

PREPARED BY AND RETURN TO: William B. Aycock II, Schell Bray PLLC, 100 Europa Dr., Suite 271, Chapel Hill, NC 27517 (without title exam)

STATE OF NORTH CAROLINA

COUNTY OF WAKE

FIRST AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
SUMMERDALE NORTH

THIS FIRST AMENDMENT (this "**Amendment**") is made and entered into as of May 8, 2019, by LENNAR CAROLINAS, LLC, a Delaware limited liability company ("**Declarant**").

BACKGROUND STATEMENTS

WHEREAS, Declarant is the Declarant under that certain Declaration of Covenants, Conditions and Restrictions for Summerdale North, recorded in Book 17413, Page 214-246, Wake County Registry (the "**Declaration**");

WHEREAS, Declarant subjected to the Declaration property which was owned by Declarant, but already subject to that certain Declaration of Covenants for Summerdale recorded in Book 12282, Page 1228, Book 12548, Page 1944 and Book 15655, Page 2159 of the Wake County Registry (the "**Summerdale Declaration**"). The real property in question is described on Exhibit A, attached hereto and incorporated herein by reference.

WHEREAS, Declarant desires and, pursuant to Section 10.05 of the Declaration has the unilateral right, to remove property from the coverage of the Declaration.

NOW, THEREFORE, Declarant, by this Amendment, does hereby remove the property described on Exhibit A from the coverage of the Declaration, and the same shall be held, transferred, sold, conveyed, occupied and used free of the covenants, conditions, restrictions and other matters set forth in the Declaration.

All capitalized terms not otherwise defined in this Amendment shall have the same meanings as in the Declaration. All covenants, conditions, restrictions, and easements established by and contained in the Declaration shall remain in full force and effect.

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submitted electronically by "Schell Bray PLLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Wake County Register of Deeds.

IN WITNESS WHEREOF, Declarant has executed this Amendment the day, month and year first above written.

LENNAR CAROLINAS, LLC

By:

[Signature]
Troy J. George
Division President and Vice President

STATE OF NORTH CAROLINA

COUNTY OF WAKE

I certify that **Troy J. George, Division President and Vice President of Lennar Carolinas, LLC** personally appeared before me this day, acknowledging to me that he or she signed the foregoing document in the capacity therein indicated.

WITNESS my hand and official seal, this 8th day of May, 2019.

[Signature]
Notary's Official Signature

(Official Seal)

KALYN C DAVIS
Notary's Printed or Typed Name

My commission expires: 05.25.20

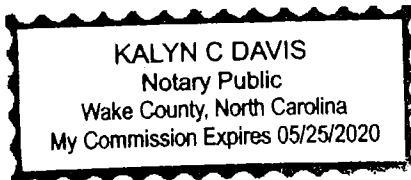


EXHIBIT "A"**Tract 1:**

Beginning at a point on the right of way of Coley Farm Road, said point having NC Grid coordinates of N=667,873.71' and E= 2,056,317.02' (NAD'83); thence runs with said right of way N 56°41' 37" W 179.49' to a point; thence runs N 55°57' 06" W 190.16' to a point; thence runs N 54°49' 59" W 71.59' to a point; thence runs N 00°29' 27" E 216.12' to a point; thence runs S 89°52' 29" E 663.48' to a point; thence runs S 00° 07' 46" W 95.83' to a point; thence runs N 89° 52' 14" W 4.01' to a point; thence runs S 00° 07' 46" W 130' to a point; thence runs N 89° 52' 14" W 172.13' to a point; thence runs S 43°19' 59" E 109.36' to a point; runs thence with a curve to the left having a radius of 218.01', an arc length of 63.31' and a chord bearing and distance of S 50° 24' 04" W 61.11' to a point; thence runs with a curve to the right having a radius of 26.10', an arc length of 29.74' and a chord bearing and distance of S 89° 53' 23" W 28.15' to a point; thence runs with a curve to the right having a radius of 200', an arc length of 20.72' and a chord bearing and distance of N 53° 40' 57" W 20.71' to a point; thence runs S 39° 17' 07" W 166.93' to the point and place of beginning, containing 4.97 acres.