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FILED ELECTRONICALLY
DAVIE COUNTY NC
M. BRENT SHOAF
REGISTER OF DEEDS

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**STATE OF NORTH CAROLINA THIRD AMENDMENT TO DECLARATION OF
 COVENANTS, CONDITIONS, AND RESTRICTIONS
COUNTY OF DAVIE FOR THE SUMMER HILL FARM SUBDIVISION**

THIS THIRD AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR SUMMER HILL FARM SUBDIVISION (the "Third Amendment") is made this 10 day of May, 2017 by Williams Development Group, LLC (the "Declarant").

RECITALS

WHEREAS, AM & JW Holdings, LLC, (the "Developer") executed and recorded that certain Declaration of Covenants, Conditions, and Restrictions for the Summer Hill Farm Subdivision recorded in Book 824, Page 351, Davie County Registry (the "Declaration") and amended by First Amendment to Declaration of Covenants, Conditions, and Restrictions for the Summer Hill Farm Subdivision in Book 960, Page 758, Davie County Registry (the "First Amendment") and amended by Supplement to Declaration of Covenants, Conditions, and Restrictions for the Summer Hill Farm Subdivision recorded in Book 978, Page 3, Davie County Registry (the "First Supplement") and amended by Second Amendment to Declaration of Covenants, Conditions, and Restrictions for the Summer Hill Farm Subdivision recorded in Book 1012, Page 573, Davie County Registry (the "Second Amendment") with respect to certain real property collectively referred to as the Summer Hill Farm Subdivision, and further described in Plat Book 10, Pages 223-224; Plat Book 11, Page 372; Plat Book 12, Page 70; Plat Book 12, Pages 86-87; and Plat Book 12, Page 146 and Deed Book 730, Pages 917 and 921, Davie County Registry (the "Property").

WHEREAS, the Developer granted a Deed of Trust (the "Deed of Trust") to Capital Bank, N.A., successor in interest by merger with Southern Community Bank and Trust (the "Bank") that encumbered the Property subject to the Declaration together with all rights associated with the Property.

WHEREAS, the Bank properly completed the Foreclosure Proceeding, entitled 13 SP 134 of the Property pursuant to the rights conferred to the Bank in the Deed of Trust.

WHEREAS, pursuant to that certain North Carolina Special Warranty Deed recorded in Book 956, Page 1028, Davie County Registry (the "Deed"), all the Property was conveyed to the Declarant, along with any and all Declarant Rights allowed under the Declaration, which was further ratified in the Ratification Of Amendments To Declaration Of Covenants, Conditions, And Restrictions And Transfer Of Special Declarant Rights For Summer Hill Farms Subdivision, recorded in Book 1000, Page 128, Davie County Registry ("Ratification").

WHEREAS, pursuant to ARTICLE IX, General Provisions, Section 6, Amendment, of the Declaration, the Declarant is authorized to unilaterally amend the Declaration during the Period of Declarant Control "for any other purpose so long as said amendment is not inconsistent with the common plan or scheme of development.

WHEREAS, the Declarant wishes to amend the Declaration during the Period of Declarant Control.

NOW THEREFORE, the Declarant amends the Declaration as follows:

1. The foregoing recitals are true and incorporated herein. Unless otherwise defined herein, All capitalized terms in this Third Amendment shall have the respective meanings ascribed to them in the Declaration.
2. ARTICLE V, Section 2(i) Driveways and Fences. – Any driveway located on a Lot must be paved with concrete or asphalt or other materials pre-approved by the Committee, at a width of at least ten (10) feet. No fencing may be located closer to any street than the closest point of the living unit to any such street without the prior consent of the Committee. No chain-link fencing shall be allowed on any Lot. No drainage ditch or swale shall be filled, tiled or altered in any way except in accordance with local law and Committee requirements.

EXCEPT AS AMENDED HEREIN, all other terms and conditions of the aforesaid Declaration shall remain as stated.

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IN WITNESS WHEREOF, Williams Development Group, LLC, has caused this Third Amendment to the Declaration of Covenants, Conditions, and Restrictions for the Summer Hills Farm Subdivision to be executed this 10 day of May, 2017.

Williams Development Group, LLC



By: Stephen T. Williams Sr.

Its: Managing Member

STATE OF NC

COUNTY OF Forsyth

I, Romona W. Owens, Notary Public in and for said County and State, certify that Stephen Taylor Williams personally came before me this day and acknowledged that he/she is the Managing Member of Williams Development Group, LLC, and that he/she as Member, being authorized to do so, execute the foregoing instrument on behalf of the company for the purposes therein expressed. Witness my hand and official seal, this the 10th day of May, 2017.

My commission expires: 3-30-19

Romona W. Owens
Notary Public

[SEAL]

