

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

AMENDED DECLARATION TO RESTRICTIVE
COVENANTS PINEHURST PLACE SINGLE
FAMILY SUBDIVISION

THIS AMENDED DECLARATION TO THE DECLARATION OF RESTRICTIVE COVENANTS FOR PINEHURST PLACE SUBDIVISION, dated for purposes of reference only this 15th day of August, 1994, by WEYERHAEUSER REAL ESTATE COMPANY, a corporation qualified to do business in the State of North Carolina (hereinafter "Declarant"), with joinder of PINEHURST PLACE GARDEN CLUB, INC., a North Carolina non-profit corporation (hereinafter the "Association") for itself and for all property owners within Pinehurst Place Subdivision (hereinafter referred to collectively as the "Owners").

R E C I T A L S:

Declarant, by recordation of a subdivision plat, subdivided certain properties shown on said plat into lots intended for utilization for construction of residential homes, which subdivision is generally referred to as Pinehurst Place, Greenbrier Subdivision. The subdivision plat is recorded in Map Book F, Page 113D - 113E, Craven County Registry (the "Plat"). Restrictive Covenants encumbering such properties were recorded in Book 1270, Page 1075, et seq., Craven County Registry, said restrictive covenants being hereinafter referred to as the "Original Declaration". A Corrected Declaration, modifying the provisions of the Original Declaration in certain minor respects, was recorded by Declarant in Book 1310, Page 504, et seq., Craven County Registry. Paragraph 9 of the Original Declaration provides for the substantive amendment of the Original Declaration with the approval of eighty percent (80%) of the lots subjected to the restrictive covenants contained therein. Declarant, the Association and the Owners have agreed that the amendments to the Original Declaration hereinafter set forth are desirable, and consistent in all respects with the development scheme contemplated by the Original Declaration.

Therefore, the Original Declaration as recorded in Book 1270, Page 1075 et seq., Craven County Registry, and as previously amended, is hereby further amended as follows:

1. Paragraph 1 of the Original Declaration, entitled "Description" shall be amended by substituting in its place the following:

"1. DESCRIPTION. This Declaration shall run with the land and shall bind and enure to the benefit of the owner of each lot within the subdivision, and the property made subject to these restrictive covenants is all of the property shown on that plat of Pinehurst Place Subdivision recorded in Map Book F, Page 113D - 113E, Craven County Registry, as the same is amended by the revised/re-recorded

plat of Pinehurst Place at Greenbrier, recorded in Map Book F, Page 169A+B Craven County Registry.

2. Paragraph 6 of the Original Declaration entitled "Association" shall be amended by adding the following sentence at the end of the fifth paragraph thereof:

"The Association shall maintain in its natural state the buffer areas adjoining the northern boundary of Pinehurst Place Subdivision, as said buffer area is depicted on the revised/re-recorded plat of Pinehurst Place at Greenbrier recorded in Map Book F, Page 169A+B, Craven County Registry."

3. Paragraph 8 of the Original Declaration entitled "Disclaimer" shall be amended by deleting the second paragraph thereof and substituting in its place the following: "Declarant shall have the right to convey, and the Association shall accept the conveyance of, the right-of-way of Pinehurst Drive, the common area within Pinehurst Drive, the access easement located between lots 12 and 13 as shown on the Plat, and the buffer area adjoining the northern boundary of Pinehurst Place Subdivision, as said buffer area is depicted on the revised/re-recorded plat of Pinehurst Place at Greenbrier, recorded in Map Book F, Page 169A+B, Craven County Registry. Said conveyance may be by limited warranty deed."

4. Except as specifically amended by this Amended Declaration, all provisions of the Original Declaration (as modified by the Corrected Declaration referred to above) shall remain fully applicable to all lots made subject thereto, and the terms and provisions of the same shall remain in full force and effect as to all lots encumbered thereby.

IN TESTIMONY WHEREOF, the undersigned has caused this instrument to be executed in its corporate name by its appropriate corporate officers, with its corporate seal attached hereto, all by order of its Board of Directors first duly given, as of the day and year first above written.

WEYERHAEUSER REAL ESTATE
COMPANY

BY: *John Knight*
VICE PRESIDENT

ATTEST:

[Signature]
ASST. SECRETARY

(Corporate Seal)

PINEHURST PLACE GARDEN CLUB,
INC.

BY:

[Signature]
PRESIDENT

ATTEST:

Carole C. Hill
SECRETARY

(Corporate Seal)

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

I, Traci K. Halhorn, a Notary
Public, certify that Nancy W. Backley personally came
before me this day and acknowledged that he/she is Assistant
Secretary of WEYERHAEUSER REAL ESTATE COMPANY, a corporation, and
that by authority duly given and as the act of the corporation, the
foregoing instrument was signed in its name by John M. Doughty, its
Assistant Vice President, sealed with its corporate seal, and
attested by himself/herself as its Assistant Secretary.

WITNESS my hand and official seal, this 15th day of August, 1994.

Traci K. Halhorn
Notary Public

My Commission Expires:

STATE OF NORTH CAROLINA

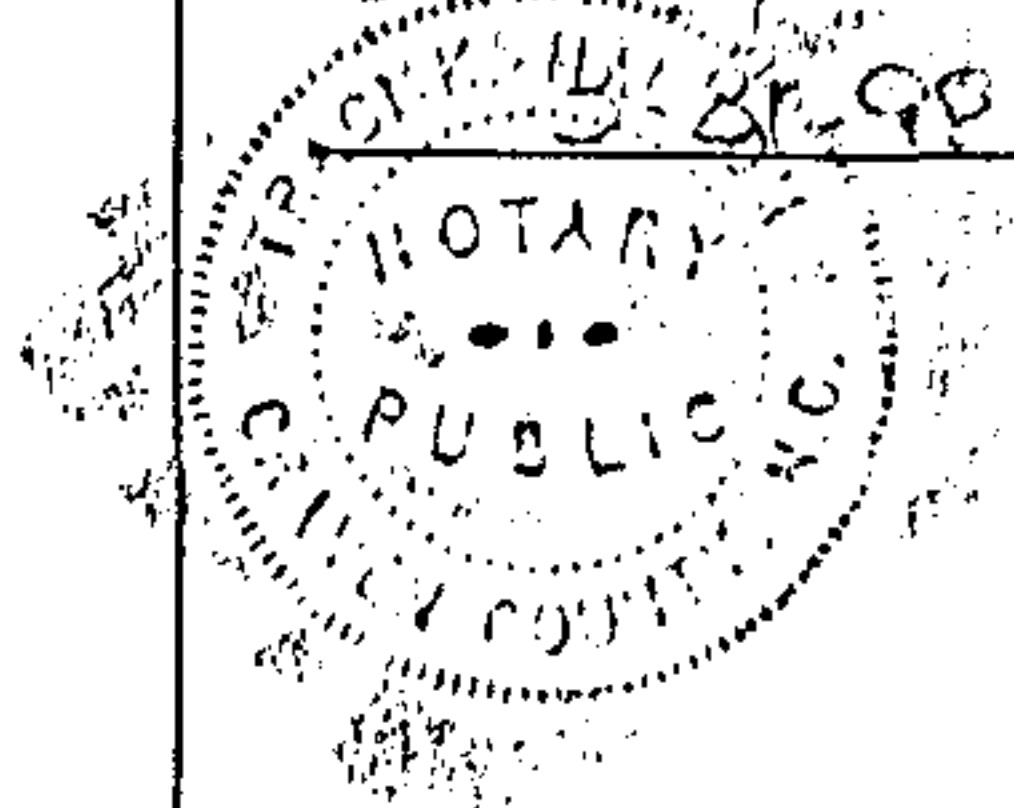
COUNTY OF CRAVEN

I, Traci K. Halton, a Notary Public in and for the above-named State and County do hereby certify that personally appeared before me this day Taylor H. Downey, who being by me duly sworn, says that he is the President of PINEHURST PLACE GARDEN CLUB, INC. and that he knows that Carol C. Hill is the Secretary, and that he knows the common seal of the said corporation; that the corporation's name was subscribed to the within document by him as President and was attested by its Secretary, with its corporate seal thereto affixed, and all by order of its Board of Directors duly given, and that the said instrument is the act and deed of said corporation.

WITNESS my hand and notarial seal, this 15th day of August, 1994.

Traci K. Halton
Notary Public

My Commission Expires: 01-14-98



State of North Carolina, Craven County

The foregoing certificate of Traci K. Halton

is (are) certified to be correct. This instrument was presented for registration this day and hour and duly recorded in the office of the Register of Deeds of Craven County, NC in Book 1430, Page 264.

This 15th day of Aug A.D. 19 94 at 2:30 o'clock PM

Rebecca Thompson
Register of Deeds

Myra S. Dray
Asst./Deputy Register of Deeds

