

BOOK 585 - 697

00379

Second Amendment to Declaration
of Protective Covenants,
Easement Reservations, Road Dedication
and Road Maintenance Agreement
of Arbor Lea

This Amendment is made as of the 20th day of January, 1992, by Walter C. Oldham, Jr., individually and as Trustee under the Clarence G. Oldham Trust, and Conniesue B. Oldham (the "Declarant").

WITNESSETH:

WHEREAS, the Declarant has established a general plan and uniform scheme of development for improvement of all that certain parcel of land located in Williams township, Chatham County, North Carolina, containing 141.425 acres and shown on the plat of "Arbor Lea Subdivision Phase II & III and Recombination of Phase I" prepared by Matt K. Moore, R.L.S., of Smith and Smith Surveyors, dated July 17, 1989, and recorded in Plat Slide 89-324, Chatham County Registry; except the Clarence and Alice Oldham house and lot (the "Property").

WHEREAS, the Property is subject to a Declaration of Protective Covenants, Easement Reservations, Road Dedication and Road Maintenance Agreement of Arbor Lea, recorded in Book 550 at Page 91 of the Chatham County Registry, and amended by First Amendment recorded in Book 583, Page 518 (the "Declaration").

WHEREAS, Lots 1, 2, and 12 of Phase IV have been revised and a 0.277 acre parcel is now removed from Lot 2 and from Arbor Lea, and the Declarant desires to amend the Declaration to declare that Phase IV is revised.

NOW, THEREFORE, in consideration of the premises, the Declarant hereby amends the Declaration as follows:

The property description contained in Section 1 of Article I of the Declaration is hereby amended by deleting said description in its entirety and substituting the following description in its stead:

"The property subject to this declaration is all those certain parcels of land located in Williams Township, Chatham County, North Carolina, collectively containing 141.425 acres, more or less, as shown on the plat of "Arbor Lea Subdivision, Phase II and III and Recombination of Phase I", prepared by Matt K. Moore, R.L.S., of Smith and Smith Surveyors, dated July 17, 1989, and recorded in Plat Slide 89, Page 324, Chatham County Registry, except the Clarence and Alice Oldham house and lot; and as shown on the plats of "Phase IV, Arbor Lea", prepared by A. Earl Smith, R.L.S. of Smith and Smith Surveyors, dated August 19, 1991, and recorded in Plat Slide 91-389, Chatham County Registry, revised

by the "Map of a Revision of Lots No. 1, 2, and 12, Arbor Lea, 'Phase IV'" recorded in Plat Slide 92-21, Chatham County Registry, and excluding that 0.277 acre portion recombined with the adjoining lot of C. Sledd Thomas.

The above-described property is referred to hereinafter as follows:

1. "The Property" shall mean and refer to all of the above described property except that 15.342 acres designated on the plats as "Reserved Area."
2. "Reserved Area" shall mean and refer to all that 15.342 acres, more or less, as shown on the above plats, except the house and lot of Clarence G. and Alice Oldham."

2. Section 17 of Article III of the Declaration is hereby amended by deleting said Section in its entirety and substituting the following Section in its stead:

"Section 17. "the Plat" shall refer to the plats of "Arbor Lea Subdivision, Phase II and III and Recombination of Phase I" dated July 17, 1989, and recorded in Plat Slide 89-324, Chatham County Registry, and the plat of "Phase IV, Arbor Lea", dated August 19, 1991, and recorded in Plat Slide 91-389 in the Chatham County Registry, the "Map of Revision of Lots No. 1, 2, and 12 of Arbor Lea 'Phase IV'" recorded in Plat Slide 92- 21, Chatham County Registry, and subsequent plats of property subjected to these restrictions and recorded in the Chatham County Registry."

The provisions of the Declaration, as the same may be effected by this Amendment, shall remain in full force and effect.

IN WITNESS WHEREOF, the Declarant has caused this Declaration to be executed as of the 20th day of January, 1992.

Walton C. Oldham, Jr. (SEAL)
Walton C. Oldham, Jr.,
individually and as Trustee
under the Clarence G. Oldham
Trust

Conniesue B. Oldham (SEAL)
Conniesue B. Oldham

NORTH CAROLINA
CHATHAM COUNTY

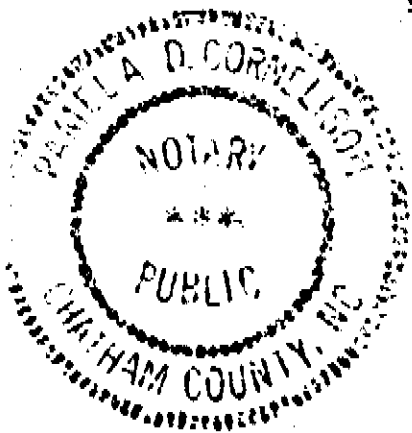
BOOK 585-699

I, a Notary Public of the County and State aforesaid, certify that Walton C. Oldham, Jr. and wife, Conniesue B. Oldham and Walton C. Oldham, Jr., Trustee personally came before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 20th day of January, 1992.

My Commission
Expires 3/19/95
(SEAL)

Pamela D. Cornelison
NOTARY PUBLIC



FILED
'92 JAN 23 PM 12 27
REBA G. THOMAS
REGISTER OF DEEDS
CHATHAM COUNTY, N.C.

NORTH CAROLINA, CHATHAM COUNTY

The foregoing Certificate(s) of PAMELA D. CORNELISON, Notary(ies) Public,
is(are) certified to be correct. This instrument was presented for registration at 12:27 o'clock P.M.
on January 23, 1992, and recorded in Book 585, Page 697.

Reba G. Thomas, REGISTER OF DEEDS FOR CHATHAM COUNTY

By Jeva A. Desgroves, Assistant - Register of Deeds

[am:corbus\493arbor\cove\am\2nd Amend. 192]