

Prepared by and return to: Whispering Pines Homeowners Association, Inc.
3000 RDU Center Drive, Ste 202, Morrisville, NC 27560

STATE OF NORTH CAROLINA
FRANKLIN COUNTY

**SECOND AMENDMENT TO THE
DECLARATION OF COVENANTS,
CONDITIONS, EASEMENT,
AND RESTRICTIONS FOR
WHISPERING PINES**

THIS SECOND AMENDMENT to the Declaration of Covenants, Conditions, Easements, and Restrictions for Whispering Pines (this "Amendment") is made as of the day it is signed, by **Dan Ryan Builders – North Carolina, LLC**, a North Carolina limited liability company (the "Declarant").

WHEREAS, Declarant has previously recorded that certain Declaration of Covenants, Conditions, Easements, and Restrictions for Whispering Pines in Book 2168, Page 2129 in the Franklin County Registry (such instrument referred to herein as the "Declaration");

WHEREAS, pursuant to the power granted in Article XIV, Section 3 of the Declaration, Declarant may amend the Declaration during the Development Period; and

NOW, THEREFORE, it is agreed and declared that the Declaration is amended as follows:

1. Article X: Section 9 of Article XII of the Declaration is hereby deleted and replaced with the following:

"Except as otherwise required by Franklin County, no sign of any kind shall be displayed to the public view on any portion of any Lot without prior approval from the Association. The only signs that may be approved are: (i) One sign of not more ten (10) square feet in size advertising the Lot for sale and (ii) One sign of not more ten (10) square feet in size expressing support of or opposition to political candidates or other issues which will appear on the ballot of a primary, general or special election, provided that such political signs shall not be placed on a Lot earlier than sixty (60) days before such election and shall be removed within seven (7) days after such election. No sign of any kind shall be displayed in or on the Association Common Area without the prior written consent of the Association.

Notwithstanding the foregoing, Declarant shall have the right to erect and maintain signs of any type and size on any Lot which it owns and on the Association Common Area in connection with the development and sale of the Properties. "Defined Terms; Recitals. All capitalized terms used herein, unless otherwise defined herein, shall have the meanings set forth in the Declaration.

2. The Declaration is hereby amended to add the following restriction:

"Solar panels shall be prohibited on the front side of each Dwelling which faces the street. All other solar panels must be approved by Declarant during the Declarant Control Period and the thereafter by the ARC."

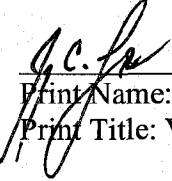
3. Effect of Amendment. The Declaration is hereby modified to the extent set forth herein, but only to the extent set forth herein. All provisions of the Declaration not modified by this Amendment shall remain in full force and effect in accordance with their original terms as set forth in the Declaration. In the event of any conflict or ambiguity between the terms of the Declaration and the terms of this Amendment, the terms of this Amendment shall control.

IN WITNESS WHEREOF, Declarant has caused this Amendment to be executed in legal and binding form, on the date indicated in the acknowledgement of such signature.

[signature on following page]

DECLARANT and OWNER:

Dan Ryan Builders – North Carolina, LLC,
a North Carolina limited liability company

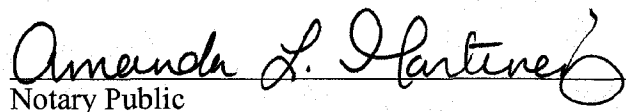
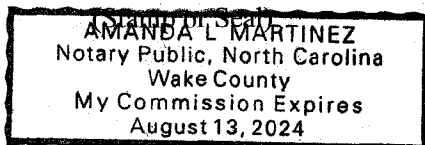
By: 

Print Name: Jay Lewis

Print Title: Vice President

STATE OF NORTH CAROLINA – COUNTY OF Wake

I, the undersigned, a Notary Public, certify that **Jay Lewis**, pursuant to that certain Resolution of the Managers of Dan Ryan Builders – North Carolina, LLC recorded in Book 4934, Page 709, Franklin County Registry, personally appeared before me this day and, being duly sworn, says and deposes, that he is the Vice President of **Dan Ryan Builders – North Carolina, LLC**, a North Carolina limited liability company, and that he, as Vice President, being authorized to do so, executed the foregoing on behalf of the corporation.

WITNESS my hand and official seal, this the 3rd day of June, 2021.
Notary PublicMy commission expires: 8-13-2024