

NORTH CAROLINA
PITT COUNTY

**FIRST AMENDMENT TO THE DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS OF
ROCK SPRINGS SUBDIVISION, PHASE IVA**

KNOW ALL MEN BY THESE PRESENTS that the undersigned, representing at least seventy-five (75%) percent of the lot owners of Rock Springs Subdivision, Phase IVA, Falkland Township, Pitt County, North Carolina, do hereby covenant and agree with all the persons, firms and corporations hereafter acquiring as owner any lot or parcel of land in the area designated as Rock Springs Subdivision, Phase IVA as specifically shown in Map Book 42, Pages 165-165A of the Pitt County Registry, reference to which is hereby directed, that said real property is subjected to the following amended Declaration of Covenants, Conditions and Restrictions as to the use thereof, running with the land by whomsoever owned,

WITNESSETH:

Pursuant to Article 15, Paragraph A of the Declarations of Covenants, Conditions and Restrictions for Rock Springs Subdivision, Phase IVA as recorded in Book 470, Page 16 of the Pitt County Registry, said recorded Declaration of Covenants, Conditions and Restrictions are hereby amended as follows: Article 12, Paragraph I is amended to provide as follows:

ARTICLE 12

RESTRICTIONS ON USE AND OCCUPANCY

I. Except as herein permitted for horses and ponies, no horses, ponies, swine, sheep, goats, mules, poultry or animals of any kind shall be raised, bred or kept on any Lot, except that dogs, cats or other household pets in a reasonable number may be kept provided they are not kept, bred or maintained for any commercial purpose, and provided, further, that such pets do not constitute a danger or nuisance including, but not by way of limitation, excessive barking or causing property damage, to other Lot owners or to the neighborhood.

See Instrument recorded
in Book 556 Page 476

See Instrument recorded
in Book 604 Page 673

See Instrument recorded
in Book 807 Page 478

Such pets shall be kept in proper closures or leashed so as not to be free-ranging off of owner's property onto common areas or the property of others. An owner may develop up to eighty (80%) percent of the owner's Lot for pastureland and may keep for personal use a maximum of one horse or one pony per acre of land owned.

EXCEPT AS HEREIN AMENDED, said Declaration of Covenants, Conditions and Restrictions as recorded in Book 470, Page 16 of the Pitt County Registry are hereby re-adopted and confirmed word for word.

First-Citizens Bank and Trust Company and Terry B. Taylor, Trustee, join in this amendment for the sole purpose of consenting thereto.

IN WITNESS WHEREOF, the undersigned owners of at least seventy-five (75%) percent of the lots in Rock Springs Subdivision, Phase IVA, Map Book 42, Pages 165-165A of the Pitt County Registry have executed this amendment to Declaration of Covenants, Conditions and Restrictions as recorded at Book 470, Page 16 of the Pitt County Registry.

This the 29th day of June, 1994.

ROCK SPRINGS II PARTNERSHIP (SEAL)
A North Carolina Partnership

By:  (SEAL)
ED N. WARREN, General Partner

By:  (SEAL)
PHILIP K. FLOWERS
General Partner

By:  (SEAL)
DONALD GARRIS
General Partner

By:  (SEAL)
CHARLES F. WILLSON
General Partner

ATTEST:

Donald S. Smith
Secretary

By: Coastal Leaf Limited, a NC Limited Partnership, General Partner (SEAL)

By: C.L.P. INCORPORATED, its General Partner

By: *Cheryl Little*
President

By: HENDRIX-BARNHILL COMPANY, INCORPORATED, General Partner

By: *Pat B*
President

ATTEST:

Jessie Adams
Asst. Secretary

Terry B. Taylor (SEAL)
Terry B. Taylor, Trustee

FIRST-CITIZENS BANK AND TRUST COMPANY

BY: *Lee J. Smith*
Vice President

ATTEST:

Regina H. Arnold
Secretary

Phillip K. Flowers (SEAL)
Phillip K. Flowers

Martha W. Flowers (SEAL)
Martha W. Flowers

Terry K. Cagle (SEAL)
Terry K. Cagle

Loraine E. Cagle (SEAL)
Loraine Cagle

STATE OF NORTH CAROLINA
COUNTY OF Pitt

I, Robert B. Jarrett, a Notary Public in and for said County and State, do hereby certify that ED N. WARREN before me this day personally appeared, who being by me first duly sworn, says that he is a general partner of ROCK SPRINGS II PARTNERSHIP, the partnership described in and which executed the foregoing instrument; that he executed said instrument in the partnership name by subscribing his name thereto; and that the instrument is the act and deed of said partnership.

WITNESS my hand and notarial seal, this the 6th day of July, 1994.

Robert B. Jarrett
Notary Public

My Commission expires:

11/11/95

STATE OF NORTH CAROLINA
COUNTY OF Pitt

I, Robert B. Jarrett, a Notary Public in and for said County and State, do hereby certify that PHILLIP K. FLOWERS before me this day personally appeared, who being by me first duly sworn, says that he is a general partner of ROCK SPRINGS II PARTNERSHIP, the partnership described in and which executed the foregoing instrument; that he executed said instrument in the partnership name by subscribing his name thereto; and that the instrument is the act and deed of said partnership.

WITNESS my hand and notarial seal, this the 6th day of July, 1994.

Robert B. Jarrett
Notary Public

My Commission expires: 11/11/95

STATE OF NORTH CAROLINA
COUNTY OF Pitt

I, Robert B. Jarrett, a Notary Public in and for said County and State, do hereby certify that DONALD GARRIS before me this day personally appeared, who being by me first duly sworn, says that he is a general partner of ROCK SPRINGS II PARTNERSHIP, the partnership described in and which executed the foregoing instrument; that he executed said instrument in the partnership name by subscribing his name thereto; and that the instrument is the act and deed of said partnership.

WITNESS my hand and notarial seal, this the 6th day of July, 1994.

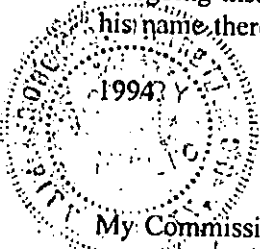
Robert B. Jarrett
Notary Public

My Commission expires:

11/11/95

STATE OF NORTH CAROLINA
COUNTY OF Pitt

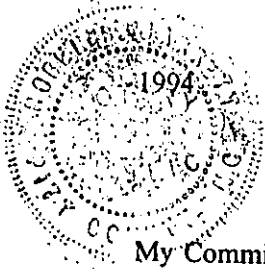
I, Robert B. Jarrett, a Notary Public in and for said County and State, do hereby certify that CHARLES F. WILLSON before me this day personally appeared, who being by me first duly sworn, says that he is a general partner of ROCK SPRINGS II PARTNERSHIP, the partnership described in and which executed the foregoing instrument; that he executed said instrument in the partnership name by subscribing his name thereto; and that the instrument is the act and deed of said partnership.

WITNESS my hand and notarial seal, this the 6th day of July.

My Commission expires:

11/11/95Robert B. Jarrett
Notary PublicSTATE OF NORTH CAROLINA
COUNTY OF Pitt

I, Robert B. Jarrett, a Notary Public in and for said County and State, do hereby certify that Janet S. Sutton personally appeared before me this day and acknowledged that she is Secretary of C. L. P. Incorporated, a North Carolina corporation, and a general partner in Coastal Leaf Limited, which is a general partner in Rock Springs II Partnership, 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 herself as its Secretary, all in the name of Rock Springs II Partnership and as its act and deed.

WITNESS my hand and notarial seal, this the 5th day of July.

My Commission expires:

11/11/95Robert B. Jarrett
Notary Public

STATE OF NORTH CAROLINA

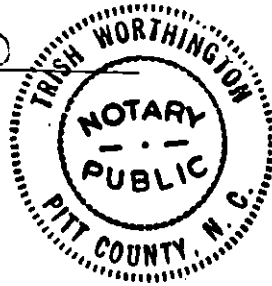
BOOK 525 PAGE 615

COUNTY OF Pitt

I, Trish Worthington, a Notary Public in and for said County and State, do hereby certify that Janice Adams personally appeared before me this day and acknowledged that she is Secretary of HENDRIX-BARNHILL COMPANY, INCORPORATED, a corporation and a general partner in Rock Springs II Partnership, 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 himself as its Secretary all in the name of said partnership and as the act and deed of said partnership.

WITNESS my hand and notarial seal, this the 27th day of June, 1994.

Trish Worthington
Notary Public



My Commission expires:
11-04-97

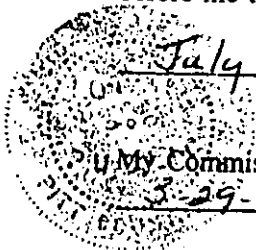
STATE OF NORTH CAROLINA
COUNTY OF Pitt

I, Alice B. Dickens, a Notary Public in and for said County and State, do hereby certify that TERRY B. TAYLOR., Trustee, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal, this the 15th day of

July, 1994.

Alice B. Dickens
Notary Public



My Commission expires:
3-29-97

BOOK 525 PAGE 616

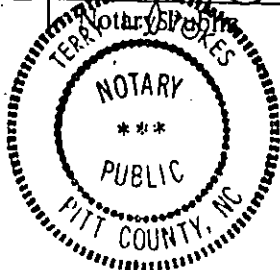
STATE OF NORTH CAROLINA
COUNTY OF Pitt

I, Jerry G. Stokes, a Notary Public in and for said County and State, do hereby certify that TERRY K. CAGLE and wife, LORAIN CAGLE personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal, this the 11th day of July, 1994.

My Commission expires:

2-28-99



STATE OF NORTH CAROLINA

COUNTY OF Pitt

I, Alice B. Dickens, a Notary Public in and for said County and State, do hereby certify that Jacqueline H. Arnold personally appeared before me this day and acknowledged that she is — Secretary of First-Citizens Bank and Trust Company, a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Vice President, sealed with its corporate seal, and attested by her self as its — Secretary.

WITNESS my hand and notarial seal, this the 15th day of July, 1994.



My Commission expires:

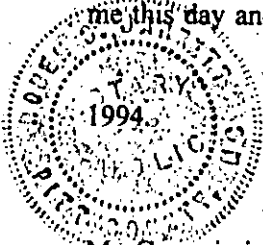
3-29-97

Alice B. Dickens
Notary Public

STATE OF NORTH CAROLINA

COUNTY OF Pitt

I, Robert B. Jarrett, a Notary Public in and for said County and State, do hereby certify that PHILLIP K. FLOWERS personally appeared before me this day and acknowledged the due execution of the foregoing instrument.



WITNESS my hand and notarial seal, this the 10th day of July,

Robert B. Jarrett
Notary Public

My Commission expires:

11/11/95

STATE OF NORTH CAROLINA

COUNTY OF Pitt

I, Robert B. Jarrett, a Notary Public in and for said County and State, do hereby certify that MARTHA W. FLOWERS personally appeared before me this day and acknowledged the due execution of the foregoing instrument.



WITNESS my hand and notarial seal, this the 10th day of July,

Robert B. Jarrett
Notary Public

My Commission expires:

11/11/95

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NORTH CAROLINA: Pitt County

The foregoing certificate(s) of

Robert B. Jarrett, Trish Worthington,
Alice B. Dickens and Terry L. Stokes

Notary(ies) Public is (are) certified to be correct. Filed for registration at 1:04 o'clock P M. this 15th day of July 1994.

ANNIE G. HOLDER, Register of Deeds

By Annie G. Holder
Assistant/Deputy Register of Deeds