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 Franklin County North Carolina
 Linda H. Stone Register of Deeds

BK **1529** PG **247-248**

By: Linda S. Marshall
 Deputy
 1/24/06

SECOND AMENDMENT TO THE NORTH PASTURES SUBDIVISION RESTRICTIVE COVENANTS

THIS SECOND AMENDMENT TO THE NORTH PASTURES SUBDIVISION is made this 27 day of January, 2006, by the North Pastures Subdivision Property Owners Association (the "**Association**"), an unincorporated association of the owners of the lots (the "**Lots**") shown on the plat of "**North Pastures Subdivision**" of record in Plat Record File #2, Slide 170-A, in the office of the Franklin County Register of Deeds (the "**Plat**").

Background and Purpose

A. By instrument captioned "**North Pastures Subdivision Restrictive Covenants**," dated February 6, 1986, and recorded in Book 857, Page 292, in the office of the Franklin County Register of Deeds, (the "**Restrictive Covenants**"), W.B. Robertson and wife, Dorothy B. Robertson, imposed restriction on the land comprising Lots 1 through 36 depicted on the Plat (the "**Subdivision**") and created the Association.

B. The Restrictive Covenants provide that the Association may make changes to the Restrictive Covenants if approved by a two-thirds majority vote of the owners of Lots in the Subdivision at a special meeting of the Association convened pursuant to notice given by the Board of Directors of the Association at least thirty (30) days prior to the date of the meeting.

C. On December 23, 2005, the Board of Directors of the Association mailed or hand-delivered a written notice to the owners of record of each of the Lots in the Subdivision, (i) giving notice of a special called meeting of the Association, and (ii) describing proposed the changes to the Restrictive Covenants to be considered at the meeting, as described below.

D. On January 27, 2006, the Association held its special meeting pursuant to the written notice, and the owners of at least two-thirds of the Lots voted in person or by written proxy, to approve the changes to the Restrictive Covenants as set forth in the First Amendment signed simultaneously herewith and as set forth below.

NOW, THEREFORE, in consideration of the premises and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledge, the Association, on behalf of all of its members, hereby amends the Restrictive Covenants as follows:

1. Lots 1, 2, 3, 4, 5, and 6 (the "Subject Lots") are hereby removed from any future paving assessments implemented by the Association.
2. Once the roads in the North Pastures Subdivision are paved, Lots 1-6 are hereby moved to the same status as lots A and B as outlined in the Restrictive Covenants. Consequently, after paving, Derby Lane will not be part of future maintenance issues or assessments.
3. Until such time as the Association proceeds with road paving, lots 1-6 will continue to pay base yearly road maintenance fees.
4. Except as expressly amended hereby, the Restrictive Covenants and the First Amendment are ratified and remain in full force and effect.

IN WITNESS WHEREOF, the Association has caused this Second Amendment to be executed by its duly authorized officer, as of the date first above written.

**NORTH PASTURES SUBDIVISION
PROPERTY OWNERS ASSOCIATION**

By: Shelton Scott Smith
Name: SHELTON SCOTT SMITH
Title: President

STATE OF NORTH CAROLINA

COUNTY OF FRANKLIN

I certify that the following person personally appeared before me this day, acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name of Principal: Shelton Scott Smith

Date: February 2, 2006

Official Signature of Notary: Linda L. Bruno

Notary's printed or typed name: Linda L. Bruno

My commission expires: 6/20/07

