

BK7155PG0616

PRESENTED
FOR
REGISTRATION

Prepared by (except legal description) and mail to:
Savage and Godfrey, Attorneys at Law
(No title examination)

96 SEP 19 PM 3:14

NORTH CAROLINA
WAKE COUNTY

FIRST SUPPLEMENT-AMENDMENT OF
DECLARATION OF COVENANTS AND
RESTRICTIONS OF HOLLY GLEN HOMEOWNERS
ASSOCIATION

THIS SUPPLEMENT-AMENDMENT OF DECLARATION, made and effective
as of this 12 day of August, 1996, by AIR VEST, L.L.P., a
North Carolina Limited Liability Partnership, (hereinafter
"Developer");

W I T N E S S E T H :

WHEREAS, the Developer is the owner of the property described
in Exhibit A of this Amendment, said property being a portion of
the property included in the Declaration of Covenants and
Restrictions of The Holly Glen Homeowners Association as recorded
in Book 6464 page 346, Wake County Registry (hereinafter
"Declaration") by which the Developer subjected the property
described therein to certain covenants and restrictions; and

WHEREAS, the Developer desires to amend said Declaration so as
to delete the property described in Exhibit A attached hereto from
said Declaration and to thereby remove said property from the
operation of the Declaration; and

WHEREAS, the owners of two-thirds of the lots, the United
States Department of Housing and Urban Development (HUD), the
Veterans Administration (VA), and the Federal National Mortgage
Association (FNMA) have consented to this Amendment; and

WHEREAS, at a duly called meeting of the members of the Holly
Glen Homeowners Association, Inc., a quorum as defined in the
Declaration being present in person or by proxy, this Amendment was
unanimously approved;

NOW, THEREFORE, in consideration of the mutual promises and
benefits to the parties hereto and other valuable consideration
exchanged, the Developer declares that the Declaration of Covenants
and Restrictions of The Holly Glen Homeowners Association as
recorded in Book 6464 page 346, Wake County Registry is amended as
follows:

1. Exhibit A attached to said Declaration is amended to delete
the property described in Exhibit A attached hereto, and the
property described in Exhibit A attached hereto shall be deemed
free of the Declaration and the requirements, restrictions, and
obligations imposed therein as though never originally included in
said Declaration.

2. Except as specifically amended above, the Declaration remains unchanged and in full force and effect.

IN WITNESS WHEREOF, the Developer has caused this instrument to be executed as of the day and year first above written.

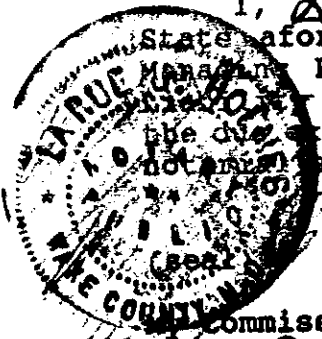
AIR VEST, L.L.P., a North Carolina Limited Liability Partnership

By: [Signature] (SEAL)
Managing Partner

(As Developer and as owner of lots: 20, 36, 37, 40, 42, 48, 49, 56, 57, 63, 71, 211, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266)

NORTH CAROLINA
WAKE COUNTY

I, La Rue J. Holmes, a Notary Public of the County and State aforesaid certify that Harvey S. Montague, Managing Partner of Air Vest, L.L.P., a North Carolina Limited Liability Partnership appeared before me this day and acknowledged the execution of the foregoing instrument. WITNESS my hand and notary seal this the 12th day of August, 1996.



La Rue J. Holmes
Notary Public

Commission Expires:

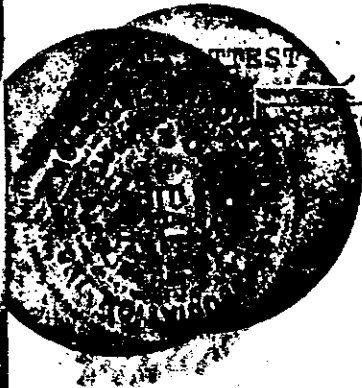
June 14, 2001

CONSENTED TO:

(CORPORATE SEAL)

HOLLY GLEN HOMEOWNERS ASSOCIATION, INC.

BY: Willie S. Glen President

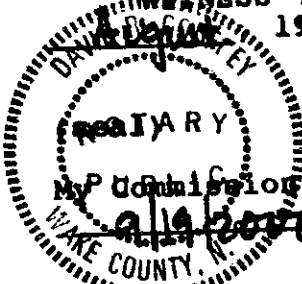


[Signature]
Secretary

NORTH CAROLINA
WAKE COUNTY

I, a Notary Public of the County and State aforesaid do hereby certify that Noah K. Duncan personally appeared before me this day and acknowledged that he is _____ Secretary of Holly Glen Homeowners Association, Inc., a North Carolina Corporation, and that by the authority duly given and as an act of the corporation the foregoing instrument was signed in its name by its _____ President, sealed with its corporate seal and attested by him as its _____ Secretary.

WITNESS my hand and notarial seal this the 19 day of _____, 1996.



My Commission Expires: 9/19/2000

NORTH CAROLINA
WAKE COUNTY

D. P. G. H.
Notary Public

I, a Notary Public of the County and State aforesaid do hereby certify that _____ personally appeared before me this day and acknowledged that _____ he is _____ Secretary of _____, a North Carolina Corporation, and that by the authority duly given and as an act of the corporation the foregoing instrument was signed in its name by its _____ President, sealed with its corporate seal and attested by _____ as its _____ Secretary.

WITNESS my hand and notarial seal this the _____ day of _____, 19____.

(seal)

Notary Public

My Commission Expires: _____

LGT # 65,233

[illegible]

NORTH CAROLINA
WAKE COUNTY

I, the undersigned notary public, certify that Robert V. Godbold
personally appeared before me this day and acknowledged the
execution of the foregoing instrument.

Witness my hand and official stamp or seal this 16 day of
August, 1996.

(seal)

My commission Expires: 5-30-2001

Barbara Uno
Notary Public

NORTH CAROLINA
WAKE COUNTY

I, the undersigned notary public, certify that James B. Godbold
personally appeared before me this day and acknowledged the
execution of the foregoing instrument.

Witness my hand and official stamp or seal this 16 day of
August, 1996.

(seal)

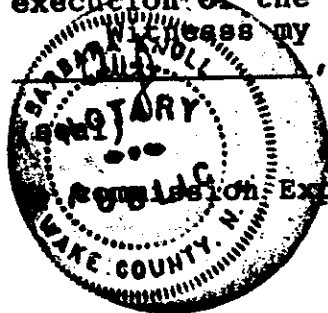
My commission Expires: 5-30-2001

Barbara Uno
Notary Public

NORTH CAROLINA
WAKE COUNTY

I, the undersigned notary public, certify that Robert V. Godbold
and James B. Godbold
personally appeared before me this day and acknowledged the
execution of the foregoing instrument.

Witness my hand and official stamp or seal this 16 day of
August, 1996.



Commission Expires: 5-30-2001

Barbara Uno
Notary Public

HARVEY L. MONTAGUE (seal)

TEXANA J. [unclear] (seal)

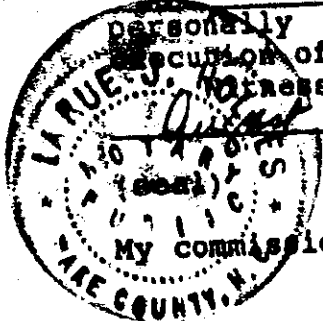
[illegible]

NORTH CAROLINA
WAKE COUNTY

I, the undersigned notary public, certify that _____

Barry J. Montague
personally appeared before me this day and acknowledged the
execution of the foregoing instrument.

Witness my hand and official stamp or seal this 15th day of
_____, 1996.



My commission Expires: 6-14-2001

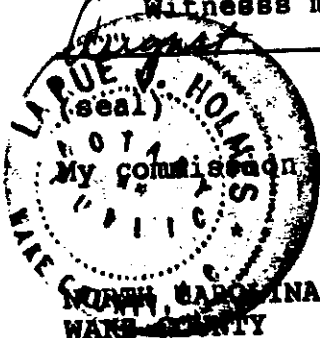
La Rue J. Holman
Notary Public

NORTH CAROLINA
WAKE COUNTY

I, the undersigned notary public, certify that _____

Jessanna J. Montague
personally appeared before me this day and acknowledged the
execution of the foregoing instrument.

Witness my hand and official stamp or seal this 15th day of
_____, 1996.



My commission Expires: 6-14-2001

La Rue J. Holman
Notary Public

I, the undersigned notary public, certify that _____

personally appeared before me this day and acknowledged the
execution of the foregoing instrument.

Witness my hand and official stamp or seal this _____ day of
_____, 1996.

(seal)

My commission Expires: _____

Notary Public

LOT # 44, 45, 59, 60, 67, 227, 238

Helen W Swartz P

Kevin R Swartz (seal) KEVIN R SWARTZ PWA (seal)

KEVIN R SWARTZ (seal) HELEN W SWARTZ (seal)

_____ (seal) _____ (seal)

_____ (seal) _____ (seal)

_____ (seal) _____ (seal)

_____ (seal) _____ (seal)

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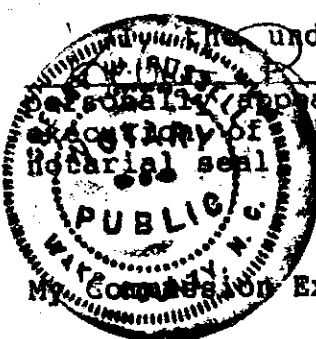
_____ (seal) _____ (seal)

_____ (seal) _____ (seal)

_____ (seal) _____ (seal)

BK7155PG0624

STATE OF NORTH CAROLINA
COUNTY OF WAKE

The undersigned Notary Public, do hereby certify that R. S. Smith personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial seal, this the 20 day of August, 1996.
Notary Public
My Commission Expires: 2/7/98

STATE OF NORTH CAROLINA
COUNTY OF WAKE

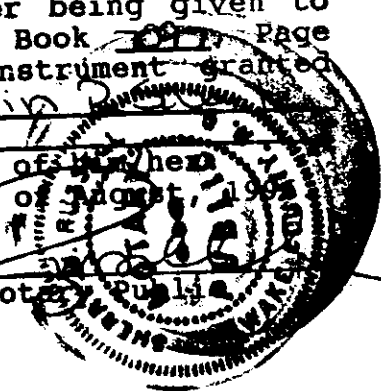
I, the undersigned Notary Public, do hereby certify that
personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial seal, this the ___ day of _____, 1996.

Notary Public

My Commission Expires:

NORTH CAROLINA
WAKE COUNTY

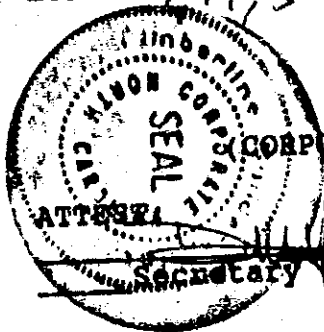
I, a Notary Public of the County and State aforesaid do hereby certify that Kevin R. Swartz, attorney in fact for Helen W. Swartz personally appeared before me this day and being by me duly sworn says that he executed the foregoing instrument for and on behalf of Helen W. Swartz such power being given to him/her through power of attorney recorded in Book 101, Page 322, Wake County Registry, and that this instrument granted him/her power of attorney that the said Kevin R. Swartz attorney in fact for Helen W. Swartz acknowledged the due execution of and in behalf of Helen W. Swartz WITNESS my hand and notarial seal, this 20 day of August, 1996.
My Commission Expires: 2/7/98

The seal is circular with the text "Helen W. Swartz" around the top and "Notary Public" around the bottom. In the center, it says "WAKE COUNTY, N.C.". There is a signature over the seal.

BK 7155PG0625

TIMBERLINE BUILDERS, INC.

LOT # 9 14, 52, 58, 64, 244



(CORPORATE SEAL)

BY: _____ President

(CORPORATE SEAL)

BY: _____ President

ATTEST:

Secretary

(CORPORATE SEAL)

BY: _____ President

ATTEST:

Secretary

(CORPORATE SEAL)

BY: _____ President

ATTEST:

Secretary

(CORPORATE SEAL)

BY: _____ President

ATTEST:

Secretary

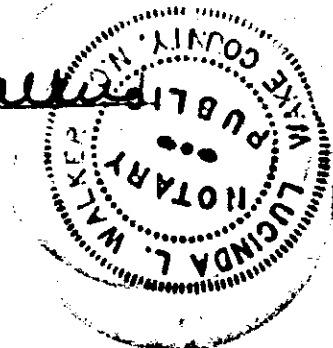
_____ as its _____ Secretary.
WITNESS my hand and notarial seal this the 16 day of
August, 1946.

(seal)

My Commission Expires:

4-15-98

Lucinda D
Notary Public



**NORTH CAROLINA
WAKE COUNTY**

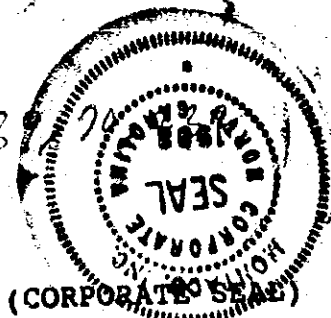
_____ as its _____ Secretary.
WITNESS my hand and notarial seal this the _____ day of
_____, 19____.

(seal)

Notary Public

My Commission Expires:

LOT # 19, 3



Edward Montague MONTSCO INC.
BY: _____ President

ATTEST:
Debra Montague
Secretary

(CORPORATE SEAL)

BY: _____ President

ATTEST:

Secretary

(CORPORATE SEAL)

BY: _____ President

ATTEST:

Secretary

(CORPORATE SEAL)

BY: _____ President

ATTEST:

Secretary

(CORPORATE SEAL)

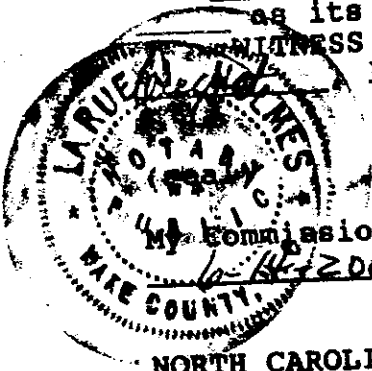
BY: _____ President

ATTEST:

Secretary

NORTH CAROLINA
WAKE COUNTY

I, a Notary Public of the County and State aforesaid do hereby certify that TERESA MONTAGUE personally appeared before me this day and acknowledged that She is Secretary of MONTACO INC., a North Carolina Corporation, and that by the authority duly given and as an act of the corporation the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by as its Secretary.
WITNESS my hand and notarial seal this the 19th day of 1996



Larue J. Palmer
Notary Public

My Commission Expires:
10-16-2001
NORTH CAROLINA
WAKE COUNTY

~~I, a Notary Public of the County and State aforesaid do hereby certify that LYNARD MONTAGUE personally appeared before me this day and acknowledged that he is Secretary of MONTACO INC., a North Carolina Corporation, and that by the authority duly given and as an act of the corporation the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by as its Secretary.
WITNESS my hand and notarial seal this the day of , 19 .~~

(seal)

Notary Public

My Commission Expires:

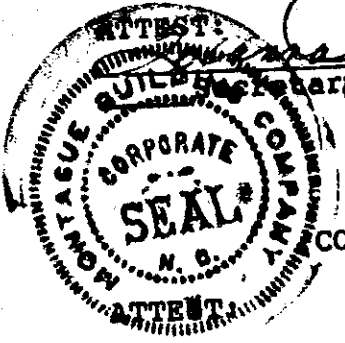
BK7155PG0629

LOT # 234, 243, 29

MONTAGUE BUILDING CO., INC.

(CORPORATE SEAL)

BY: James J. Montague President



(CORPORATE SEAL)

BY: _____ President

Secretary

(CORPORATE SEAL)

BY: _____ President

ATTEST:

Secretary

(CORPORATE SEAL)

BY: _____ President

ATTEST:

Secretary

(CORPORATE SEAL)

BY: _____ President

ATTEST:

Secretary

NORTH CAROLINA
WAKE COUNTY

I, a Notary Public of the County and State aforesaid do hereby certify that Jessamine Montague personally appeared before me this day and acknowledged that she is Secretary of Montague Building Co., Inc., a North Carolina Corporation, and that by the authority duly given and as an act of the corporation the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by as its Secretary.

WITNESS my hand and notarial seal this the 15th day of August, 1966



My Commission Expires: 10-14-1967

NORTH CAROLINA
WAKE COUNTY

La Rue J. Holmes
Notary Public

I, a Notary Public of the County and State aforesaid do hereby certify that _____ personally appeared before me this day and acknowledged that _____ he is _____ Secretary of _____, a North Carolina Corporation, and that by the authority duly given and as an act of the corporation the foregoing instrument was signed in its name by its _____ President, sealed with its corporate seal and attested by _____ as its Secretary.

WITNESS my hand and notarial seal this the _____ day of _____, 19____.

(seal)

Notary Public

My Commission Expires: _____

NORTH CAROLINA — WAKE COUNTY

The foregoing certificate of La Rue J. Holmes,
David R. Godfrey, Barbara A. Kally,
Sherry W. Russell, Lucinda L. Walker,
Notary (ies) Public is

(are) certified to be correct. This instrument and this certificate are duly registered at the date and time and in the book and page shown on the first page hereof.

KENNETH C. WILKINS, Register of Deeds

By Lyn M. Nulld
Asst./Deputy Register of Deeds

Exhibit ATract 1:

BEGINNING AT A POINT IN THE CENTERLINE OF N.C.S.R. No. 1115 (AVENT FERRY ROAD), SAID POINT BEING THE CORNER FOR J.R. WEAVER, ET AL; THENCE NORTH 01-06-48 EAST WITH WEAVER 188.08 FEET TO AN IRON PIPE, WEAVER'S NORTHEAST CORNER; THENCE NORTH 87-36-28 WEST WITH WEAVER, 350 FEET; THENCE NORTH 30-25-15 WEST, 750.45 FEET AND NORTH 02-33-13 EAST, 900 FEET TO A POINT IN COLON W. HOBBY'S SOUTHERN LINE; THENCE SOUTH 87-26-47 EAST, WITH SAID HOBBY 720 FEET TO AN IRON PIPE, HOBBY'S SOUTHEAST CORNER; THENCE THE FOLLOWING NEW LINES WITH THE HOLLY GLEN HOME OWNERS ASSOCIATION, SOUTH 03-41-09 EAST 252.16 FEET, SOUTH 11-38-27 WEST 190.60 FEET, THENCE WITH A CURVE IN A COUNTERCLOCKWISE DIRECTION HAVING A CHORD OF SOUTH 18-46-46 WEST 100.72 FEET, A RADIUS OF 425.00 FEET AND AN ARC LENGTH OF 100.96 FEET, SOUTH 49-20-18 EAST 124.69 FEET, SOUTH 32-50-00 EAST 100.00 FEET, SOUTH 09-27-00 EAST 85.00 FEET, SOUTH 01-25-00 EAST 112.00 FEET, SOUTH 65-35-00 EAST 87.00 FEET, SOUTH 46-32-00 EAST 90.00 FEET, SOUTH 32-15-00 EAST 218.00 FEET, SOUTH 13-20-00 EAST 63.00 FEET, SOUTH 01-30-00 EAST 58.00 FEET, SOUTH 02-21-19 WEST 107.31 FEET TO A POINT IN THE CENTERLINE OF N.C.S.R. No. 1115 (AVENT FERRY ROAD); THENCE THE FOLLOWING CALLS ALONG THE CENTERLINE OF AFORESAID ROAD SOUTH 55-35-46 WEST 99.90 FEET, SOUTH 53-13-50 WEST 99.99 FEET, SOUTH 52-53-40 WEST 99.93 FEET, SOUTH 52-32-20 WEST 99.98 FEET, SOUTH 51-32-48 WEST 99.88 FEET, AND S 48-27-46 WEST 21.15 FEET TO THE POINT AND PLACE OF BEGINNING AND CONTAINING 29.155 ACRES, MORE OR LESS.

Tract 2:

BEGINNING AT A POINT IN THE NORTHERNMOST LINE OF THAT CERTAIN TRACT RECORDED IN DEED BOOK 6464 PAGE 371; THENCE WITH AFORESAID NORTHERN LINE SOUTH 87-38-47 EAST 263.21 FEET TO THE NORTHEASTERN CORNER OF AFOREMENTIONED TRACT; THENCE WITH ANOTHER LINE OF AFOREMENTIONED TRACT SOUTH 37-51-55 EAST 322.86 FEET TO A POINT; THENCE THE FOLLOWING NEW LINE WITH A CURVE AS IT CURVES IN A COUNTERCLOCKWISE DIRECTION HAVING A CHORD OF NORTH 69-15-37 WEST 109.83 FEET, A LENGTH OF 111.34 FEET AND A RADIUS OF 195.00 FEET TO A POINT; THENCE ANOTHER NEW LINE NORTH 85-37-00 WEST 189.96 FEET TO A POINT; THENCE ANOTHER NEW LINE WITH A CURVE AS IT CURVES IN A COUNTERCLOCKWISE DIRECTION HAVING A CHORD OF SOUTH 76-59-32 WEST 164.56 FEET, A LENGTH OF 165.00 FEET, AND RADIUS OF 650.00 FEET TO A POINT; ANOTHER NEW LINE NORTH 02-00-00 WEST 249.48 FEET TO THE POINT AND PLACE OF BEGINNING AND CONTAINING 1.722 ACRES, MORE OR LESS.

Tract 3:

BEGINNING AT A POINT AN EASTERN CORNER OF THAT CERTAIN TRACT OF LAND RECORDED IN DEED BOOK 6464 PAGE 371, IT ALSO BEING A COMMON CORNER WITH RICHARD FEHLNER; THENCE A NEW LINE SOUTH 43-51-32 WEST 31.59 FEET; THENCE ANOTHER NEW LINE NORTH 70-56-00 WEST 169.96 FEET TO A POINT; THENCE ANOTHER NEW LINE WITH A CURVE AS IT CURVES IN A CLOCKWISE DIRECTION HAVING A CHORD NORTH 38-33-00 WEST 605.21 FEET, A LENGTH OF 638.67 FEET, AND A RADIUS 565.00 FEET TO A POINT; THENCE ANOTHER NEW LINE NORTH 06-10-00 WEST 207.10 FEET TO A POINT; THENCE ANOTHER NEW LINE WITH A CURVE AS IT CURVES IN A COUNTERCLOCKWISE DIRECTION HAVING A CHORD OF NORTH 14-29-48 WEST 56.50 FEET, A LENGTH OF 56.70 FEET AND A RADIUS OF 195.00 FEET TO A POINT IN AN EASTERN LINE OF THE AFOREMENTIONED TRACT OF WHICH THIS IS A PART; THENCE WITH SAID EASTERN LINE SOUTH 37-51-55 EAST 971.12 FEET TO THE POINT AND PLACE OF BEGINNING AND CONTAINING 3.175 ACRES MORE OR LESS.