

WAKE COUNTY, NC 120
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
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Franklin County North Carolina
Linda H. Stone Register of Deeds
BK 1671 PG 339-340

BOOK:014382 PAGE:01138 - 01140

By: Betty Sharrington Deputy

NORTH CAROLINA
FRANKLIN COUNTY
WAKE COUNTY

AMENDMENT TO THE DECLARATION
OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR BARHAM PLACE
SUBDIVISION

THIS AMENDMENT TO DECLARATION is made on the date hereinafter set forth by DEN-MARK CONSTRUCTION, INC. (hereinafter referred to as "DEN-MAK");

WITNESSETH:

WHEREAS, DEN-MARK is the owner of at least one (1) of the Lots in Barham Place Subdivision, which Lots were subjected to that Declaration of Covenants, Conditions and Restrictions for Barham Place Subdivision recorded in Book 1243, Page 462, Franklin County Registry on November 30, 2001, and in Book 9197, Page 89, Wake County Registry on December 7, 2001 (hereinafter referred to as "Declaration"); and

WHEREAS, the Declaration provides in Article IX, Section 4 that the Declarant reserves the right to make such changes and amendments to the Declaration; and

WHEREAS, DEN-MARK is the Declarant named in the Declaration; and

WHEREAS, DEN-MARK previously amended the Declaration by Amendment dated December 10, 2002 and recorded in Book 1304, Page 44, Franklin County Registry and in Book 9802, Page 556, Wake County Registry and Amendment dated September 2, 2003 and recorded in Book 10414, Page 538, Wake County Registry (hereinafter collectively "Amendment"); and

WHEREAS, DEN-MARK desires to amend the Declaration and the Amendment in this document to clarify the location of the Common Area;

NOW, THEREFORE, DEN-MARK hereby declares that the Declaration and the Amendment shall be amended as follows:

1. Article I, Section 4 of the Declaration shall be amended to read as follows:

Section 4. "Common Areas" shall mean those certain portions of the Property (including any improvements thereto) owned by the Association for the common use and enjoyment of the Owners, including any landscaping as determined by the Board of Directors. The Common Areas shall include any easement rights granted to the Association. The Common Areas shall also include Lots 48 but shall not include Lot 47.

Except for as provided herein, all other terms and conditions of the Declaration and Amendment shall remain in full force and effect.

This the 28 day of February, 2008.

DEN-MARK CONSTRUCTION, INC.

BY: [Signature]
ASST VP President

NORTH CAROLINA
WAKE COUNTY

I, a Notary Public of the County and State aforesaid, certify that KIP ABSHIRE, personally came before me this day and acknowledged that he is ~~ASST VP~~ President of DEN-MARK CONSTRUCTION, INC., a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President. Witness my hand and official stamp or seal, this 29 day of February 2008, 2008.

My Commission Expires: 10-3-10

[Signature]
Notary Public