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Page 1 of 3
OFFICIAL RECORDS OF WAKE COUNTY
Tammy L. Brunner, Register of Deeds
08/05/2025 01:49 PM Fee: $26.00 Excise Tax: $0.00

Prepared by
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AMENDMENT TO TWENTY-SEVENTH SUPPLEMENT AND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BRIER CREEK

WAKE AND DURHAM COUNTIES, NORTH CAROLINA

THIS AMENDMENT TO TWENTY-SEVENTH SUPPLEMENT AND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BRIER CREEK (the "***Amendment***"), made as of ~~July~~ Aug 1, 2025, by BRIER CREEK ASSOCIATES LIMITED PARTNERSHIP, a Delaware limited partnership ("***Declarant***") with reference to the following facts:

RECITALS:

A. Declarant executed and recorded that certain Declaration of Covenants, Conditions and Restrictions for Brier Creek (the "***Declaration***"), which is recorded in Book 8002 at Page 638 of the Wake County Registry, as amended and supplemented from time to time. Terms spelled with initial capital letters in this Amendment shall have the meanings given to them in the Declaration and Supplement (as hereinafter defined), unless otherwise defined herein.

B. Declarant executed and recorded that certain Twenty-Seventh Supplement and Amendment to Declaration of Covenants, Conditions and Restrictions for Brier Creek ("***Supplement***"), which is recorded in Book 11159 at Page 822 of the Wake County Registry.

C. Article 14, Section 13.06 A. of the Declaration provides that Declarant may unilaterally amend the Declaration provided that the amendment has no material adverse effect upon any right of any

First American Title Insurance
National Commercial Services
NCS-1260619-CO

Submitted electronically by "First American Title Insurance Company - NCS Denver"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Wake County Register of Deeds.

Owner and does not materially increase the burden imposed by the Declaration on that part or portion of the Property owned by such Owner. Pursuant to such provision of the Declaration, Declarant desires to amend the Supplement and Declaration to modify the restrictions upon the Supplement Property (as defined in the Supplement).

NOW, THEREFORE, for the purposes hereinabove recited, Declarant does hereby amend the Supplement as follows:

1. Additional Restrictions Applicable to Lot 101, Parcel H-West. Section 2(a) of the Supplement is hereby deleted in its entirety and the following is substituted in lieu thereof:

> "(a) That the use of the Supplement Property shall be restricted to a daycare center, for other educational services or for medical and knowledge-based professional services referring to individuals or businesses providing expertise in a specific field and not selling physical products (other than incidental sales); and, in no event may the Supplement Property be used for residential purposes."

2. Effect of Amendment. The Declaration, as amended by the Supplement, remains in full force and effect, as further amended and supplemented by this Amendment.

[SIGNATURES/NOTARIES ON NEXT THREE PAGES]

IN WITNESS WHEREOF, Declarant has executed this Amendment as its act and deed as of the day and year above written.

DECLARANT:

BRIER CREEK ASSOCIATES LIMITED PARTNERSHIP,
a North Carolina limited partnership

By: AAC Triton GP Limited Partnership, its general partner

By: AAC Triton, Inc., its general partner

By: _____
Paul L. Herndon, Vice President

STATE OF NORTH CAROLINA)
) ss: Charlotte
COUNTY OF MECKLENBURG)

I, Brittany M. Downs, a Notary Public of the County and State aforesaid, certify that Paul L. Herndon, being personally known to me, personally came before me this day and acknowledged that he is the Vice President of AAC Triton, Inc. and that he, as Vice President, being authorized to do so, voluntarily executed the foregoing on behalf of said limited liability company for the purposes stated therein.

Witness my hand and official stamp or seal, on July 18, 2025.

BRITTANY M DOWNS
Notary Public, North Carolina
Mecklenburg County
My Commission Expires
June 13, 2027

_____
NOTARY PUBLIC, STATE OF North Carolina
Brittany M. Downs
Print or Stamp Name of Notary

My Commission Expires: June 13, 2027

[AFFIX NOTARY STAMP ABOVE]