

WAKE COUNTY, NC 121
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
08/12/2014 AT 13:31:07

BOOK:015749 PAGE:01432 - 01440

Prepared by and return to: Moore & Alphin, PLLC (Box 155)

STATE OF NORTH CAROLINA

COUNTY OF WAKE

**FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS,
AND RESTRICTIONS FOR SHEARON FARMS
TOWNHOMES II**

This First Amendment to Declaration Of Covenants, Conditions And Restrictions For Shearon Farms Townhomes II (this "Amendment") is made and entered into as of the date set forth in the notary acknowledgment on the following page, by **SHEARON FARMS DEVELOPMENT, LLC**, a North Carolina limited liability company, as "Declarant."

WITNESSETH:

WHEREAS, Shearon Farms Development, LLC is the Declarant under that certain Declaration Of Covenants, Conditions And Restrictions For Shearon Farms Townhomes II (the "Declaration") recorded in Book 14219, Page 2379, Wake County Registry; and

WHEREAS, the Declaration contains no provision assigning and restricting the use of parking spaces and, in the opinion of the Declarant, this is an obvious omission; and

WHEREAS, pursuant to Article XIV, Section 3 of the Declaration, Declarant wishes to amend the Declaration to assign certain parking spaces to individual Living Units in accordance with the plan attached to this Amendment as Exhibit A and the list attached as Exhibit B;

NOW, THEREFORE, pursuant to the provisions of Section 3 of Article XIV of the Declaration, Declarant hereby amends the Declaration as follows:

1. Article II, Section 1, subsection (g) is amended to read, "the right of the owners of each Living Unit to exclusively use that Living Unit's assigned Limited Townhome Common Element parking space, and of all Members to use Townhome Common Element parking spaces, as provided in Section 4 of this Article."
2. In Article II is added a Section 4, which is titled, "Use of Limited Townhome Common Elements." The section reads, "Each Living Unit is assigned a parking space as provided in the

attached Exhibit A. Those parking spaces which are assigned to the various Living Units shall be considered Limited Townhome Common Elements. Each assigned parking space shall contain a conspicuous marking on the pavement or on an adjacent sign, which the Association shall have an obligation to maintain in a reasonably readable state, indicating the unit to which it is assigned. An assigned parking space shall be solely for the use and enjoyment of the associated Living Unit's owner or that owner's guests or tenants as applicable. All spaces not specifically assigned to a Living Unit shall be considered Townhome Common Elements."

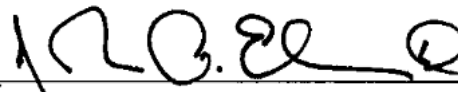
3. Article XIV, Section 1, is amended to read, "The Association, or any Owner, shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration. The Association shall have the specific authority to enforce Article II, Section 4 by towing or ordering the towing of improperly parked vehicles, in accordance with applicable municipal and state law. Failure by the Association or by any Owner to enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter."

4. Except as specifically amended herein, the Declaration shall remain and continue in full force and effect

IN WITNESS WHEREOF, Declarant has executed this Amendment as of the date set forth in the notary acknowledgment below.

DECLARANT:

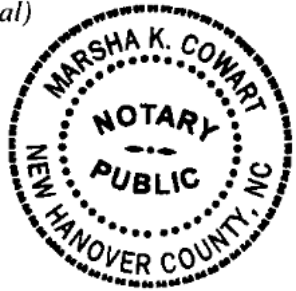
SHEARON FARMS DEVELOPMENT, LLC, a North Carolina limited liability company

By: 
John A. Elmore II
Member/Manager

STATE OF NORTH CAROLINA -- COUNTY OF NEW HANOVER:

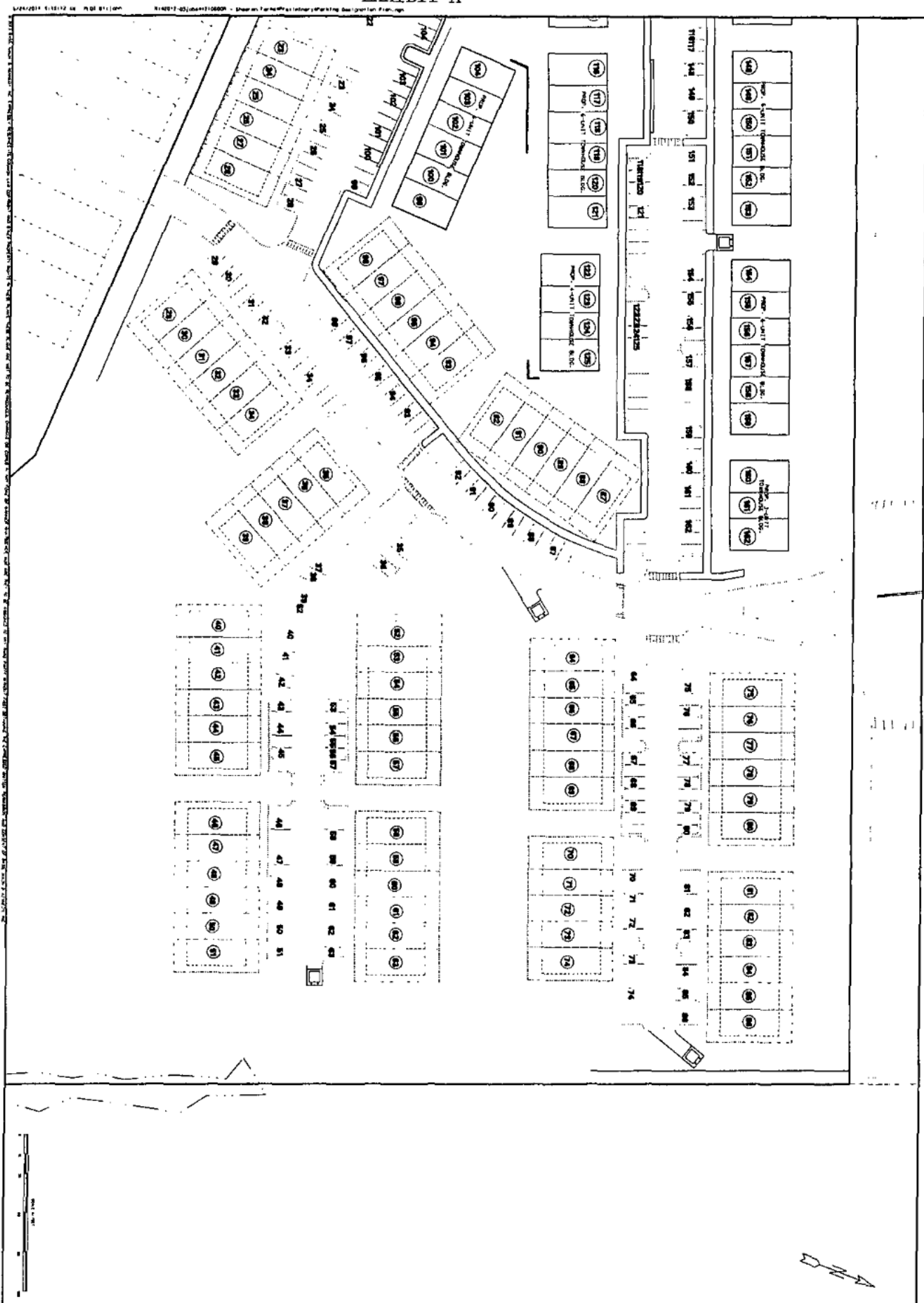
I certify that the following person personally appeared before me this day and acknowledged to me that he signed the foregoing document for the purposes stated therein and in the capacity indicated: John A. Elmore II

Date: 8-6-14
(Stamp or Seal)




Signature of Notary
Printed Name: Marsha K. Cowart
My commission expires: 5-25-2014

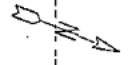
EXHIBIT A



SHEET OF	SHEARON FARMS TRACT #3	TOWN OF HARRISBORO WISCONSIN COUNTY NORTH CAROLINA	SHEET NO. 12	DATE 10/1/00	DRAWN BY JLN	PARKING DESIGNATION PLAN (EAST)		SHEET 12 OF 12			
						1	2	3	4	5	6
						SHEET 12 OF 12					

BASS, NIXON & KENNEDY, INC.
CONSULTING ENGINEERS
4015 CHAPEL HILL ROAD, SUITE 200, RALPHAH, NC 27607
TELEPHONE: (919) 481-4422 OR (919) 481-4478 FAX: (919) 481-4666
CERTIFICATION NUMBER: NCCE-10-0110; NCCE-10-0207

BNK



SHEET	SHEARON FARMS TRACT #3				APR 30, 1998	LADDER				BASS, NIXON & KENNEDY, INC. CONSULTING ENGINEERS 6915 CHAPEL HILL ROAD, SUITE 200, RALEIGH, NC 27617 TELEPHONE: (919) 841-4412 OR (919) 844-1275 FAX: (919) 841-4884 CERTIFICATION NUMBERS: NCSEA (C-9114); NCOLA (C-2884)
	TOWN OF WARE COUNTY WARE COUNTY NORTH CAROLINA				PARKING DESIGNATION PLAN (WEST)		3	1-4-1	COR AND TOWNS COMMENTS	
OF					3	1-4-1	TRAIN STOPPING ADDRESS		J.A.	
					3	1-4-1	DESCRIPTION		BY	
				SCALE: F' - F'						

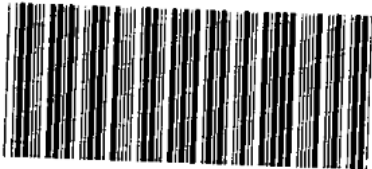
EXHIBIT B

Address	Parking Space Assignment
4300 Hillsgrove Rd.	1
4302 Hillsgrove Rd.	2
4304 Hillsgrove Rd.	3
4306 Hillsgrove Rd.	4
4308 Hillsgrove Rd.	5
4310 Hillsgrove Rd.	6
4400 Hillsgrove Rd.	7
4402 Hillsgrove Rd.	8
4404 Hillsgrove Rd.	9
4406 Hillsgrove Rd.	10
4408 Hillsgrove Rd.	11
4410 Hillsgrove Rd.	12
4412 Hillsgrove Rd.	13
4414 Hillsgrove Rd.	14
4416 Hillsgrove Rd.	15
4418 Hillsgrove Rd.	16
4420 Hillsgrove Rd.	17
4422 Hillsgrove Rd.	18
4424 Hillsgrove Rd.	19
4426 Hillsgrove Rd.	20
4428 Hillsgrove Rd.	21
4430 Hillsgrove Rd.	22
4432 Hillsgrove Rd.	23
4434 Hillsgrove Rd.	24
4436 Hillsgrove Rd.	25
4438 Hillsgrove Rd.	26
4440 Hillsgrove Rd.	27
4442 Hillsgrove Rd.	28
4434 Iyar Way	29
4436 Iyar Way	30
4438 Iyar Way	31
4440 Iyar Way	32
4442 Iyar Way	33
4444 Iyar Way	34
4500 Tarkiln Pl.	35
4502 Tarkiln Pl.	36
4504 Tarkiln Pl.	37
4506 Tarkiln Pl.	38
4508 Tarkiln Pl.	39
4510 Tarkiln Pl.	40
4512 Tarkiln Pl.	41
4514 Tarkiln Pl.	42
4516 Tarkiln Pl.	43
4518 Tarkiln Pl.	44
4520 Tarkiln Pl.	45
4522 Tarkiln Pl.	46

4524 Tarkiln Pl.	47
4526 Tarkiln Pl.	48
4528 Tarkiln Pl.	49
4530 Tarkiln Pl.	50
4532 Tarkiln Pl.	51
4501 Tarkiln Pl.	52
4503 Tarkiln Pl.	53
4505 Tarkiln Pl.	54
4507 Tarkiln Pl.	55
4509 Tarkiln Pl.	56
4511 Tarkiln Pl.	57
4513 Tarkiln Pl.	58
4515 Tarkiln Pl.	59
4517 Tarkiln Pl.	60
4519 Tarkiln Pl.	61
4521 Tarkiln Pl.	62
4523 Tarkiln Pl.	63
4500 Middletown Dr.	64
4502 Middletown Dr.	65
4504 Middletown Dr.	66
4506 Middletown Dr.	67
4508 Middletown Dr.	68
4510 Middletown Dr.	69
4512 Middletown Dr.	70
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4501 Middletown Dr.	75
4503 Middletown Dr.	76
4505 Middletown Dr.	77
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4509 Middletown Dr.	79
4511 Middletown Dr.	80
4513 Middletown Dr.	81
4515 Middletown Dr.	82
4517 Middletown Dr.	83
4519 Middletown Dr.	84
4521 Middletown Dr.	85
4523 Middletown Dr.	86
4447 Iyar Way	87
4445 Iyar Way	88
4443 Iyar Way	89
4441 Iyar Way	90
4439 Iyar Way	91
4437 Iyar Way	92
4435 Iyar Way	93

4433 Iyar Way	94
4431 Iyar Way	95
4429 Iyar Way	96
4427 Iyar Way	97
4425 Iyar Way	98
4459 Hillsgrove Rd.	99
4457 Hillsgrove Rd.	100
4455 Hillsgrove Rd.	101
4453 Hillsgrove Rd.	102
4451 Hillsgrove Rd.	103
4449 Hillsgrove Rd.	104
4458 Hillsgrove Rd.	105
4460 Middletown Dr.	106
4462 Middletown Dr.	107
4464 Middletown Dr.	108
4466 Middletown Dr.	109
4468 Middletown Dr.	110
4470 Middletown Dr.	111
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4443 Middletown Dr.	134
4445 Middletown Dr.	135
4447 Middletown Dr.	136
4449 Middletown Dr.	137
4451 Middletown Dr.	138
4453 Middletown Dr.	139
4455 Middletown Dr.	140

4457 Middletown Dr.	141
4459 Middletown Dr.	142
4461 Middletown Dr.	143
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4495 Middletown Dr.	160
4497 Middletown Dr.	161
4499 Middletown Dr.	162



**WAKE
COUNTY**
NORTH CAROLINA

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Please retain yellow trailer page

It is part of the recorded document and must be submitted with the original for re-recording.

**Laura M. Riddick
Register of Deeds**

Wake County Justice Center
300 South Salisbury Street, Suite 1700
Raleigh, NC 27601

- ☐ New Time Stamp
- ☐ \$25 Non-Standard Fee
- ☐ Additional Document Fee
- ☐ Additional Reference Fee

This Customer Group

____ # of Time Stamps Needed

This Document

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