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NORTH CAROLINA

RANDOLPH COUNTY

AMENDMENT TO RESTRICTIONS AND WAIVER

THIS AGREEMENT, entered into this 27th day of February, 1989, by and between Frank E. Snider Company, a North Carolina Corporation with principal office and place of business in Randolph County, North Carolina, hereinafter called "Developer"; and Michael A. Bruce & wife, Brenda K. Bruce and Charles Franklin Odom, Jr. and wife, Kittie Walters Odom, all of Randolph County, North Carolina, hereinafter referred to as "Purchasers";

WITNESSETH:

THAT WHEREAS, Developer developed a parcel of land in Grant Township into High Meadows Subdivision as shown on plat recorded in Plat Book 30, page 6, and recorded restrictions applicable to lots in said subdivision which were recorded in Book 1229, page 1553 on November 15, 1988. An amendment to the restrictions was filed on November 30, 1988 in Book 1230, page 1062, reducing the front set-back line from sixty (60) to fifty (50) feet; and

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WHEREAS, restriction number 5-b provides in the last sentence a corner lot shall be deemed to have a front line on each street; and whereas, by virtue of a sight easement at the corner of Lot No. 9, if the front of the house to be constructed by the Developer on Lot No. 9 faces Cox Road (State Road 2834) in line with the front of the houses on other lots fronting on Cox Road, the house by virtue of the side line requirement must violate the set-back as to State Road 2833 and the sight easement shown on the recorded plat at the northwest corner of Lot No. 9; and

WHEREAS, the Developer and the Purchasers, being the owners of all lots in High Meadows Subdivision, Purchasers having acquired their lots by deeds in Book 1230, pages 1063 and 2061, do hereby modify the restrictions recorded in Book 1229, page 1553 as to restriction number 5-b, the last sentence, so that any house constructed upon Lot No. 9, the front of which is in line with the other houses fronting on Cox Road, any violation of the sight easement and the right of way of State Road 2833 set-back, is hereby waived. The owner of each and every lot hereby waives and releases any right or cause of action against the owner, now or subsequently, of Lot No. 9 for damages by virtue of encroaching on the set-back with respect to a corner lot so long as the house constructed on Lot No. 9 faces Cox Road and sets-back in compliance with the previously amended restrictions as to the right of way of Cox Road. No violation of the existing restrictions as to the sight easement and State Road 2833 shall be the basis for any lawsuit or claim for damages for violation of the set-back requirement.

IN TESTIMONY WHEREOF, Purchasers have hereunto set their hands and seals the day and year first above written and the Developer has caused this agreement to be executed by its proper corporate officers and its corporate seal duly affixed, all with prior corporate authority obtained.

FRANK E. SNIDER COMPANY

BY: Frank E. Snider
President

XXXXXXXXXXXXXXXXXXXXXXXXXXXX (SEAL)
XXXXXXXXXXXXXXXXXXXXXXXXXXXX



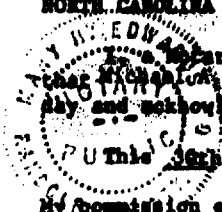
Michael A. Bruce (SEAL)
Brenda K. Bruce (SEAL)

XXXXXXXXXXXXXXXXXXXXXXXXXXXX (SEAL)
XXXXXXXXXXXXXXXXXXXXXXXXXXXX

Charles Franklin Odom, Jr. (SEAL)
Charles Franklin Odom, Jr.

Kittie Walters Odom (SEAL)
Kittie Walters Odom

NORTH CAROLINA - RANDOLPH COUNTY



I, a Notary Public in and for said County and State, do hereby certify that Bruce & wife, Brenda K. Bruce, personally came before me this day and acknowledged the due execution of the foregoing instrument.

May 1990

This 28th day of February, 1989.

My commission expires: 3/24/95

Mary H. Edwards
Notary Public

NORTH CAROLINA - RANDOLPH COUNTY

I, a Notary Public in and for said County and State, do hereby certify that Charles Franklin Odom, Jr. and wife, Kittie Walters Odom, personally came before me this day and acknowledged the due execution of the foregoing instrument.

This 28th day of February, 1989.

My commission expires: Aug. 2, 1993

Delore D. Garner
Notary Public



Below

NORTH CAROLINA - RANDOLPH COUNTY

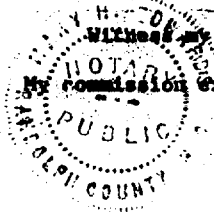
I, a Notary Public for said County and State, do hereby acknowledge that Anna G. Pugh personally appeared before me this day and acknowledged that she is the secretary of FRANK E. SNIDER COMPANY, a North Carolina corporation, and that by authority duly given signed the foregoing document and that the undersigned secretary sealed the same with the corporate seal and attested it as its secretary.

May 1990

Witness my hand and seal this 30th day of February, 1989.

My commission expires: 3/24/95

Mary H. Edwards
Notary Public



NORTH CAROLINA -- Randolph County

The foregoing certificate(s) of Mary H. Edwards (Colonel D. Garner N.P.'s)

is (are) certified to be correct. This instrument was presented for registration and recorded in this office at Book 1262

Page 333, This 4 day of June, 1990 at 2:57 o'clock p M.

Ann Shaw, Register of Deeds
By Debbie Green, Deputy Register of Deeds