book 3829, Page 578; and (v) Fifth Amendment to Covenants, Conditions and Restrictions recorded of even date herewith.