

Prepared by and return to: Moore & Alphin, PLLC
3733 National Dr., Ste 100, Raleigh, NC 27612

STATE OF NORTH CAROLINA
WAKE COUNTY

**SECOND AMENDMENT TO THE
DECLARATION OF COVENANTS,
CONDITIONS, AND RESTRICTIONS
FOR ADALYN PLACE**

THIS SECOND AMENDMENT to the Declaration of Covenants, Conditions, and Restrictions for Adalyn Place (this "Amendment") is made as of the day it is signed, by **Dan Ryan Builders – North Carolina, LLC**, a North Carolina limited liability company (the "Declarant").

WHEREAS, Declarant has previously recorded that certain Declaration of Covenants, Conditions, and Restrictions for Adalyn Place in Book 17399, Page 2703 in the Wake County Registry (such instrument referred to herein as the "Declaration");

WHEREAS, pursuant to the power granted in Article XIV, Paragraph 16.1 of the Declaration, Declarant may amend the Declaration during the Development Period; and

NOW, THEREFORE, it is agreed and declared that the Declaration is amended as follows:

1. Paragraph 2. (l) of the Exhibit B of the Declaration is hereby deleted and replaced with the following:

"Except as otherwise required by Town of Fuquay-Varina, no sign of any kind shall be displayed to the public view on any portion of any Lot without prior approval from the Association. The only signs that may be approved are: (i) One sign of not more ten (10) square feet in size advertising the Lot for sale and (ii) One sign of not more ten (10) square feet in size expressing support of or opposition to political candidates or other issues which will appear on the ballot of a primary, general or special election, provided that such political signs shall not be placed on a Lot earlier than sixty (60) days before such election and shall be removed within seven (7) days after such election. No sign of any kind shall be displayed in or on the Association Common Area without the prior written consent of the Association. Notwithstanding the foregoing, Declarant shall have the right to erect and maintain signs of any type and size on any Lot which it owns and on the Association

Common Area in connection with the development and sale of the Properties. "Defined Terms; Recitals. All capitalized terms used herein, unless otherwise defined herein, shall have the meanings set forth in the Declaration.

2. The Declaration is hereby amended to add the following restriction:

"Solar panels shall be prohibited on the front side of each Dwelling which faces the street. All other solar panels must be approved by Declarant during the Declarant Control Period and the thereafter by the ARC."

3. Defined Terms; Recitals. All capitalized terms used herein, unless otherwise defined herein, shall have the meanings set forth in the Declaration.

4. Effect of Amendment. The Declaration is hereby modified to the extent set forth herein, but only to the extent set forth herein. All provisions of the Declaration not modified by this Amendment shall remain in full force and effect in accordance with their original terms as set forth in the Declaration. In the event of any conflict or ambiguity between the terms of the Declaration and the terms of this Amendment, the terms of this Amendment shall control.

IN WITNESS WHEREOF, Declarant has caused this Amendment to be executed in legal and binding form, on the date indicated in the acknowledgement of such signature.

[signature on following page]

DECLARANT:

Dan Ryan Builders – North Carolina, LLC,
a North Carolina limited liability company

By: _____

Print Name: Jay Lewis

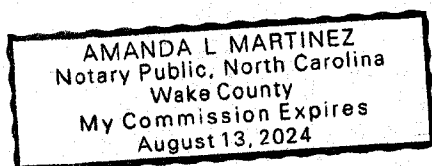
Print Title: Vice President

STATE OF NORTH CAROLINA – COUNTY OF Wake

I, the undersigned, a Notary Public, certify that **Jay Lewis**, pursuant to that certain Resolution of the Managers of Dan Ryan Builders – North Carolina, LLC recorded in Book 16740, Page 1142, Wake County Registry, personally appeared before me this day and, being duly sworn, says and deposes, that he is the Vice President of **Dan Ryan Builders – North Carolina, LLC**, a North Carolina limited liability company, and that he, as Vice President, being authorized to do so, executed the foregoing on behalf of the corporation.

WITNESS my hand and official seal, this the 3rd day of June, 2021.

(Stamp or Seal)



Amanda L. Martinez
Notary Public

My commission expires: 8-13-24