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ROOT + RODI, PLLC  
P.O. Box 8753  
ASHEVILLE, NC 28814-8753

FILED  
BOOK PAGE

AMENDMENT TO PROTECTIVE COVENANTS

1996 DEC 16 AM 8:38

This Amendment to Protective Covenants of Timberside Development is adopted this 1 day of November, 1996.

REGISTER OF DEEDS  
MADISON CO, N.C.

WITNESSETH

By: *Stephanie Payne, Sec*

WHEREAS, certain Protective Covenants for the real estate development commonly known as Timberside Development have been duly adopted and recorded in the Office of the Register of Deeds for Madison County, North Carolina at Deed Book 155, Page 179; and

WHEREAS, Paragraph 14 of said Covenants makes certain provisions concerning the payment of certain assessments to an association of Property Owners; and

WHEREAS, the said Paragraph 14 further provides that a higher assessment than provided for in said paragraph may be assessed upon written approval of same by a two-thirds (2/3) majority of lot owners; and

WHEREAS, the undersigned, constituting the required two-thirds (2/3) majority have agreed that it is reasonable to raise the assessment described in said Paragraph 14, to further provide that the assessment shall be assessed on the basis of the number of residential dwellings owned by the owner in the development, not the number of lots owned by the owner, and have executed this Amendment to Protective Covenants to cause the increase of said assessment and amendment to said Paragraph 14.

IT IS, THEREFORE, AGREED that the Paragraph 14 of the Protective Covenants of Timberside Development is hereby amended to provide that the amount of the assessment stated therein shall be \$75.00 per residential dwelling in the development. Except as stated herein, all other provisions of paragraph 14 remain in full force and effect.

Kathryn A. Barber (SEAL)

*K Barber* (SEAL)

Thomas W. Brown (SEAL)

Debra A. Brown (SEAL)

W. Eugene White (SEAL)

W. J. Abel Unsworth (SEAL)

Richard L. Cochran (SEAL)

*R Cochran* (SEAL)

James S. Fure (SEAL)

Robin G. Hare (SEAL)

William Whate (SEAL)

*Emily Whate* (SEAL)

Pilius Kay (SEAL)

Margaret B. Jummy (SEAL)

Grace M. Zagami (SEAL)

Joyce Z. Hamilton (SEAL)

\_\_\_\_\_(SEAL) \_\_\_\_\_(SEAL)

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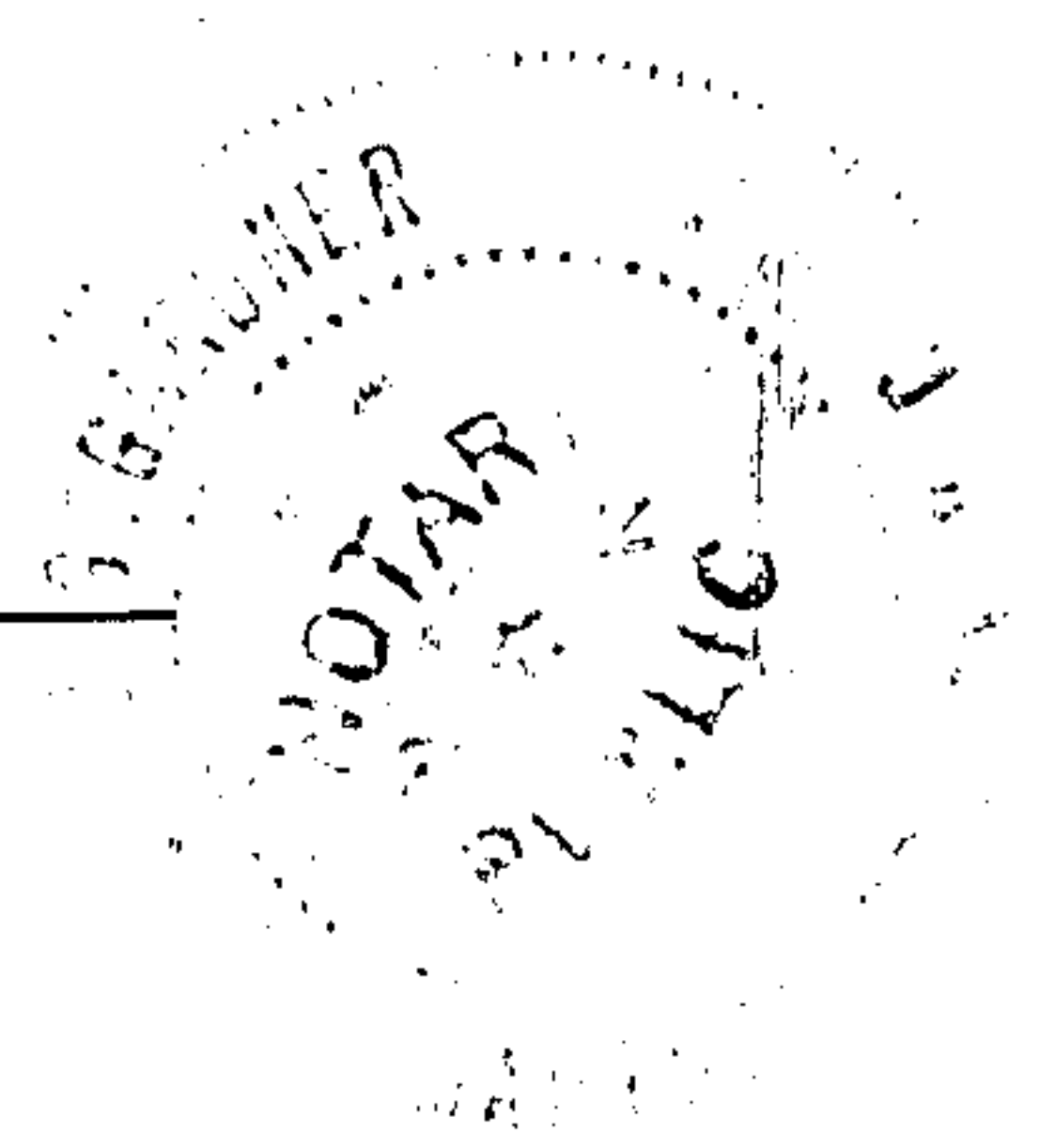
\_\_\_\_\_(SEAL) \_\_\_\_\_(SEAL)

\_\_\_\_\_(SEAL) \_\_\_\_\_(SEAL)

STATE OF NC  
 COUNTY OF Madison

I, a Notary Public of the County and State aforesaid, certify that Kathryn A. Barber and Ed Barber personally appeared before me this day and acknowledged the execution of the foregoing "Amendment to Protective Covenants". Witness my hand and official stamp or seal, this 4 day of SEPT, 1996.

J. A. Sadner  
 Notary Public

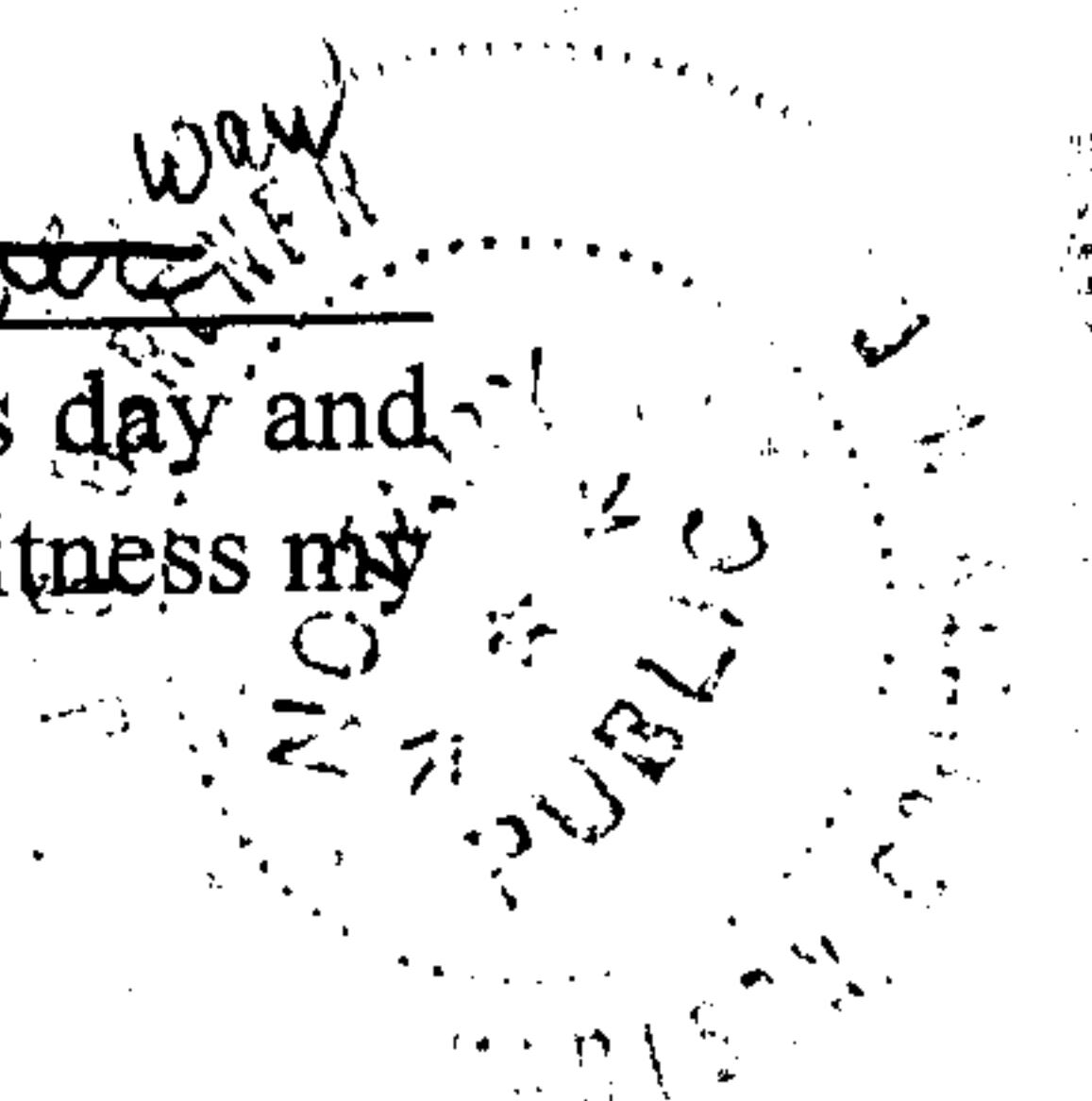


My Commission expires 8/18/2000

STATE OF NC  
 COUNTY OF Madison

I, a Notary Public of the County and State aforesaid, certify that Ed Barber <sup>WOM</sup> personally appeared before me this day and acknowledged the execution of the foregoing "Amendment to Protective Covenants". Witness my hand and official stamp or seal, this 4 day of SEPT, 1996.

J. A. Sadner  
 Notary Public

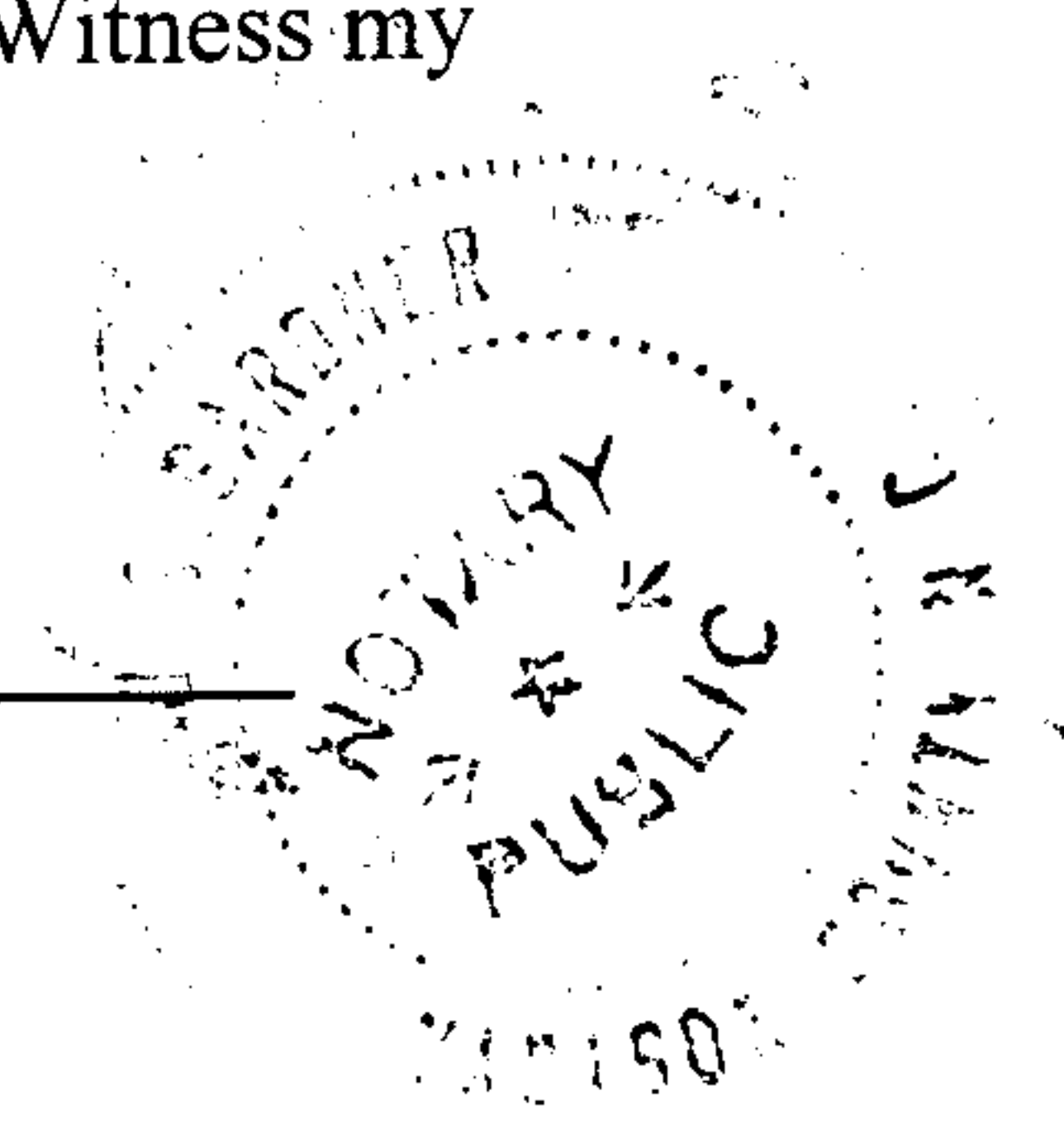


My Commission expires 8/18/2000

STATE OF NC  
COUNTY OF Madison

I, a Notary Public of the County and State aforesaid, certify that Thomas W. <sup>wew</sup>  
Brown W. Eugene White & W.L. Abel personally appeared before me this day and  
acknowledged the execution of the foregoing "Amendment to Protective Covenants". Witness my  
hand and official stamp or seal, this 4 day of SEPT, 1996.

J. B. Gardner  
Notary Public

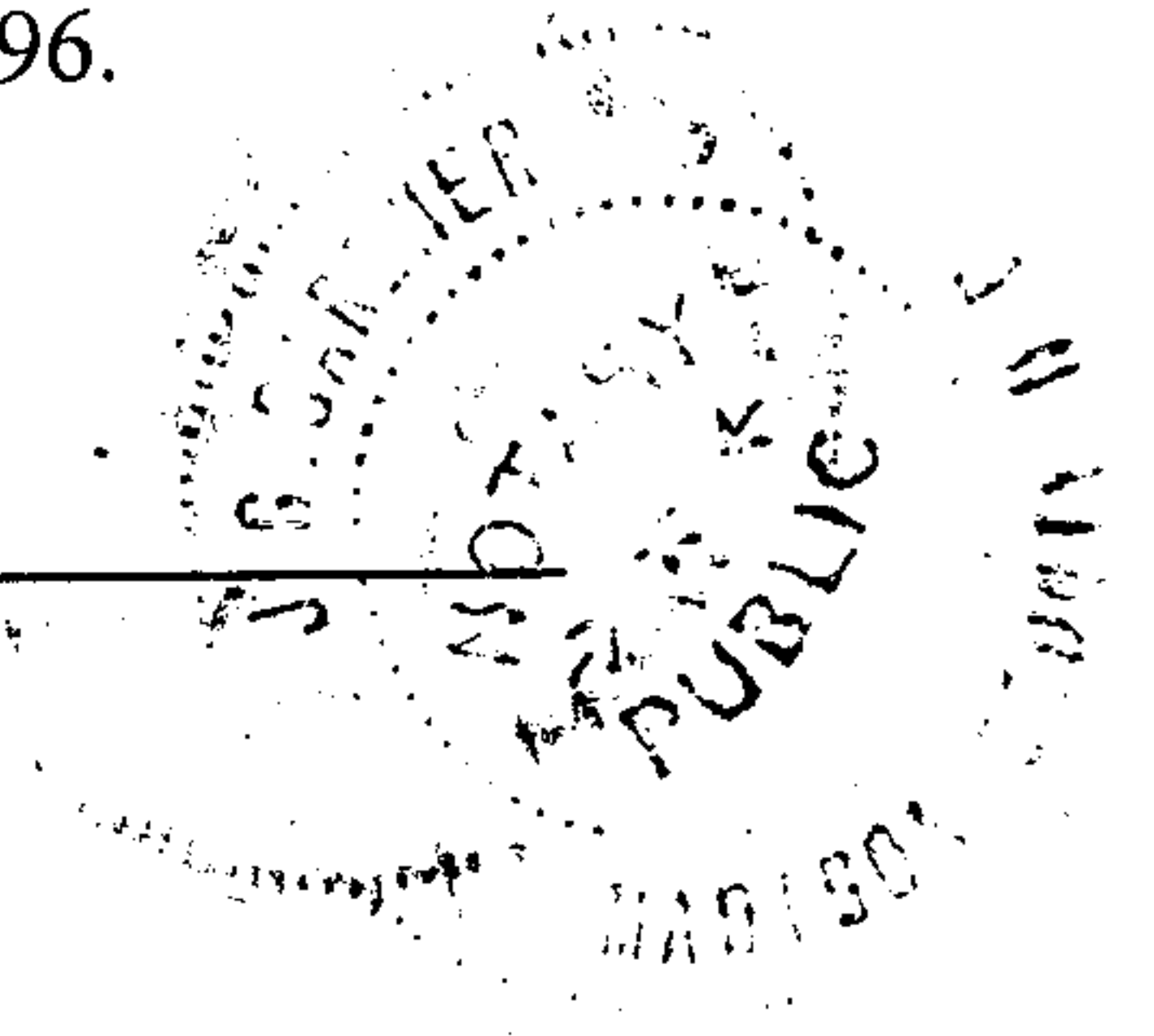


My Commission expires 8/19/2000

STATE OF NC  
COUNTY OF Madison

I, a Notary Public of the County and State aforesaid, certify that Deborah A. <sup>waw</sup>  
Brown Richard I. Bechtel & M. I. Bechtel personally appeared before me this day and  
acknowledged the execution of the foregoing "Amendment to Protective Covenants". Witness my  
hand and official stamp or seal, this 4 day of SEPT, 1996.

J. B. Gardner  
Notary Public



My Commission expires 8/19/2000

STATE OF NC  
COUNTY OF Madison

I, a Notary Public of the County and State aforesaid, certify that W. Eugene <sup>wew</sup>  
White James S. Hane & Robin G. Hane personally appeared before me this day and  
acknowledged the execution of the foregoing "Amendment to Protective Covenants". Witness my  
hand and official stamp or seal, this 4 day of SEPT, 1996.

J. B. Gardner  
Notary Public

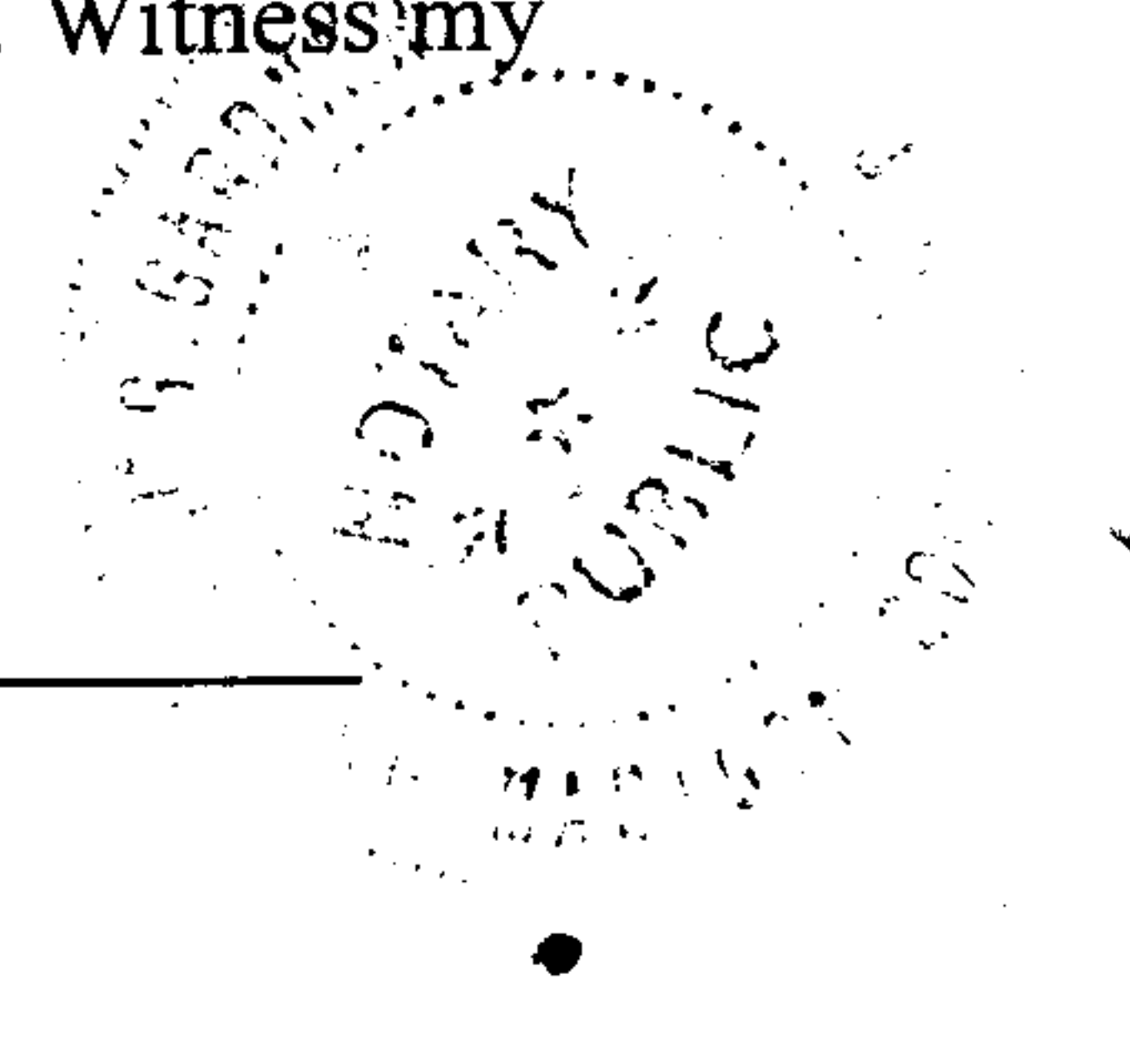


My Commission expires 8/19/2000

STATE OF NC  
COUNTY OF Madison

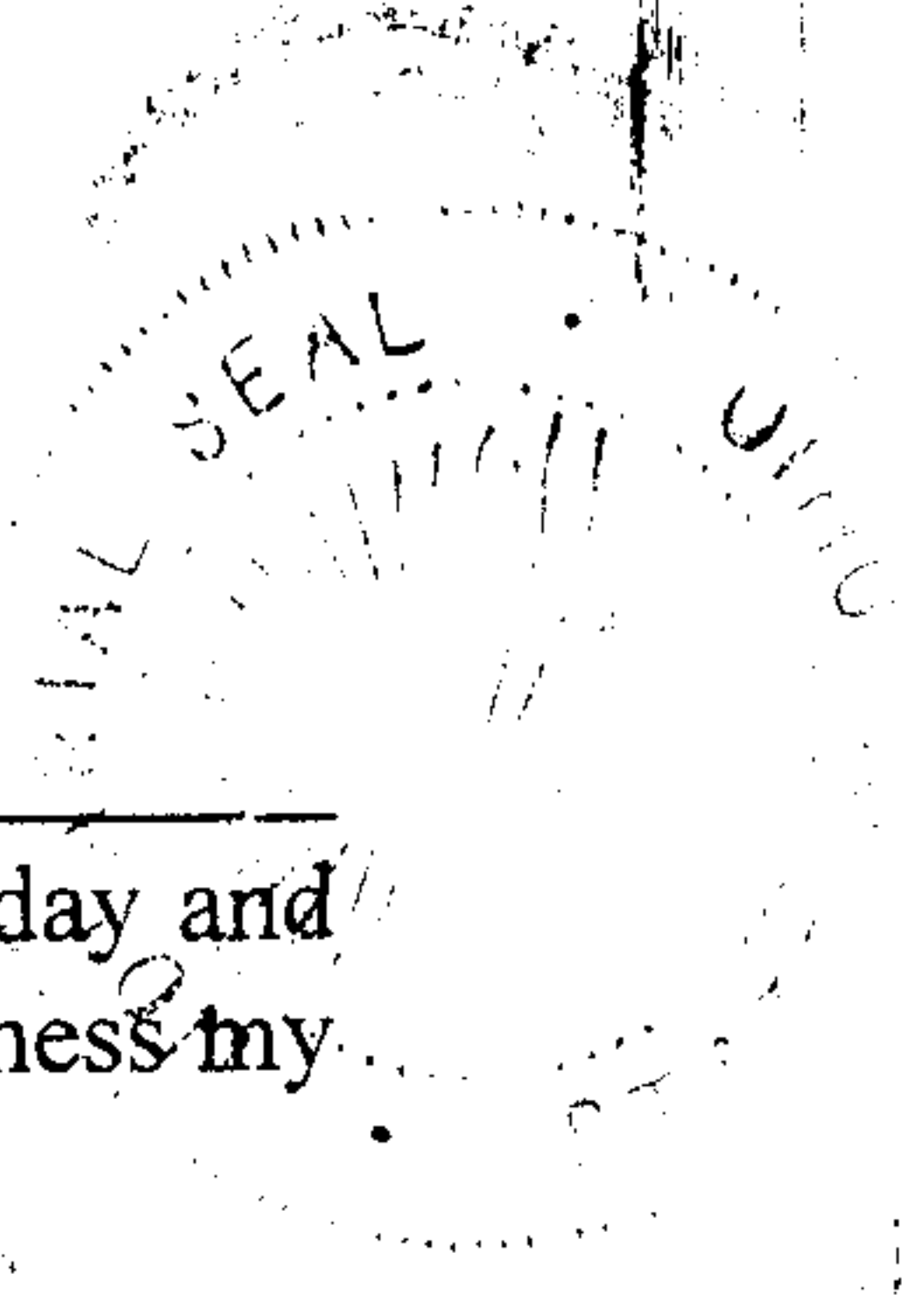
I, a Notary Public of the County and State aforesaid, certify that W. L. <sup>waw</sup>  
William Wheaton and Emily Wheaton personally appeared before me this day and  
acknowledged the execution of the foregoing "Amendment to Protective Covenants". Witness my  
hand and official stamp or seal, this 4 day of SEPT, 1996.

J. B. Gardner  
Notary Public



My Commission expires 8/19/2000

STATE OF OHIO  
COUNTY OF CUYAHOGA



I, a Notary Public of the County and State aforesaid, certify that Richard Kay personally appeared before me this day and acknowledged the execution of the foregoing "Amendment to Protective Covenants". Witness my hand and official stamp or seal, this 10 day of SEPT, 1996.

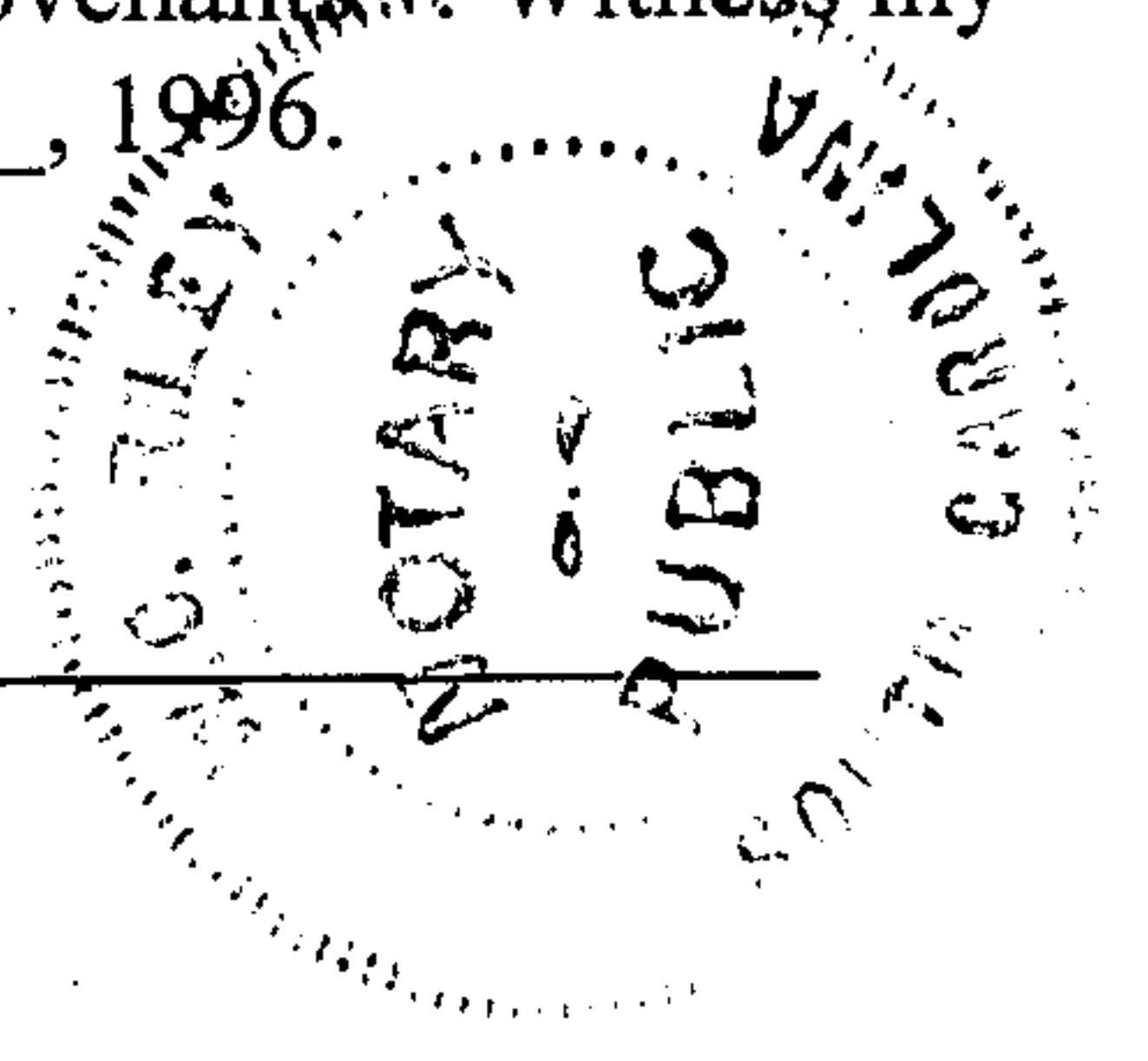
\* Shelly M. Pokorny  
Notary Public  
**SHELLY M. POKORNY**  
Notary Public - State of Ohio, Cuyahoga County  
My Commission Expires Feb. 25, 1998

My Commission expires

STATE OF SC  
COUNTY OF DORCHESTER

I, a Notary Public of the County and State aforesaid, certify that GRACE ZAGAMI personally appeared before me this day and acknowledged the execution of the foregoing "Amendment to Protective Covenants". Witness my hand and official stamp or seal, this 28<sup>th</sup> day of October, 1996.

W.C. Riley  
Notary Public  
**W.C. Riley**

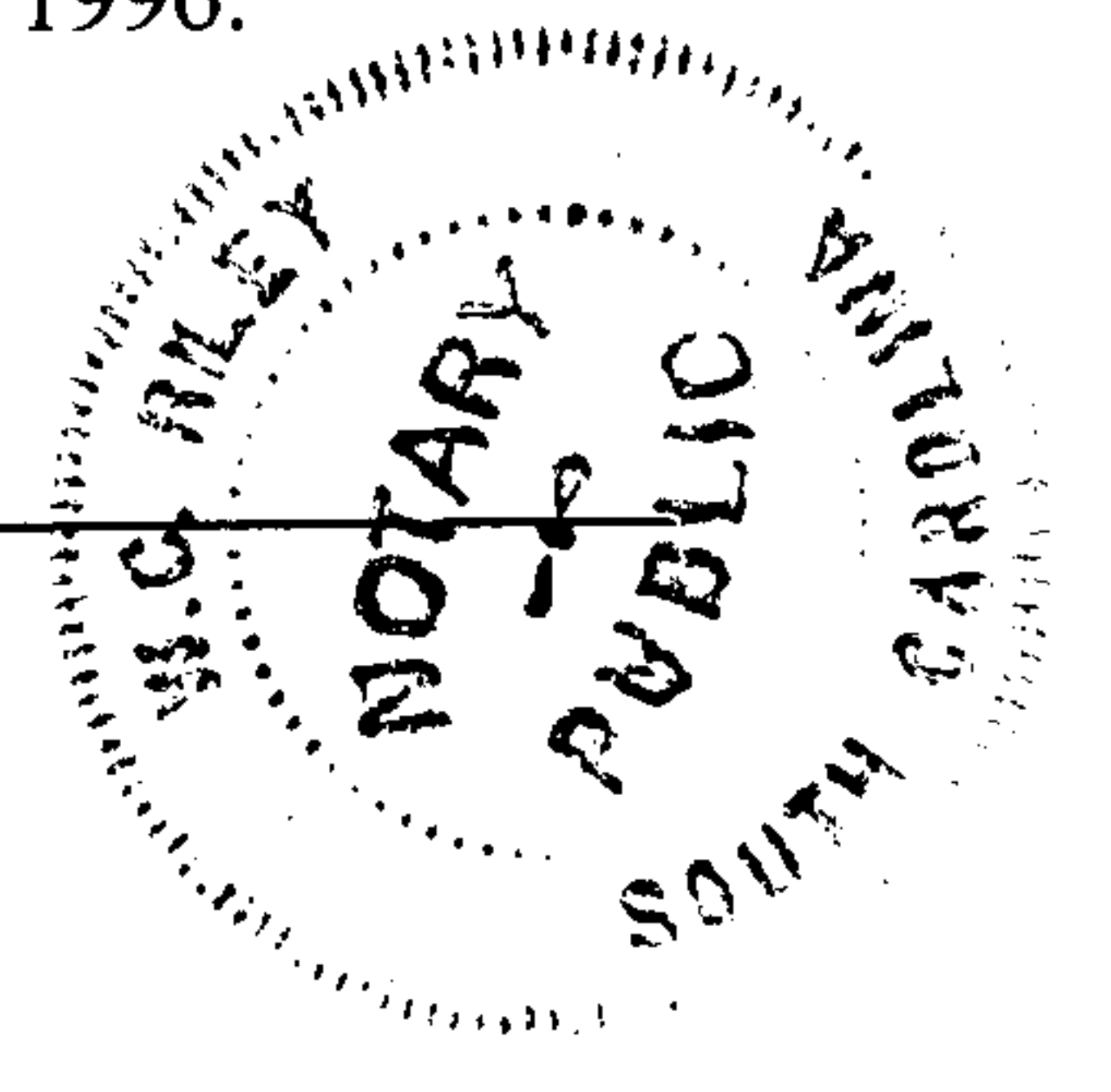


My Commission expires 6/6/2005

STATE OF SC  
COUNTY OF DORCHESTER

I, a Notary Public of the County and State aforesaid, certify that MARGARET TURNEY personally appeared before me this day and acknowledged the execution of the foregoing "Amendment to Protective Covenants". Witness my hand and official stamp or seal, this 28<sup>th</sup> day of October, 1996.

W.C. Riley  
Notary Public  
**W.C. Riley**



My Commission expires 6/6/2005

STATE OF NC  
COUNTY OF Medford

I, a Notary Public of the County and State aforesaid, certify that Joyce Z. Hamilton personally appeared before me this day and acknowledged the execution of the foregoing "Amendment to Protective Covenants". Witness my hand and official stamp or seal, this 4 day of November, 1996.

Kimberly M. Handwick  
Notary Public



My Commission expires ~~My~~ Commission Expires September 11, 2000

North Carolina--Madison County

The foregoing certificate(s) of J.G. Gardner, Shelly M. Pokorny, Kaczmarek, W.C. Riley a Notary or Notaries Public is (are) certified to be correct. This instrument and this certificate are duly registered at the date, time, and in the book and page shown on the first page hereof.

Jenifer Buckner  
Register of Deeds

Stephanie Turner  
Deputy