

mailed
To: WENDELL HOLLAND
City Hall
146 - N Church St
Asheboro NC.
27203

PLEASE MAIL TO:
J. FRANK HARRIS
400 W. MARKET ST.
GREENSBORO NC 27401

12.00

STATE OF NORTH CAROLINA
COUNTY OF RANDOLPH

FIRST AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS

This First Amendment to the Declaration of Restrictive Covenants executed the 13 day of APRIL, 1995 by and between **MDI MANAGEMENT, INC.** ("Seller"), and **DR. KEVIN J. GUTHRIE** ("Buyer"); and

WHEREAS, Seller is owner of fee simple title to those certain parcels of real property described as Lots 2 and 3, Plat Book 39, Page 53, Randolph County Registry; and

WHEREAS, Buyer is the owner of fee simple title to that certain parcel of real property described as Lot 1, Plat Book 39, Page 53, Randolph County Registry; and

WHEREAS, the parties entered into the Declaration of Restrictive Covenants on February 1, 1994, which Declaration is recorded in Book 1397, Page 1626, Randolph County Registry; and

WHEREAS, the parties desire to amend the foregoing Declaration of Restrictive Covenants.

NOW, THEREFORE, in consideration of the mutual covenants contained herein, Seller and Buyer hereby amend the foregoing Declaration of Restrictive Covenants by deleting Paragraph 1 and substituting the following paragraph in lieu thereof:

1. Seller hereby gives, grants, conveys for itself and its grantees, successors, and assigns, as an appurtenance to and for the benefit of Lots 1 and 3, and Buyer hereby gives, grants, conveys for itself and its grantees, successors, and assigns, as an appurtenance to and for the benefit of Lot 2, and to the respective grantee, successors, and assigns and to each and every other person, firm, entity or corporation hereafter owning any portion of Lots 1, 2 and 3, and for the benefit of all said owners as well as for the benefit of each of the respective officers, tenants, employees, agents, customers, business visitors, guests, licensees, invitees and all other persons lawfully upon any portion of Lots 1, 2 or 3, a mutual reciprocal and non-exclusive easement, right and privilege of use, both pedestrian and automotive, for the purposes of ingress, egress, and parking, and passage over, upon, under and through those portions of Lots 1, 2 and 3 which have driveways and driving areas thereon (such portion being hereinafter referred to as the "Easement Area").

9666601

BX 1452 PG 1763

IN WITNESS WHEREOF, MDI Management, Inc., also known as Seller, and Dr. Kevin J. Guthrie, also known as Buyer, have executed, sealed, and delivered this Agreement as of the day and year first above written.

MDI MANAGEMENT, INC.

BY: *Boyd L. George*
Boyd L. George, Chairman of the Board

ATTEST:

Ronald W. Knedlik
Ronald W. Knedlik, Secretary
(CORPORATE SEAL)

Kevin J. Guthrie, M.D. (SEAL)
Kevin J. Guthrie, M.D.

STATE OF NORTH CAROLINA

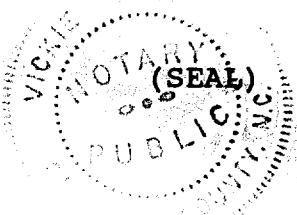
COUNTY OF *Caldwell*

I, *Vickie M. Arthur*, a Notary Public of said county and state aforesaid, certify that Ronald W. Knedlik, personally appeared before me this day and acknowledged that he is Secretary of MDI MANAGEMENT, INC., a North Carolina corporation, and that by authority duly given and as an act of the corporation, the foregoing instrument was signed in its name by its Chairman of the Board, sealed with its corporate seal and attested by him as its Secretary.

WITNESS my hand and official seal this *13th* day of *April*, 1995.

Vickie M. Arthur
Notary Public

My commission expires: *10-7-96*



BK 1452 PG 1764

STATE OF NORTH CAROLINA

COUNTY OF GUILFORD

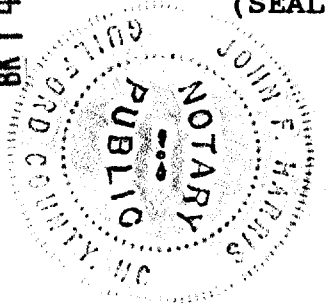
I, JOHN F. HARRIS a Notary Public of said county do hereby certify that KEVIN J. GUTHRIE, M.D., personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official seal this 19 day of APRIL, 1995.

John F. Harris
Notary Public

My Commission Expires: 6-29-97

(SEAL)



BK 1452 PG 1765

NORTH CAROLINA — Randolph County

The foregoing certificate(s) of Wickie McArthur & John F. Harris

is (are) certified to be correct. This instrument was presented for registration and recorded in this office at Book 1452, Page 1763, This 23rd day of April, 19 96 at 11:38 o'clock AM.

Ann Shaw, Register of Deeds
By Gail King Deputy Register of Deeds