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Pitt County, NC
Judy J. Tart Register of Deeds

BK **2451** PG **225-227**

NORTH CAROLINA
PITT COUNTY

File: Scott Blum (19)

AMENDMENT TO AMENDED AND RESTATED
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
TYSON FARMS CLUSTER SUBDIVISION, SECTION 3

THIS AMENDED DECLARATION is made on the day and date hereinafter set forth by Bill Clark Homes of Greenville, L.L.C., a North Carolina Limited Liability Company, hereinafter referred to as "Declarant".

WITNESSETH:

WHEREAS, Declarant is the owner of that certain tract of land shown on a plat entitled "TYSON FARMS CLUSTER SUBDIVISION, SECTION 3", recorded in Map Book 68 at Page 143, prepared by Malpass & Assoc., dated April 13, 2007, in the Pitt County Registry (hereinafter "property"); and,

WHEREAS, the Declarant now wishes to amend the original Declaration of Covenants, Conditions and Restrictions ("Original Declaration") recorded in Book 1935 at Page 825, pursuant to Declarant's rights to develop additional property by incorporating additional land under said Original Declaration; and,

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WHEREAS, the Declarant now wishes that the lots of TYSON FARMS CLUSTER SUBDIVISION, SECTION 3, be considered as Members of the Tyson Farms Homeowners Association.

NOW THEREFORE, the declarant wishes to add additional restrictions to the lots located in Map Book 68 at Page 143, prepared by Malpass & Assoc., dated April 13, 2007, in the Pitt County Registry and occupied and improved, subject to the Original Declaration of record in Book 1935, Page 825 of the Pitt County Registry, the same as of originally set out therein; and,

The lots of ***“TYSON FARMS CLUSTER SUBDIVISION, SECTION 3”*** be considered as Members of the Tyson Farms Homeowners Association; and,

NOW THEREFORE, the Declarant does hereby publish and declare that all of the property described in that certain plat entitled ***“TYSON FARMS CLUSTER SUBDIVISION, SECTION 3”***, recorded in Map Book 68 at Page 143, prepared by Malpass & Assoc., dated April 13, 2007, in the Pitt County Registry (hereinafter “property”); and

IN WITNESS WHEREOF, the Declarant, Bill Clark Homes of Greenville, LLC does hereby adopt the work "Seal" as its seal and does hereunto set its hand and seal by its designated manager or managers on this the 8 day of February, ~~2005~~ 2008 *mlg*

BILL CLARK HOMES OF GREENVILLE, L.L.C.

By: [Signature] (SEAL)
Manager

By: [Signature] (SEAL)
Manager

NORTH CAROLINA
PITT COUNTY

I Meta H. Gibbs, a Notary Public of the County and State aforesaid, do hereby certify that Lance Clark, Manager, and Jason Prescott, Manager, personally appeared before me this day and acknowledged that he (they) is (are) a manager(s) of Bill Clark Homes of Greenville, L.L.C., a Limited Liability Company, and further acknowledge the due execution of this instrument on behalf of the Limited Liability Company.

WITNESS my hand and seal or official stamp, this the 8 day of February, 2005.

Notary Public

[Signature: Meta H. Gibbs]

My Commission Expires: 7-5-08

