

Type: CONSOLIDATED REAL PROPERTY
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Pitt County, NC
Lisa P. Nichols REG OF DEEDS

BK 4493 PG 208 - 209

NORTH CAROLINA
PITT COUNTY

Prepared By:
Amy Alston Wells
Gaylord, McNally, Strickland,
Snyder & Wells, PLLC
498 Red Banks Road
Greenville, NC 27858

SECOND AMENDMENT TO DECLARATION OF CONDITIONS, RESTRICTIONS AND
COVENANTS RUNNING WITH THE LAND

THIS SECOND AMENDMENT TO DECLARATION OF CONDITIONS, RESTRICTIONS AND COVENANTS RUNNING WITH THE LAND (the "Amendment") made on the date hereinafter set forth by ABIGAIL TRAILS, LLC, a North Carolina limited liability company, hereinafter referred to as "Declarant".

WITNESSETH:

WHEREAS, Declarant executed and recorded that certain Declaration of Conditions, Restrictions, and Covenants Running with the Land at Book 4379, Page 108 and that certain Amendment to Declaration of Conditions, Restrictions and Covenants Running with the Land at Book 4464, Page 329 (the Amendment and the Declaration are referred to herein collectively as the "Declaration") governing Abigail Trails Subdivision as further described in the Declaration; and,

WHEREAS, Declarant desires to amend the Declaration, and pursuant to Article X, Section 3 of the Declaration, the Declarant has the right and authority to amend the Declaration without the consent or joinder of any lot owner or the Abigail Trails Homeowners Association, Inc.;

WHEREAS, Declarant hereby executes this Amendment for the purpose of amending the Declaration as hereinafter set forth.

NOW, THEREFORE, the Declarant desires that the Declaration shall be amended as follows and that the Property, as defined in the Declaration, shall be owned, sold, conveyed, held, hypothecated, encumbered, used, occupied and improved subject to the Declaration as amended herein.

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Submitted electronically by "Gaylord, McNally, Strickland, Snyder & Wells, PLLC" in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Pitt County Register of Deeds.

1. Article VIII, Section 14 is hereby deleted in its entirety and replaced with the following:

“Section 14: Fences. No fence shall be constructed, built or erected on any Lot of any material, except for white vinyl; and any such fence shall be constructed, built or erected at a height no greater than six (6) feet. No fence of any kind shall be constructed on any Lot in the front yard of such Lot, said front yard being defined as that particular area of the yard located between the rear corner of the residence and the street. On interior Lots or on the interior side of a corner Lot, fences must extend to the side boundary line. No double fencing between Lots is permitted. Each Owner shall have the right and easement to extend his or her fence to the fence erected on the adjacent Lot.”

2. Except as amended as expressly provided herein, the Declaration is hereby ratified and confirmed in its entirety.

IN WITNESS WHEREOF, the Declarant has executed this document, with authority duly given, the day and year first above written, intending it to be a sealed document.

This the 19th day of February, 2024.

ABIGAIL TRAILS, LLC

By: Gina P. Glick (SEAL)
Gina P. Glick, Manager

NORTH CAROLINA
PITT COUNTY

I, Kacie N. Mizell a Notary Public of the County and State aforesaid, certify that Gina P. Glick, personally appeared before me this day in the capacity of Manager of Abigail Trails, LLC and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 19th day of February, 2024.

Kacie N. Mizell
Notary Public

My commission expires: 03/30/2028

