

DRAWN BY: L. Worth Holleman, Jr., Attorney at Law
Tuggle Duggins Meschan & Elrod, P.A.

NORTH CAROLINA
GUILFORD COUNTY

AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND
RESTRICTIONS FOR
BRANDT VILLAGE

THIS AMENDMENT, made on the date hereinafter set forth by the owners of Brandt Village, Section One, hereinafter referred to as "Owners".

W I T N E S S E T H:

53223

WHEREAS, Owners are the record owners of fee simple title to certain lots of Brandt Village, Section One, as per plat thereof recorded in Plat Book 73, Page 73 in the Office of the Register of Deeds of Guilford County, North Carolina.

WHEREAS, Brandt Village Associates as Declarant, caused that certain Declaration of Covenants, Conditions and Restrictions for Brandt Village to be duly recorded in Book 3318, Page 0375 in the Office of the Register of Deeds of Guilford County, North Carolina on September 30, 1983 hereinafter referred to as the "Declaration", covering all lots of Brandt Village, Section One.

WHEREAS, the Declaration provides that it may be amended pursuant to Article X, Section 3 thereof by execution of an instrument of amendment signed by not less than ninety percent (90%) of the Owners thereof.

WHEREAS, amendments to the Declaration have been proposed and duly approved, as evidenced by the execution hereof of not less than ninety percent (90%) of the Owners of all lots in Brandt Village, Section One.

NOW, THEREFORE, Owners hereby amend the Declaration as hereinafter set forth.

AMENDMENTS TO ARTICLE II

Paragraph (c) of Section 1 is hereby deleted. The following is hereby added as Paragraph (c) of Section 1.

555 ± 31 3230 ± 00073.50
555 ± 31 3230 ± 00001.00

(c) the right of the Association to grant easements and rights of way, to dedicate or transfer all or any part of the Common Area to any public agency, authority or utility (including any entity authorized by the appropriate governmental agency to supply cable television service) for such purposes and subject to such conditions as may be agreed to by the Members. No such dedication or transfer shall be effective unless an instrument signed by at least two-thirds (2/3) of each class of members, agreeing to such dedication or transfer, has been recorded;

Paragraph (f) of Section 1 is hereby deleted. The following is hereby added as Subparagraph (f) of Section 1.

(f) the right of the Association to grant easements over portions of Common Area for the purpose of eliminating unintentional encroachments of living units or other improvements onto portions of the Common Area. No such dedication or transfer shall be effective unless an instrument signed by at least two-thirds (2/3) of each class of members, agreeing to such dedication or transfer, has been recorded.

Except as hereinabove amended, all the covenants, conditions and restrictions set forth in the Declaration remain in full force and effect.

IN WITNESS WHEREOF, the undersigned, Owners, have caused this instrument to be executed this the 8th day of March, 1984.

OWNERS:

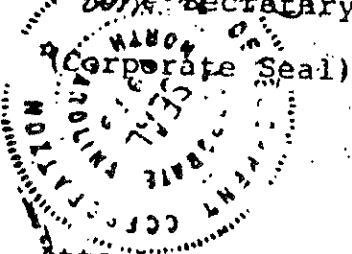
BRANDT VILLAGE ASSOCIATES
(OWNER, LOTS 1, 3, 10, 15, 17 and 19)

BY: SIEGAL DEVELOPMENT CORPORATION,
General Partner

BY: *Barry Siegal*
President

Attest:

Joseph P. Farrell
Secretary



BY: PREFERRED INVESTMENTS, INC.,
GENERAL PARTNER

BY: *Joseph W. Alcorn*
Vice President

Attest:

Cyril P. Cold
Asst. Secretary

(Corporate Seal)



BY: *William Keith McCain* (SEAL)
WILLIAM KEITH MCCAIN
(Owner, Lot 2)

BY: Opal S. McIntyre (SEAL)
OPAL S. MCINTYRE
(Owner, Lot 4)

BY: Danny Dale Hunt (SEAL)
DANNY DALE HUNT
(Owner, Lot 11)

BY: J. Richard Grove (SEAL)
J. RICHARD GROVE
(Owner, Lot 6)

BY: Conrad McDonald (SEAL)
CONRAD McDONALD
(Owner, Lot 14)

BY: Carolyn L. Grove (SEAL)
CAROLYN L. GROVE
(Owner, Lot 6)

BY: Rosemary A. McDonald (SEAL)
ROSEMARY A. McDONALD
(Owner, Lot 14)

BY: Martin Gershon Taylor (SEAL)
MARTIN GERSHON TAYLOR
(Owner, Lot 7)

BY: David A. Hays (SEAL)
DAVID A. HAYS
(Owner, Lot 5)

BY: Elizabeth C. Hays (SEAL)
ELIZABETH C. HAYS
(Owner, Lot 5)

BY: James S. Scherer (SEAL)
JAMES S. SCHERER
(Owner, Lot 8)

BY: Nancy Jones (SEAL)
NANCY JONES
(Owner, Lot 21)

BY: James B. Brown (SEAL)
JAMES B. BROWN
(Owner, Lot 9)

BY: Lisa W. Brown (SEAL)
LYSA W. BROWN
(Owner, Lot 9)

BY: Josephessa, Jr (SEAL)
JOSEPHESSA, JR
(Owner, Lot 13)

[Signature] (SEAL)
Susan K. Hollander
(Owner, Lot 12)

BY: [Signature] (SEAL)
Jan M. Shepherd
(Owner, Lot 18)

[Signature] (SEAL)
Patricia J. Frele
(Owner, Lot 1)

BY: [Signature] (SEAL)
Anna C. Shepherd
(Owner, Lot 18)

[Signature] (SEAL)
Donald J. Vespia
(Owner, Lot 20)

BY: [Signature] (SEAL)
Juanita G. de Roos
(Owner, Lot 16)

EXHIBIT "A"

CENTER GROVE TOWNSHIP, GUILFORD COUNTY, NORTH CAROLINA:

BEGINNING at an existing concrete monument located in the eastern margin of the right of way of Lake Brandt Road (S.R. 2347) (60 foot width), from said beginning point along the margin of said right of way a circular curve to the left having an arc distance of 131.97 feet and a chord course and distance of North 36°46'30" East 131.91 feet to an iron pipe; thence continuing along the margin of said right of way North 33°46'00" East 363.02 feet to an iron pipe located in said margin at its intersection with the southern margin of the right of way of Century Road (60 foot width); thence along the southern margin of the right of way of Century Road a circular curve to the left having an arc distance of 148.96 feet and a chord course and distance of South 69°02'10" East 147.71 feet to an iron pipe; thence continuing along the margin of said right of way South 81°56'20" East 129.33 feet to an iron pipe; thence leaving the margin of said right of way South 15°10'25" East 36.91 feet to an iron pipe; thence South 03°02'20" East 150 feet to an iron pipe; thence South 40°28'40" West 158.76 feet to an iron pipe; thence South 78°21'00" East 73.50 feet to an iron pipe; thence South 11°39'00" West 24.99 feet to an iron pipe; thence South 23°33'00" West 155.78 feet to an iron pipe located in the northern line of James Joyner; thence with Joyner North 71°57'06" West 490.10 feet to an iron pipe, the point and place of beginning and containing 4.346 acres, more or less, according to a plat entitled "Brandt Village, Section One, dated March 18, 1983 and prepared by Trulove Engineers, Inc., which plat is recorded in Plat Book 73, page 73 in the Office of the Register of Deeds of Guilford County, North Carolina.

8K3318 PG0391

EXHIBIT "B"

CENTER GROVE TOWNSHIP, GUILFORD COUNTY, NORTH CAROLINA:

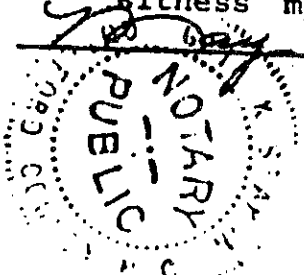
BEGINNING at an existing concrete monument located in the eastern margin of the right of way of Lake Brandt Road (S.R. 2347) (60 foot width), from said beginning point along the margin of said right of way a circular curve to the left having an arc distance of 131.97 feet and a chord course and distance of North 36°46'30" East 131.91 feet to an iron pipe; thence continuing along the margin of said right of way North 33°46'00" East 363.02 feet to an iron pipe located in said margin at its intersection with the southern margin of the right of way of Century Road (60 foot width); thence along the southern margin of the right of way of Century Road a circular curve to the left having an arc distance of 148.96 feet and a chord course and distance of South 69°02'10" East 147.71 feet to an iron pipe; thence continuing along the margin of said right of way South 81°56'20" East 129.33 feet to an iron pipe; thence leaving the margin of said right of way with the eastern terminus of said road North 08°04'40" East 45 feet to a iron pipe in the southern margin of Lot 2 of Century Forest Subdivision as per plat thereof recorded in Plat Book 30, page 82 in the Guilford County Registry; thence with the southern line of Lot 2 South 81°54'30" East 192.49 feet to an iron pipe; thence North 03°08'30" East 117.16 feet to an iron pipe located at the southwestern corner of Fortune-Holderness Properties; thence with the southern line of Fortune-Holderness South 86°45'50" East 186.70 feet to an iron pipe; thence continuing with the line of Fortune-Holderness North 00°12'30" East 98.92 feet to an iron pipe located in the southern line of Ann Pettway Neese; thence with the southern line of Neese South 89°42'00" East 305.02 feet to an existing concrete monument; thence continuing with the southern line of Neese South 89°24'20" East 273.75 feet to an iron pipe located in the western line of Lot 14, Section One of Coldspring Subdivision as per plat thereof recorded in Plat Book 43, page 17 in the Guilford County Registry; thence with the western line of Lots 14 and 15 South 00°24'30" West 228.42 feet to an iron pipe located in the line of DeWitt Murray; thence with the line of Murray North 88°41'44" West 275.41 feet to an iron pipe; thence continuing with the line of Murray and Sunstates Corporation (formerly, Kenyon Investment Corporation) South 00°49'18" West 643.11 feet to an existing concrete monument; thence continuing with the line of Sunstates North 88°46'30" West 297.03 feet to an existing concrete monument; thence with the northern line of James Joyner North 71°55'40" West 180.30 feet to an iron pipe; thence continuing with the northern line of Joyner North 71°55'40" West 200.10 feet to an iron pipe; thence continuing with the northern line of Joyner North 71°57'06" West 600.32 feet to the point and place of beginning and containing 17.852 acres, more or less, according to a map of survey entitled "Brandt Village" prepared by Trulove Engineers, Inc., dated February 21, 1983.

BK3318 PG0392

NORTH CAROLINA
GUILFORD COUNTY

I, Dail J. Starn, a Notary Public, do hereby certify that James W. Fawell personally came before me this day and acknowledged that he is Asst. secretary of Siegal Development Corporation and that, by authority duly given and as the act of the corporation as general partner of Brandt Village Associates, a North Carolina general partnership, the foregoing instrument was signed in its name by its Asst. President, sealed with its corporate seal, and attested by its Asst. Secretary.

Witness my hand and official seal, this the 22nd day of May, 1984.



Dail J. Starn
Notary Public

My Commission Expires:

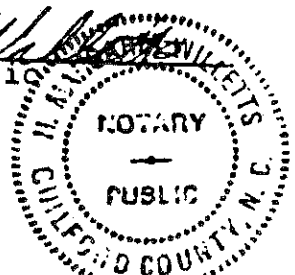
July 22, 1986

NORTH CAROLINA
GUILFORD COUNTY

I, H. Margaret Willette, a Notary Public do hereby certify that Carol P. Cable personally came before me this day and acknowledged that she is Secretary of Preferred Investments, Inc. and that, by authority duly given and as the act of the corporation as general partner of Brandt Village Associates, a North Carolina general partnership, the foregoing instrument was signed in its name by its Asst. President, sealed with its corporate seal, and attested by its Asst. Secretary.

Witness my hand and official seal, this the 23rd day of May, 1984.

H. Margaret Willette
Notary Public



My Commission Expires:

1-31-87

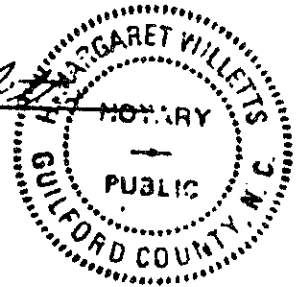
NORTH CAROLINA

GUILFORD COUNTY

I, H. Margaret Willetts, a Notary Public, do hereby certify that William Keith McCain personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 23rd day of May, 1984.

H. Margaret Willetts
Notary Public



My Commission Expires:

1-31-87

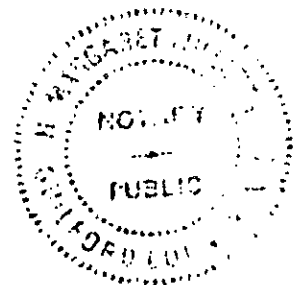
NORTH CAROLINA

GUILFORD COUNTY

I, H. Margaret Willetts, a Notary Public, do hereby certify that Opal S. McIntyre personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 23rd day of May, 1984.

H. Margaret Willetts
Notary Public



My Commission Expires:

1-31-87