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Fee Amt: \$23.00 Page 1 of 4  
Franklin County North Carolina  
Brandi S. Davis Register of Deeds

WAKE COUNTY, NC 663  
LAURA M RIDDICK  
REGISTER OF DEEDS  
PRESENTED & RECORDED ON  
09/02/2003 AT 12:57:19

BK 1818 PG 411-414

BOOK:010414 PAGE:00538 - 00541

*By Carolyn Coley, Not.*

NORTH CAROLINA

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

FRANKLIN COUNTY  
WAKE COUNTY

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

WITNESSETH:

WHEREAS DEN-MARK is the owner of more than 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 (hereinafter "Amendment"); and

WHEREAS DEN-MARK desires to amend the Declaration and the Amendment in this document;

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. The Common Areas shall include any easement rights granted to the Association. The Common Areas shall also include Lots 47 and 48.

2. Article VIII, Section 2, shall be amended to include the following provision:

25. There shall be no signs exhibited on any Lot except for a "For Sale" sign.

26. No above-ground swimming pools shall be located on any Lot.

3. By authority of its Board of Directors, BARHAM PLACE HOMEOWNERS ASSOCIATION, INC. enters into the execution of this document to certify that the foregoing instrument has been duly approved by the Declarant and 0% of the Owners of the lots of Barham Place Subdivision, as no such approval is required pursuant to the terms of Article IX, Section 4, and is therefore a valid amendment to the Declaration.

This the 28 day of AUGUST, 2003.

DEN-MARK CONSTRUCTION, INC.

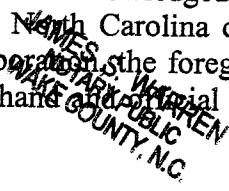
BY: Mark E. Dowdy  
Mark E. Dowdy, Vice President

BARHAM PLACE HOMEOWNERS ASSOCIATION, INC.

BY: Mark E. Dowdy  
Mark E. Dowdy, Vice President

NORTH CAROLINA  
WAKE COUNTY

I, a Notary Public of the County and State aforesaid, certify that Mark E. Dowdy, personally came before me this day and acknowledged that he is Vice President of DENMARK 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 28 day of August, 2003.

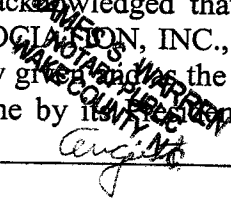


My Commission Expires: 10-3-05

James W. Wain  
Notary Public

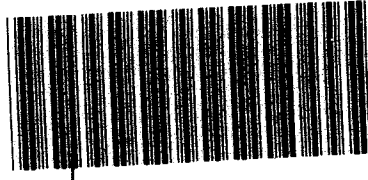
NORTH CAROLINA  
WAKE COUNTY

I, a Notary Public of the County and State aforesaid, certify that Mark E. Dowdy, personally came before me this day and acknowledged that he is Vice President of BARHAM PLACE HOMEOWNERS ASSOCIATION, INC., a North Carolina not-for-profit 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 28 day of August, 2003.



My Commission Expires: 10-3-05

James W. Wain  
Notary Public



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Yellow probate sheet is a vital part of your recorded document.  
Please retain with original document and submit for rerecording.



Wake County Register of Deeds  
Laura M. Riddick  
Register of Deeds

North Carolina – Wake County

The foregoing certificate \_\_\_ of James S. Warner

\_\_\_\_ Notary(ies) Public is (are) certified to be correct. This instrument  
and this certificate are duly registered at the date and time and in the book and