

WAKE COUNTY, NC 833
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
07/01/2004 AT 15:36:36

BOOK:010905 PAGE:02217 - 02219

**FIRST AMENDMENT TO DECLARATION
OF COVENANTS, RESTRICTIONS AND EASEMENTS
FOR WEATHERSBY**

Return to Box 155

This First Amendment to the Declaration of Covenants, Restrictions and Easements for Weathersby ("**First Amendment**") is made on the date hereinafter set forth by Centex Homes, a Nevada general partnership, hereinafter referred to as the "**Declarant**".

WITNESSETH

WHEREAS, Declarant executed that certain Declaration of Covenants, Restrictions and Easements for Weathersby and recorded such instrument in Book 10867, Pages 456 through 502, inclusive, in the Register of Deed's Office of Wake County, North Carolina (such instrument, as may be amended from time to time is referred to as the "**Declaration**"); and

WHEREAS, in accordance with Sections A and C of Article 14 Declarant may amend the Declaration without the consent of any other party, by the recordation of a written instrument setting forth such amendment pursuant to Section F of Article 14.

NOW, THEREFORE, the Declaration is hereby amended as follows:

1. Terms. All terms used in this First Amendment shall have the same meanings as are set forth for such term by the Declaration. In the event of any conflict between the provisions of this First Amendment and the provisions of the Declaration, the provisions of this First Amendment shall prevail unless the context clearly indicates otherwise.

2. In the second sentence of Section W of Article 11 of the Declaration, the words "Exhibit F" (which appear twice in that same sentence) are hereby deleted and replaced with the words "Exhibit C". All other references (if any) in the Declaration to "Exhibit F" are hereby amended and deemed to refer to "Exhibit C".

Except as specifically amended herein, the Declaration shall remain and continue in full force and effect.

IN WITNESS WHEREOF, the undersigned hereby certifies that the foregoing First

Amendment was duly authorized in accordance with the Declaration and executed this
day of July 1st, 2004.

DECLARANT:**CENTEX HOMES**

(Corporate Seal)

a Nevada general partnership

By: Centex Real Estate Corporation,
a Nevada corporation

Its: Managing General Partner

By: W. Hampton Pitts
W. Hampton Pitts
Division President

STATE OF NORTH CAROLINA §

COUNTY OF WAKE §

I, M. PHARRIS, a Notary Public for the County and State aforesaid,
certify that W. Hampton Pitts personally appeared before me this day and, being duly sworn,
says and deposes, that he is the Division President of Centex Real Estate Corporation, a Nevada
Corporation, the Managing General Partner of Centex Homes, a Nevada general partnership, and
that he executed the foregoing instrument for and on behalf of such partnership.

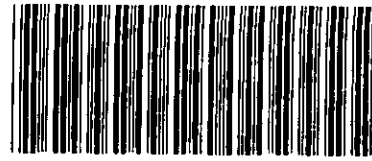
WITNESS my hand and official seal, this the 28 day of JUNE, 2004.

M. Pharris

Notary Public

My Commission Expires:





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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___ of M Pharris

____ 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.

Laura M. Riddick, Register of Deeds

By: Gandi Morgan
Assistant/Deputy Register of Deeds

This Customer Group

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3 # of Pages