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File:

PREPARED BY: STEPHEN F. HORNE, II, P.A.

NORTH CAROLINA  
PITT COUNTY

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

KNOW BY ALL MEN BY THESE PRESENTS, A. J. SPEIGHT and wife, CHRISTINE M. SPEIGHT; CHERRY CONSTRUCTION COMPANY, INC.; H. S. ANGEM, INC.; MICKEY N. PARROTT and wife, DEBORAH A. PARROTT; OSCAR L. MOORE and wife, SHIRLEY H. MOORE; KENNETH P. WHICHARD, JR.; JOSEPH E. DOWNING, JR. and wife, VICKIE W. DOWNING; DAVID W. BOLDT and wife, SHARON S. BOLDT; JOANNE SPEIGHT; DENNIS D. CALI and wife, REBECCA L. CALI being all the owners of the hereinafter described property.

WITNESSETH:

WHEREAS, the parties executing this amendment are all the owners of Lots 1, 2, 3, 4, 5, 6, 9, 10, 12, 13, 15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 36 and 37 of Valley Landing, Phase I, Section A and Section B as recorded in Map Book 38, Page 24 and 25 and Lot 59 of Valley Landing Phase III as recorded in Map Book 38, Page 66 of the Pitt County Registry; and

WHEREAS, there was heretofore recorded a certain Declaration of Conditions, Restrictions and Covenants Running With the Land which is recorded in Book 249, Page 271 of the Pitt County Public Registry; and

WHEREAS, the parties hereto desire to amend said Declaration; and

WHEREAS, said tracts are hereby subjected to the following amendment as to the use thereof, running with the land by whomsoever owned, to wit:

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1. Paragraph 13 is hereby deleted in its entirety and the following is substituted therefore:

13. No animals, livestock, poultry or reptiles of any kind shall be raised, bred or kept on any lot, except that not more than a total of two (2) domesticated dogs or cats, or small, non-offensive and harmless household pets may be kept by the owner, provided they are not kept or used for breeding or maintained for any commercial purpose. All pets shall be confined to their owners lot or to a leash.

2. Paragraph 24 is hereby deleted in its entirety and the following is substituted therefore:

24. The boat landing area shall be for the exclusive use of the lot owners. No boats, trailers or automobiles shall be left unattended or parked in the area. A.J. Speight and Christine M. Speight shall have the right to set rules and regulations regarding the use of the boat landing area by the lot owners. A.J. Speight and Christine M. Speight may assign this right to Valley Landing Homeowners Association.

IN WITNESS WHEREOF, the declarant has executed this document this 5<sup>th</sup> day of March, 1999 and each party has adopted the word "Seal" appearing after their name as their own or executed this agreement pursuant to corporate authority duly given.



CHERRY CONSTRUCTION CO., INC.

BY: [Signature]  
PRESIDENT

ATTEST: [Signature]  
ASST. SECRETARY

H.S. ANGEN, INC.

BY: Ann Glennon  
PRESIDENT

ATTEST: Juni Peckham  
SECRETARY



A.J. Speight (SEAL)  
A.J. SPEIGHT

Christine M. Speight (SEAL)  
CHRISTINE M. SPEIGHT

Mickey N. Parrott (SEAL)  
MICKEY N. PARROTT

Deborah A. Parrott (SEAL)  
DEBORAH A. PARROTT

Oscar L. Moore (SEAL)  
OSCAR L. MOORE

Shirley H. Moore (SEAL)  
SHIRLEY H. MOORE

Kenneth P. Whichard, Jr. (SEAL)  
KENNETH P. WHICHARD, JR.

Joseph E. Downing (SEAL)  
JOSEPH E. DOWNING

Vickie W. Downing (SEAL)  
VICKIE W. DOWNING

David W. Boldt (SEAL)  
DAVID W. BOLDT

Sharon S. Boldt (SEAL)  
SHARON S. BOLDT

Joanne Speight (SEAL)  
JOANNE SPEIGHT

Rebecca L. Cali (SEAL)  
REBECCA L. CALI

Dennis D. Cali (SEAL)  
DENNIS D. CALI

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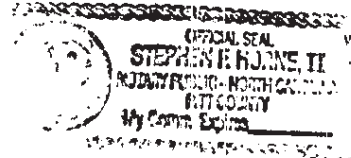
NORTH CAROLINA  
COUNTY OF PITT

I, Stephen F. Home, Jr., a Notary Public of the aforesaid County and State do hereby certify that Kim N. Cherry personally appeared before me this day and acknowledged that he/she is Secretary of CHERRY CONSTRUCTION CO. 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 and attested by himself/herself as its Secretary.

WITNESS my hand and Notarial Seal, this the 13<sup>th</sup> day of April, 1999.

Stephen F. Home, Jr.  
NOTARY PUBLIC

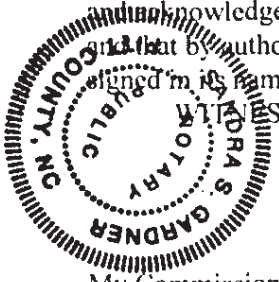
My Commission Expires: 7-4-1999



NORTH CAROLINA  
COUNTY OF PITT

I, Sandra S. Gardner, a Notary Public of the aforesaid County and State do hereby certify that Jim Peuden personally appeared before me this day and acknowledged that he/she is Secretary of H. S. ANGEN, 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 and attested by himself/herself as its Secretary.

WITNESS my hand and Notarial Seal, this the 19<sup>th</sup> day of March, 1999.



Sandra S. Gardner  
NOTARY PUBLIC

My Commission Expires: 5/15/02

NORTH CAROLINA  
COUNTY OF PITT

I, Shirley H. Moore, a Notary Public of the aforesaid County and State do hereby certify that A. J. SPEIGHT and wife, CHRISTINE M. SPEIGHT personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notarial Seal, this the 27<sup>th</sup> day of March, 1999.

Shirley H. Moore  
NOTARY PUBLIC

My Commission Expires: April 28, 2001

