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FOR
REGISTRATION

98 MAR 19 PM 4:09

LAURA H. HOWELL
REGISTER OF DEEDS
WAKE COUNTY

Prepared by:
Mail to:

Laura K. Howell
Smith Debnam Hibbert & Pahl
Post Office Drawer 26268
Raleigh, North Carolina 27611

Wake County, NC 694
Laura K. Howell, Register of Deeds
NORTH CAROLINA

AMENDMENT TO RESTRICTIVE COVENANTS FOR SOUTHWYCK
SUBDIVISION PHASE II AND PHASE III, MAP TWO

Presented & Recorded 10/22/1999 15:28:48
WAKE COUNTY

Book : 008443 Page : 02065 - 02074

This Amendment to Declaration made and entered into this 9th day of ~~October~~ December, 1997, by and between Southwyck Developers, Inc., a North Carolina corporation, hereinafter referred to as "Declarant"; and Harold Stephen Ivey and wife, Darlene T. Ivey, Michael N. Szulak and wife, Sophia Szulak, James H. White and wife, Kimberly G. White, Steve Gillikin and wife, Loretta B. Gillikin, Kim Ray Oxendine and wife, Paula H. Oxendine, Christopher P. Vasques and wife, Elaine M. Vasques, Dennis Palazzi and wife M. Beatrice Palazzi, Jeffrey C. Nottingham, Thomas F. Moorman, Jr. and wife, Sherri I. Moorman, and Phillip Randall Patterson and wife, Margaret H. Patterson, hereinafter referred to as "Owners".

W I T N E S S E T H:

THAT WHEREAS, Declarant heretofore declared, gave granted and conveyed for lots in Southwyck Subdivision, Phase I, Wake County, North Carolina, certain Restrictive Covenants for the benefit of said subdivision, as recorded in Book 5413, Page 611, Wake County Registry; and

WHEREAS, Declarant and Owners are the owners of the certain tracts or parcels of land in said subdivision, more particularly described as Lots 10, 11, 12, 17, 18, 28, 29, 30, 36, 41, 42 and 43, Phases II/ and III per plat thereof recorded in Book of Maps 1993, Page 58, and Book of Maps 1994, Page 385, Wake County Registry, which lots were made subject to the Restrictive Covenants as recorded in Book 5413, Page 611 by plat recordation, but not by an amendment to the Covenants; and

WHEREAS, for the mutual benefit of all homeowners, present and future, for said lots in Phases II and III of Southwyck Subdivision, and for the benefit of those property owners in other Phases and Sections of said subdivision, already subject to similar Restrictive Covenants, Declarant and Owners desire to subject said lots by more than just the recorded plat as referenced hereinabove to the

This document is being re-recorded in order to note that some of the lots named are actually on a different recorded map. This the 19th day of October, 1999.

Laura K. Howell
Closing Attorney

2/20/00

Restrictive Covenants recorded in Book 5413, Page 611;

NOW, THEREFORE, Declarant and Owners do hereby declare and confirm that all of the properties referred to above shall be held, sold and conveyed subject to the aforesaid easements, restrictions, covenants and conditions, which are for the purpose of protecting the value and desirability of, and which shall run with, the real property and be binding on all parties having any right, title or interest in the described properties, or any part thereof, their heirs, successors and assigns, for the term of these covenants as set forth below, and shall inure to the benefit of each holder thereof.

IN TESTIMONY WHEREOF, Declarants and Owners have hereunto set their hands and seals, this the 9th day of December, 1997. ^{9th} ~~October~~

DECLARANT: Southwyck Developers, Inc.

by: Walter Penningill (SEAL)
Vice President

Walter Penningill
Assistant Secretary

OWNERS:

Harold Stephen Ivey
Harold Stephen Ivey

Darlene T. Ivey
Darlene T. Ivey

Michael N. Szulak
Michael N. Szulak

Sophia N. Szulak
Sophia N. Szulak

James M. White
James M. White

Kimberly G. White
Kimberly G. White

Steve Gillikin
Steve Gillikin

Laura M Riddick
Register of Deeds
Wake County, NC



Book : 008443 Page : 02065 - 02074



Wake County Register of Deeds
Laura M. Riddick
Register of Deeds

North Carolina - Wake County

The foregoing certificate ___ of _____

_____ Notary(ies) Public is (are) certified to be correct. This instrument and this certificate are duly registered at the date and time and in the book and page shown on the first page hereof.

Laura M. Riddick, Register of Deeds

By: *Todd Riddick*

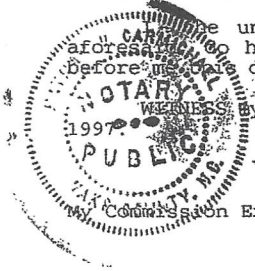
Assistant/Deputy Register of Deeds

This Customer Group
_____ / _____ # of Time Stamps Needed

This Document
_____ / 10 # of Pages
_____ / _____ New Time Stamp

NORTH CAROLINA

WAKE COUNTY



I, the undersigned, a Notary Public in and of said County and State
 aforesaid, hereby certify that Margaret H. Patterson, personally appeared
 before me on the _____ day and acknowledged the execution of the foregoing instrument.
 Witness my hand and official stamp or seal, this the 9th day of December, 1997, A.P.C.

Nathan W. Carmichael
 Notary Public

My Commission Expires: 4/22/99

NORTH CAROLINA — WAKE COUNTY

The foregoing certificate of Walter S. Arnold
Nathan W. Carmichael
James H. Van
 _____ Notary Public

is (are) certified to be correct. This instrument and this certificate are duly registered at the date and
 time and in the book and page shown on the first page hereof.

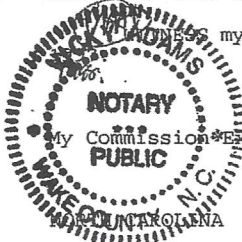
LAURA M. BIDDICK, Register of Deeds

By Charles A. Kelly
 Asst. Deputy Register of Deeds

NORTH CAROLINA

WAKE COUNTY

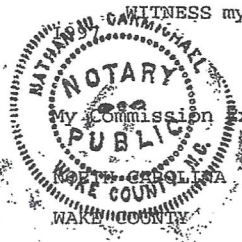
I, the undersigned, a Notary Public in and of said County and State aforesaid, do hereby certify that Jeffrey C. Nottingham, personally appeared before me this day and acknowledged the execution of the foregoing instrument.



WITNESS my hand and official stamp or seal, this the 23 day of ~~October~~ ^{January},
My Commission Expires: 1/22/99
Vicky Adams
Notary Public

WAKE COUNTY

I, the undersigned, a Notary Public in and of said County and State aforesaid, do hereby certify that Thomas F. Moorman, Jr. personally appeared before me this day and acknowledged the execution of the foregoing instrument.



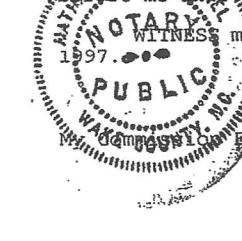
WITNESS my hand and official stamp or seal, this the 9th day of ~~October~~ ^{December}, *mrc*
My Commission Expires: 4/22/99
Nathan W. Carmichael
Notary Public

I, the undersigned, a Notary Public in and of said County and State aforesaid, do hereby certify that Sherri I. Moorman, personally appeared before me this day and acknowledged the execution of the foregoing instrument.



WITNESS my hand and official stamp or seal, this the 9th day of ~~October~~ ^{December}, *mrc*
My Commission Expires: 4/22/99
Nathan W. Carmichael
Notary Public

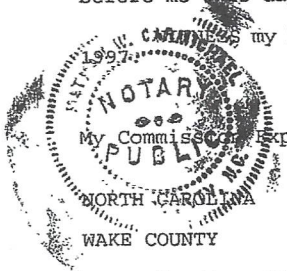
I, the undersigned, a Notary Public in and of said County and State aforesaid, do hereby certify that Phillip Randall Patterson, personally appeared before me this day and acknowledged the execution of the foregoing instrument.



WITNESS my hand and official stamp or seal, this the 9th day of ~~October~~ ^{December}, *mrc*
My Commission Expires: 4/22/99
Nathan W. Carmichael
Notary Public

NORTH CAROLINA
WAKE COUNTY

I, the undersigned, a Notary Public in and of said County and State aforesaid, do hereby certify that Christopher P. Vasques, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

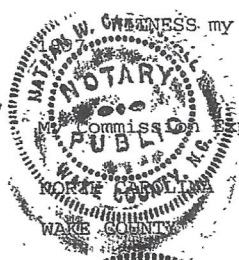


WITNESS my hand and official stamp or seal, this the 9th day of ~~October~~ ^{December}, *NWC*

Nathan W. Carmichael
Notary Public

My Commission Expires: 4/22/99

I, the undersigned, a Notary Public in and of said County and State aforesaid, do hereby certify that Elaine M. Vasques, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

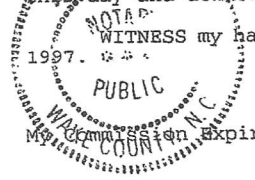


WITNESS my hand and official stamp or seal, this the 9th day of ~~October~~ ^{December}, *NWC*

Nathan W. Carmichael
Notary Public

My Commission Expires: 4/22/99

I, the undersigned, a Notary Public in and of said County and State aforesaid, do hereby certify that Dennis Palazzi, personally appeared before me this day and acknowledged the execution of the foregoing instrument.



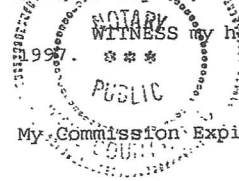
WITNESS my hand and official stamp or seal, this the 20th day of ~~October~~ ^{December}, *gwl*

Dennis Palazzi
Notary Public

My Commission Expires:

NORTH CAROLINA
WAKE COUNTY

I, the undersigned, a Notary Public in and of said County and State aforesaid, do hereby certify that M. Beatrice Palazzi, personally appeared before me this day and acknowledged the execution of the foregoing instrument.



WITNESS my hand and official stamp or seal, this the 20th day of ~~October~~ ^{December}, *gwl*

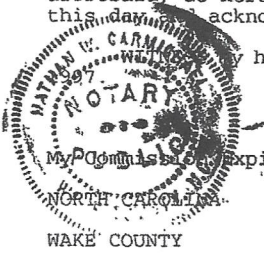
M. Beatrice Palazzi
Notary Public

My Commission Expires:

NORTH CAROLINA

WAKE COUNTY

I, the undersigned, a Notary Public in and of said County and State aforesaid, do hereby certify that Steve Gillikin personally appeared before me this day and acknowledged the execution of the foregoing instrument.

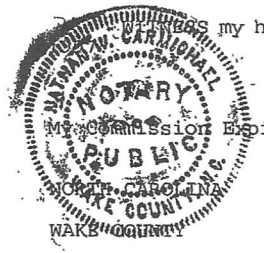


WITNESS my hand and official stamp or seal, this the 9th day of ~~October~~^{December}, 1997, WNC

Nathan W. Carmichael
Notary Public

WAKE COUNTY

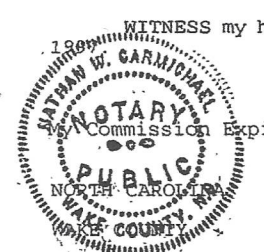
I, the undersigned, a Notary Public in and of said County and State aforesaid, do hereby certify that Loretta B. Gillikin personally appeared before me this day and acknowledged the execution of the foregoing instrument.



WITNESS my hand and official stamp or seal, this the 4th day of ~~October~~^{December}, 1997, WNC

Nathan W. Carmichael
Notary Public

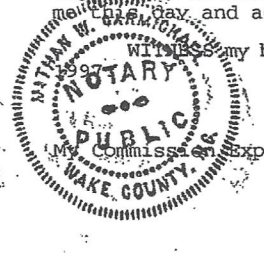
I, the undersigned, a Notary Public in and of said County and State aforesaid, do hereby certify that ~~Kim~~ Ray Oxendine, personally appeared before me this day and acknowledged the execution of the foregoing instrument.



WITNESS my hand and official stamp or seal, this the 9th day of ~~October~~^{December}, 1997, WNC

Nathan W. Carmichael
Notary Public

I, the undersigned, a Notary Public in and of said County and State aforesaid, do hereby certify that Paula H. Oxendine, personally appeared before me this day and acknowledged the execution of the foregoing instrument.



WITNESS my hand and official stamp or seal, this the 9th day of ~~October~~^{December}, 1997, WNC

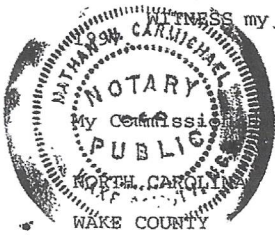
Nathan W. Carmichael
Notary Public

NORTH CAROLINA

WAKE COUNTY

I, the undersigned, a Notary Public in and of said County and State aforesaid, do hereby certify that Michael N. Szulak, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official stamp or seal, this the 9th day of ~~October~~, ^{December} 1997, NC

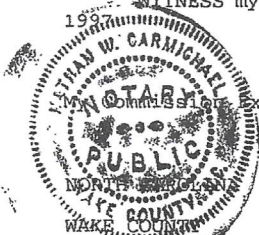


Nathan W. Carmichael
Notary Public

My Commission Expires: 4/22/99

I, the undersigned, a Notary Public in and of said County and State aforesaid, do hereby certify that Sophia N. Szulak, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official stamp or seal, this the 9th day of ~~October~~, ^{December} 1997, NC



Nathan W. Carmichael
Notary Public

My Commission Expires: 4/22/99

I, the undersigned, a Notary Public in and of said County and State aforesaid, do hereby certify that James H. White, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official stamp or seal, this the 9th day of ~~October~~, ^{December} 1997, NC

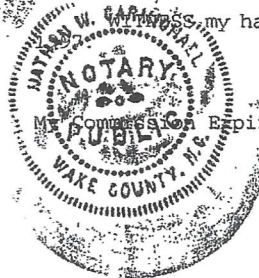


Nathan W. Carmichael
Notary Public

My Commission Expires: 4/22/99

I, the undersigned, a Notary Public in and of said County and State aforesaid, do hereby certify that Kimberly G. White, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official stamp or seal, this the 9th day of ~~October~~, ^{December} 1997, NC



Nathan W. Carmichael
Notary Public

My Commission Expires: 4/22/99

NORTH CAROLINA

WAKE COUNTY

I, the undersigned, a Notary Public in and of said County and State aforesaid, do hereby certify that Laura K. Howell, personally appeared before me this day and acknowledged that she is Assistant Secretary of Southwyck Developers, Inc., a North Carolina corporation, Declarant, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by her as its Assistant Secretary.

WITNESS my hand and official stamp or seal, this the 18th day of March, 1997.



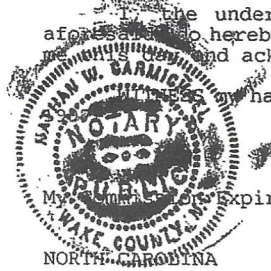
Jody G. Arnold
Notary Public

My Commission Expires:

NORTH CAROLINA

WAKE COUNTY

I, the undersigned, a Notary Public in and of said County and State aforesaid, do hereby certify that Harold Stephen Ivey, personally appeared before me and acknowledged the execution of the foregoing instrument.



WITNESS my hand and official stamp or seal, this the 9th day of December, 1997.

Nathan W. Carmichael
Notary Public

My Commission Expires:

NORTH CAROLINA

WAKE COUNTY

I, the undersigned, a Notary Public in and of said County and State aforesaid, do hereby certify that Darlene T. Ivey, personally appeared before me and acknowledged the execution of the foregoing instrument.



WITNESS my hand and official stamp or seal, this the 9th day of December, 1997.

Nathan W. Carmichael
Notary Public

My Commission Expires: 4/22/99

BK7964PG0315

Loretta B. Gillikin
Loretta B. Gillikin

Loretta B. Gillikin

Ray Oxendine
Ray Oxendine

Paula H. Oxendine
Paula H. Oxendine

Paula H. Oxendine

Christopher P. Vasques
Christopher P. Vasques

Elaine M. Vasques
Elaine M. Vasques

M. Beatrice Palazzi
M. Beatrice Palazzi

Frederic C. Nottingham
Frederic C. Nottingham

Thomas F. Moorman, Jr.
Thomas F. Moorman, Jr.

Sherri I. Moorman
Sherri I. Moorman

Phillip Randall Patterson
Phillip Randall Patterson

Margaret H. Patterson
Margaret H. Patterson

