

3K8035PG0257

Prepared by and hold for:
William H. Weatherspoon, Jr.
BROWN & BUNCH

000062

PRESENTED
FOR
REGISTRATION

98 APR 27 AM 10:04

STATE OF NORTH CAROLINA
COUNTY OF WAKE

LAURENCE J. BROWN
REGISTER OF DEEDS
WAKE COUNTY

AMENDMENT TO SUBJECT ADDITIONAL PROPERTIES TO AMENDED
AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR RIGGSBEE FARM

THIS AMENDMENT TO SUBJECT ADDITIONAL PROPERTIES TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR RIGGSBEE FARM ("Amendment") is made on this 24th day of April, 1998 by Zaring Homes, Inc., an Ohio corporation ("Declarant").

WITNESSETH THAT:

WHEREAS, Declarant executed and caused to be recorded that certain Amended and Restated Declaration of Covenants, Conditions and Restrictions for Riggsbee Farm recorded in Book 6750, Page 154, as amended in Book 6826, Page 790, in Book 6830, Page 544, and in Book 7386, Page 838, Wake County Registry (collectively the "Declaration"); and

WHEREAS, the properties described on Exhibit A hereto are a portion of the parcel described on Exhibit C to the Declaration; and

WHEREAS, pursuant to the provisions of Article VII, Section 7(a) of the Declaration, Declarant has the right to annex the properties set forth on Exhibit A attached hereto into Riggsbee Farm, thereby making such properties subject to the Declaration, upon compliance with the provisions of the Declaration; and

WHEREAS, the properties described on Exhibit A attached hereto have been or will be developed as a part of the general plan of development for Riggsbee Farm; and

WHEREAS, the annexation of the properties described on Exhibit A attached hereto has been accomplished in strict conformity with the requirements specifically set forth in the Declaration;

NOW, THEREFORE, in consideration of the premises, Declarant hereby annexes the properties described on Exhibit A attached hereto and declares that they are and shall be held, sold and conveyed subject to all of the easements, restrictions, covenants and conditions of the Declaration and, further, that such properties are hereby incorporated within and made a part of the Properties, as that term is defined in Article I, Section 3 of the Declaration, and the Declaration as made applicable hereto by this

12

Amendment shall be binding upon all parties having any right, title or interest in the Properties or any part thereof, their heirs, successors and assigns and shall inure to the benefit of each Owner, as that term is defined in Article I, Section 2 of the Declaration.

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

Zaring Homes, Inc., an
Ohio corporation

By: [Signature]
Regional President



State of North Carolina
County of Wake

I, Kumud TRIPATHI, a Notary Public of the
County and State aforesaid, certify that Charles Cause
personally came before me this day and acknowledged that he is
Secretary of Zaring Homes, Inc., an Ohio corporation,
and that by authority duly given and as the act of the corporation,
the foregoing instrument was signed in its name by its Regional
President, sealed with its corporate seal and attested by him/her
as its Secretary.

Witness my hand and official stamp or seal, this 24 day of
April, 1998.

My commission expires: November 22, 2002

[Signature]
Notary Public

[seal]

whw\annex.8



NORTH CAROLINA — WAKE COUNTY

The foregoing certificate of Kumud Tripathi
Notary 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.

LAURA M. RIDDICK, Register of Deeds

By [Signature]
Asst./Deputy Register of Deeds

EXHIBIT A

BEING all of Lots 50-52 and 190-195, as shown on Subdivision Map of Riggsbee Farm, Phase 2 - Map 5, recorded in Book of Maps 1997, Page 1886, Wake County Registry.

BEING all of Lots 53-55, 67-71, 188 and 189 as shown on Subdivision Map of Riggsbee Farm, Phase 2 - Map 6, recorded in Book of Maps 1997, Page 1887, Wake County Registry.

BEING all of Lots 56-66 and that 0.058 acre tract designated as Common Open Space as shown on Subdivision Map of Riggsbee Farm, Phase 2 - Map 7, recorded in Book of Maps 1997, Page 1888, Wake County Registry.