

For Registration Register of Deeds
Judy D. Martin

Moore County, NC

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Book: 4953 Page: 241 - 245 #Pages: 5

Fee: \$26.00 NC Rev Stamp: \$0.00

Instrument # 2018003823

Drafted by: John M. May, Robbins May & Rich LLP, 120 Applecross Road, Pinehurst, NC 28374

**FOURTH AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
VILLAGES AT THE CAROLINA**

This Fourth Amendment to Declaration of Covenants, Conditions and Restrictions for Villages at the Carolina (the "Amendment") is made this the 19th day of March, 2018 by Caropine Ventures, LLC (hereinafter the "Declarant").

WITNESSETH:

WHEREAS, Declarant caused to be filed the Declaration of Covenants, Conditions and Restrictions for Villages at the Carolina which was executed March 2, 2016 and was recorded on March 3, 2016 in Book 4613, Page 181, of the Moore County Registry (the "Declaration"); and

WHEREAS, Declarant caused to be recorded a First Amendment to the Declaration in Book 4681, at Page 162 of the Moore County Registry (the "First Amendment"); and,

WHEREAS, Declarant caused to be recorded a Second Amendment to the Declaration in Book 4718, at Page 305 of the Moore County Registry (the "Second Amendment"); and,

WHEREAS, Declarant caused to be recorded a Third Amendment to the Declaration in Book 4848, at Page 2 of the Moore County Registry (the "Third Amendment"); and,

WHEREAS, pursuant to Article II, Section 2 of the Declaration, the Declarant has the unilateral right to subject additional property developed by Declarant to the Declarant without the consent of the lot owners or the POA.

NOW, THEREFORE, Declarant hereby supplements and amends the Declaration as follows:

1. Those Lots or Tracts of land described in Exhibit A attached hereto are herewith made subject to the provisions of the Declaration including but not limited to the provision of Article III, Section 6 relating to the minimum heated living space; said Declaration, as amended herein, shall run with title to the Lots and shall be binding on the Declarant and on Declarant's successor in title to said Lots.

2. In all other respects, the terms and conditions of the Declaration as herein referenced shall continue to be in full force and effect, including but not limited to the application of the Declaration as amended to the property described in paragraph 1 above.

[The Remainder of this Page Intentionally Left Blank]

IN WITNESS WHEREOF, the undersigned being the Declarant herein, have caused this instrument to be executed by its Manager under seal, the day and year first above written.

CAROPINE VENTURES, LLC

By:  (SEAL)

Name: Perry Shelley

Title: Manager/Authorized Representative

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

I, Susan M. Llanos, a Notary Public of the County and State aforesaid, certify that **Perry Shelley**, Authorized Representative, personally appeared before me this day and acknowledged that he is Manager of **Caropine Ventures, LLC**, a North Carolina limited liability company and that, by authority duly given, and as the act of said company, said person executed the foregoing instrument on behalf of said company.

WITNESS my hand and notarial seal, this 20th day of March, 2018.


Notary Public

Susan M. Llanos
Printed Name of Notary Public

My Commission Expires: August 20, 2020

[Affix Notary Seal – Must be Fully Legible]

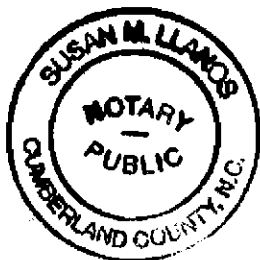


Exhibit "A"

Being all of Lots 8, 9, 10, 11 and 12, as shown on a map entitled "Final Plat of Lots 8-12, Caropines Phase 1, McNeill Township, Moore County," dated November, 2017, drawn from an actual survey by Green Land Surveying, PLLC, and recorded in Plat Cabinet 17, Slide 647, Moore County Registry, reference to which is hereby made.

CONSENT OF BENEFICIARY

Branch Banking and Trust Company, being the Beneficiary under that certain North Carolina Deed of Trust and Security Agreement from Caropine Ventures, LLC, to BB&T Collateral Service Corporation, Trustee, and recorded in Book 4851, Page 257, Moore County Registry, securing up to \$2,860,000.00 (the "Deed of Trust"), does hereby consent to the recordation of the Declaration of Covenants, Conditions and Restrictions for the Villages at the Carolina (the "Declaration"), and said Beneficiary does hereby subordinate the lien and operation of the Deed of Trust to the provisions of the Declaration and further agrees that from and after this date, the provisions of the Declaration including all exhibits, attachments and amendments thereto, shall be superior to the lien of said Deed of Trust as if the Declaration had been recorded prior to the Deed of Trust. Said Beneficiary executes this Consent of Beneficiary solely for the purposes set forth herein.

Declarant expressly agrees and acknowledges that the rights and privileges reserved to Declarant under the Declaration are expressly subject to the Collateral Assignment of Declarant's Rights, Contracts and Permits Caropines (the "Assignment") recorded in Book 4852, Page 526 in the Office of the Register of Deeds of Moore County, North Carolina and, to the extent necessary, collaterally conveys such rights to Beneficiary subject to the terms of such Assignment.

IN WITNESS WHEREOF, the undersigned has caused this Consent to be executed as of the date set forth in the below notary acknowledgment.

BRANCH BANKING AND TRUST COMPANY

By: *Robert O. Spicer, Jr.*
 Name: Robert O. Spicer, Jr.
 Title: Senior Vice President

STATE OF NORTH CAROLINA, COUNTY OF CUMBERLAND

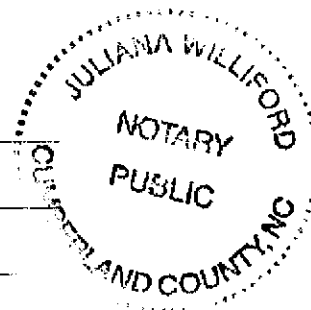
I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document for the purpose stated therein and in the capacity indicated: Robert O Spicer Jr (Name) as Senior Vice President (Title) of Branch Banking and Trust Company, a North Carolina banking corporation.

Date: 3-19-2018

Official Signature of Notary: *Juliana Williford*

Notary's Printed Name: Juliana Williford

My commission expires: 2-19-2023



(Affix Notary Stamp)