

NORTH CAROLINA

WAKE COUNTY

BOOK 1503 PAGE 596

KNOW ALL MEN BY THESE PRESENTS: that

WHEREAS, GIBRALTAR CONSTRUCTION COMPANY is the owner of all lots in Section II of Lakemont, Raleigh Township, Wake County, North Carolina, as shown by plat recorded in Book of Maps 1962, Page 39 of the Wake County Registry; and

WHEREAS, said lots were subjected to certain restrictive covenants by Gibraltar Construction Company by instrument recorded in Book 1485, Page 89 of the Wake County Registry; and

WHEREAS, Gibraltar Construction Company desires to amend said restrictions as hereinafter provided.

NOW, THEREFORE, Gibraltar Construction Company hereby declares and covenants and agrees to and with all persons, firms and corporations now owning or hereafter acquiring any numbered lot shown on said map, that Paragraph No. 3 of said restrictions recorded in Book 1485, Page 89 of the Wake County Registry is hereby amended to read as follows:

"3. BUILDING SETBACK: No building shall be located on any lot nearer to the front line or nearer to the side street line than the minimum building setback lines shown on the recorded plat. In any event, no building shall be located on any lot nearer than 35 feet to the front line, or nearer than 25 feet to any side street line; provided, however, a building may be located on Lot No. 101 as shown on said map within 30 feet of the front line. No building shall be located nearer than 10 feet to any interior lot line, except that no side yard shall be required for a separate garage not attached to the house or other permitted accessory building located seventy feet or more from the minimum building setback line. For the purpose of this covenant, eaves, steps, and porches and airports shall not be considered as part of a building, provided however that this shall not be construed to permit any portion of building on lot to encroach upon another lot. Deviations from building line restrictions not in excess of 10% shall not be construed as a violation of these covenants."

Except as hereby amended said restrictive covenants recorded in Book 1485, Page 89 shall remain in full force and effect.

LAW OFFICES
POTTER, GERAGHTY,
HARTSFIELD & TOWNSEND
401 GREENLEAF ROAD
RALEIGH, N. C.

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IN TESTIMONY WHEREOF, GIBRALTAR CONSTRUCTION COMPANY has caused this instrument to be signed in its corporate name by its President and attested by its Secretary, and sealed with its common seal, on the 16th day of April, 1962.

ATTEST

GIBRALTAR CONSTRUCTION COMPANY

Al Selig, Jr.
Secretary

By: *[Signature]*
President

NORTH CAROLINA
COUNTY OF GUILFORD

This the 27 day of April, 1962, personally came before me, Carolyn Ray, a Notary Public in and for the County and State aforesaid, Al Selig, Jr., Assistant Secretary, who being by me duly sworn, says: That he knows the Common Seal of Gibraltar Construction Company and is acquainted with Roger V. Kinnagh, Jr., who is the President of the said corporation, and that (s)he, the said Assistant Secretary as aforesaid, affixed said seal to said instrument and that (s)he signed his name in attestation of the execution of said contract in the presence of the said President of the said corporation.

Carolyn Ray
Notary Public

My Commission Expires:

January 19, 1964

STATE OF NORTH CAROLINA
Wake County

The foregoing certificate of Carolyn Ray,
A Notary Public of Wake County, State of North Carolina
is adjudged to be correct. Let the instrument
with the certificates, be registered.

WITNESS my hand this the 30 day of
April, 1962

Louis J. Hearn, Deputy
Clerk Superior Court

Filed for Registration at 11:10 o'clock A M
April 30 1962 and registered in the
Office of the Register of Deeds for Wake County,
North Carolina, in Book 1503 Page 596
_____, 19____

[Signature]
REGISTER OF DEEDS
John Carter DEPUTY

LAW OFFICES
POTTER, GERAGHTY,
HARTSFIELD & TOWNSEND
401 OVERLIN ROAD
RALEIGH, N. C.