

WAKE COUNTY, NC 197
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
10/01/2015 14:36:50

BOOK:016170 PAGE:01737 - 01740

FIRST AMENDMENT TO DECLARATION OF
COVENANTS, RESTRICTIONS AND EASEMENTS FOR FRYARS GATE

Prepared by and return to: Schell Bray PLLC, 100 Europa Drive, Suite 271, Chapel Hill, NC

This First Amendment to Declaration of Covenants, Restrictions and Easements for Fryars Gate ("Amendment") is made as of September 23, 2015, by LENNAR CAROLINAS, LLC, a Delaware limited liability company ("Declarant").

RECITALS

WHEREAS, Declarant previously recorded that certain Declaration of Covenants, Restrictions and Easements for Fryars Gate in Book 15471, Page 2164, Wake County Registry (the "Declaration") and that certain First Amendment to Declaration of Covenants, Restrictions and Easements for Fryars Gate (the "First Amendment") in Book __, Page, Wake County Registry;

WHEREAS, pursuant to Section 18.1 of the Declaration, Declarant may amend the Declaration at any time during the Declarant Control Period.

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

1. Defined Terms. Capitalized terms used in this Amendment and not otherwise defined shall have the meanings ascribed to them in the Declaration.
2. Amendment. Section 1.22 of the Declaration is hereby deleted and restated in its entirety as follows:

"1.22. "Declarant Control Period" means as any period of Declarant control of the Association, as provided in 3-103(d) of the Act and established in this Declaration. For purposes of this Declaration and other Governing Documents, "Declarant Control Period" refers to the period during which the Declarant shall have the right to control the Association and appoint all of the Board of Directors. The Declarant Control Period shall expire on first to occur of the following events:

1.22.1 January 1, 2025;

1.22.2 The later of 90 days or the annual meeting following the date on which all of the Units in all phases of the Community that may ultimately be subject to this Declaration have been conveyed to Class A Members; or

1.22.3 When the Declarant records a notice in the Registry expressly terminating its Class B membership.”

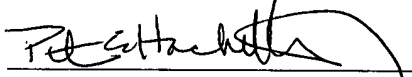
3. No Further Amendment. The Declaration, as amended herein, shall continue in full force and effect in accordance with its terms.

[signature page follows]

IN WITNESS WHEREOF, Declarant has executed this Amendment as of the date first above written.

DECLARANT:

LENNAR CAROLINAS, LLC

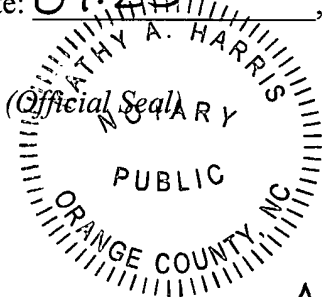
By: 
Name: Patricia E. Hanchette
Title: Division President and Vice President

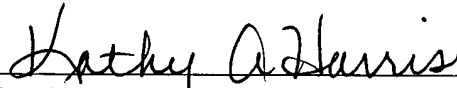
STATE OF NORTH CAROLINA

COUNTY OF WAKE

I certify that the following person personally appeared before me this day, acknowledging to me that s/he signed the foregoing document in the capacity herein indicated:
Patricia Hanchette.

Date: 09.23, 2015



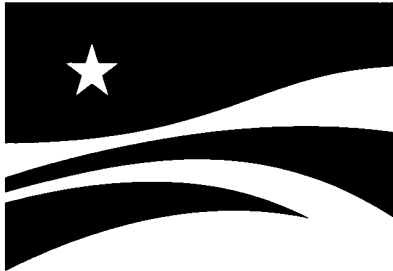

Official Signature of Notary

KATHY A HARRIS, Notary Public
Printed or typed name

My commission expires: 4.30.2018



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**WAKE
COUNTY**
NORTH CAROLINA

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

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