

WAKE COUNTY, NC 537
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
07/12/2004 AT 15:55:05

BOOK:010917 PAGE:01003 - 01012

PREPARED BY: Gwynn & Edwards, PA (Amendment Prepared Against Advise of Counsel
and Without Title Examination)
HOLD FOR: Gwynn & Edwards, #197

STATE OF NORTH CAROLINA
COUNTY OF WAKE

**SECOND AMENDMENT TO DECLARATION OF COVENANTS
CONDITIONS AND RESTRICTIONS FOR
MAISONS EN MER TOWNHOMES**

THIS FIRST AMENDMENT TO DECLARATION, made on the date hereinafter set forth by Six Forks Townhomes Associates, LLC, a North Carolina limited liability company, Meadows & Bradford Properties, LLC, a North Carolina limited liability company, Ronald S. Hester, Sylvia B. Hester, Betty R. Babyak, Alex Keith Elks, Debra Jo Elks, Wanda S. Stephens, Deirdre Russell Hickman, Doug Journey, Sarah H. Journey, Robert L. Harrison, Rebecca Harrison, Donald M. Jacobs, Joy M. Jacobs, Peggy S. Oliver, Donald J. Barlow and Roberta J. Barlow, all citizens and residents of Wake County, hereinafter all collectively referred to as the "Declarants";

W I T N E S S E T H:

WHEREAS, the Declarants are all the owners of certain property containing 8.465 acres more or less in the City of Raleigh, Wake County, North Carolina, which is more particularly described as Maisons en Mer as the same is reflected in Book of Maps 2001, Page 1044, and maps subsequently recorded thereof, Wake County Registry;

AND WHEREAS, the Property has previously been subjected to certain easements, covenants and restrictions upon all of the Properties pursuant to a Declaration of Covenants, Conditions and Restrictions ("Declaration") recorded in Book 8871, Page 770, amended in Book 9275, Page 758, corrected in Book 9545, Page 916 and Book 9545, Page 941, Wake County Registry;

AND WHEREAS, Declarants wish to amend and modify certain provisions of the above

referenced Declaration in accordance with Article XIII, Sections 7-8 of the Declaration;

NOW, THEREFORE, Declarants hereby declare that the Declaration shall hereby be amended as follows.

Article VIII, Architectural Control, shall be modified as follows by the addition of Section 9.

ARTICLE VIII ARCHITECTURAL CONTROL

Section 9. General Scheme of Development. The ACC shall ensure all construction of buildings, courtyards, dwellings, fences, lighting of all types, walls, walkways and sidewalks, plantings or other structures of whatever nature which are not yet under construction shall conform to the existing general scheme of development within the Properties. The ACC shall not approve any future submitted plans and specifications which provide for an exterior appearance, construction materials or construction type which varies from the dwellings previously constructed within the Property, including, but not limited to buildings, courtyards, sidewalks and walkways, fences and other improvements of whatever nature to be constructed within and upon the Property.

IN WITNESS WHEREOF, the undersigned, being all the Owners herein, have executed this instrument this the 30th day of December, 2003.

SIX FORKS TOWNHOMES ASSOCIATES, LLC

By: Patricia Heaton
As its: Manager

NORTH CAROLINA
WAKE COUNTY

I, Megan S. Davis a Notary Public of the County and State aforesaid, certify that Patricia Heaton, personally came before me this day and acknowledged that he is a Manager of Six Forks Townhomes Associates, LLC, a North Carolina Limited Liability Company, and that by authority duly given and as the act of the company, the foregoing instrument was signed in its name by him as its Manager

WITNESS my hand and notarial stamp or seal, this 26th day of September, 2003.



Megan S. Davis
NOTARY PUBLIC
My Commission Expires: 3/4/07

MEADOWS & BRADFORD PROPERTIES, LLC

By: Thomas L. Bradford
As its: Manager

NORTH CAROLINA

~~WAKE COUNTY~~
SAMPSON

I, Kay S. Owens a Notary Public of the County and State aforesaid, certify that Thomas L. Bradford, personally came before me this day and acknowledged that he is a Manager of Meadows & Bradford Properties, LLC, a North Carolina Limited Liability Company, and that by authority duly given and as the act of the company, the foregoing instrument was signed in its name by him as its Manager

WITNESS my hand and notarial stamp or seal, this 29th day of Sept., 2003.Kay S. Owens
NOTARY PUBLIC
My Commission Expires: 3-21-07Ronald S. Hester
Ronald S. HesterSylvia B. Hester
Sylvia B. Hester

NORTH CAROLINA

WAKE COUNTY

I, D. R. Coppage a Notary Public of the County and State aforesaid, certify that Ronald S. Hester and Sylvia B. Hester, personally came before me this day and acknowledged that the foregoing instrument was signed by him.

WITNESS my hand and notarial stamp or seal, this 6th day of DECEMBER, 2003.

D. R. COPPAGE
Notary Public Wake County, NC
My Commission Expires September 11, 2008

D. R. Coppage
NOTARY PUBLIC
My Commission Expires: Sept 11, 2008

Donald J. Barlow

Roberta J. Barlow

NORTH CAROLINA
WAKE COUNTY

I, Mary A. Shepherd a Notary Public of the County and State aforesaid, certify that Donald J. Barlow and Roberta J. Barlow, personally came before me this day and acknowledged that the foregoing instrument was signed by him.



WITNESS my hand and notarial stamp or seal, this 4th day of December, 2003.

Mary A. Shepherd
NOTARY PUBLIC

My Commission Expires: Sept. 15, 2008

Betty R. Babyak

NORTH CAROLINA
WAKE COUNTY

I, Kelly A. Hinson a Notary Public of the County and State aforesaid, certify that Betty R. Babyak, personally came before me this day and acknowledged that the foregoing instrument was signed by him.

WITNESS my hand and notarial stamp or seal, this 4th day of December, 2003.



Kelly A. Hinson
NOTARY PUBLIC

My Commission Expires: 12/10/07

Alex Keith Elks
Alex Keith Elks

Debra Jo Elks
Debra Jo Elks

NORTH CAROLINA
WAKE COUNTY

I, Majdi A. Manawi a Notary Public of the County and State aforesaid, certify that Alex Keith Elks and Debra Jo Elks, personally came before me this day and acknowledged that the foregoing instrument was signed by him.

WITNESS my hand and notarial stamp or seal, this 9th day of Dec., 2003.

Majdi A. Manawi
NOTARY PUBLIC
My Commission Expires: 12/31/2006

Robert L. Harrison
Robert L. Harrison

Rebecca Harrison
Rebecca Harrison

NORTH CAROLINA
WAKE COUNTY

I, Majdi A. Manawi a Notary Public of the County and State aforesaid, certify that Robert L. Harrison and Rebecca Harrison, personally came before me this day and acknowledged that the foregoing instrument was signed by him.

WITNESS my hand and notarial stamp or seal, this 9th day of Dec, 2003.

Majdi A. Manawi
NOTARY PUBLIC
My Commission Expires: 12/31/2006

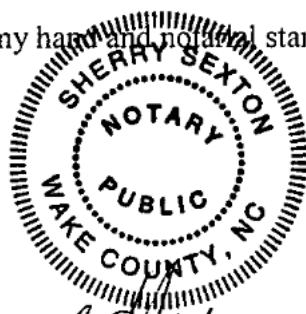


Wanda S. Stephens
Wanda S. Stephens

NORTH CAROLINA
WAKE COUNTY

I, Wanda S. Stephens a Notary Public of the County and State aforesaid, certify that Wanda S. Stephens, personally came before me this day and acknowledged that the foregoing instrument was signed by him.

WITNESS my hand and notarial stamp or seal, this 10 day of Dec, 2003.



Sherry Sexton
NOTARY PUBLIC

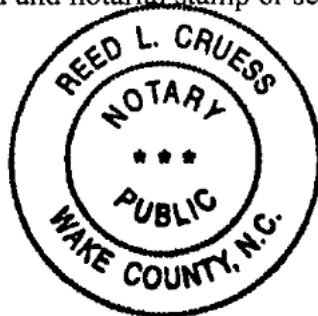
My Commission Expires: 10/7/08

Deirdre Russell Hickman
Deirdre Russell Hickman

NORTH CAROLINA
WAKE COUNTY

I, REED L. CRUESS a Notary Public of the County and State aforesaid, certify that Deirdre Russell Hickman, personally came before me this day and acknowledged that the foregoing instrument was signed by him.

WITNESS my hand and notarial stamp or seal, this 8th day of December, 2003.



Reed L. Cruess
NOTARY PUBLIC

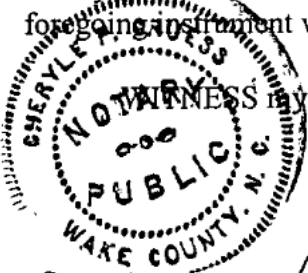
My Commission Expires: MAY 3, 2008

Doug Journey
Doug Journey

Sarah H. Journey
Sarah H. Journey

NORTH CAROLINA
WAKE COUNTY

I, Cheryl P. Cruess a Notary Public of the County and State aforesaid, certify that Doug Journey and Sarah H. Journey, personally came before me this day and acknowledged that the foregoing instrument was signed by him.



WITNESS my hand and notarial stamp or seal, this 17th day of Dec, 2003.

Cheryl P. Cruess
NOTARY PUBLIC
My Commission Expires: May 3, 2008

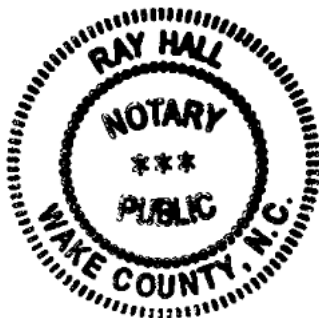
Donald M. Jacobs
Donald M. Jacobs

Joy M. Jacobs
Joy M. Jacobs

NORTH CAROLINA
WAKE COUNTY

I, Ray Hall a Notary Public of the County and State aforesaid, certify that Donald M. Jacobs and Joy M. Jacobs, personally came before me this day and acknowledged that the foregoing instrument was signed by him.

WITNESS my hand and notarial stamp or seal, this 12 day of December, 2003.



Ray Hall
NOTARY PUBLIC
My Commission Expires: 11/08/06

Peggy S. Oliver
Peggy S. Oliver

NORTH CAROLINA
WAKE COUNTY

I, Ellen Garrett Macdonald Notary Public of the County and State aforesaid, certify that Peggy S. Oliver, personally came before me this day and acknowledged that the foregoing instrument was signed by him.

WITNESS my hand and notarial stamp or seal, this 5th day of December, 2003.

Ellen Garrett Macdonald
NOTARY PUBLIC
My Commission Expires 12/31/06



CERTIFICATION OF VALIDITY OF AMENDMENT TO COVENANTS, CONDITIONS
AND RESTRICTIONS OF MAISONS EN MER TOWNHOME
HOMEOWNERS ASSOCIATION, INC.

By authority of its Board of Directors, Maisons en Mer Townhome Homeowners Association, Inc., hereby certifies that the foregoing instrument has been executed by the owners of 100 percent of the Lots of Maisons en Mer and is, therefore, a valid amendment to the existing Covenants, Conditions and Restrictions of Maisons en Mer.

MAISONS EN MER TOWNHOME
HOMEOWNERS ASSOCIATION, INC.

By: Robert L. Harrison
~~As its President~~
Wanda S. Stephens
A. Keith Elks

STATE OF NORTH CAROLINA
COUNTY OF WAKE

I, Maryellen M. Brennan Notary Public, certify that Robert L. Harrison
Wanda S. Stephens
A. Keith Elks personally came before me
this day and acknowledged that ~~(s)he is President~~ ^{they are} of Maisons En Mer Townhome Homeowners Association, Inc., a
corporation, and that being authorized to do so, executed the foregoing on behalf of the corporation.

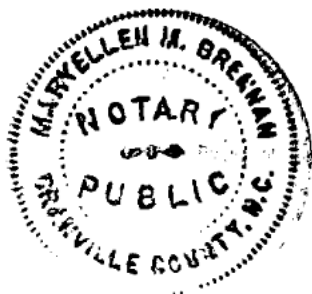
Witness my hand and official seal, this the 26th day of Dec., 2003.

My commission expires: 5/2/07

* Members of the Board of Directors

Maryellen M. Brennan
Notary Public

(SEAL)





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Yellow probate sheet is a vital part of your recorded document.
Please retain with original document and submit for rerecording.



Wake County Register of Deeds
Laura M. Riddick
Register of Deeds

North Carolina – Wake County

The foregoing certificate 5 of Megan S. Davis
Reed C. Owens Majidi A. Manawi
Ray S. Owens D.R. Coppage Ray Hall
Shermy Sexton Chesley P. Owens
Kelly A. Hinson Marilyn A. Shepherd

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