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Prepared by Richard M. Lewis, Jr.

(51) GEORGE E. TATUM
REGISTER OF DEEDS
CUMBERLAND CO., N.C.

NORTH CAROLINA
CUMBERLAND COUNTY

AMENDMENT TO
RESTRICTIVE COVENANTS
HARRIS PLACE ADDITION

KNOW ALL PERSONS BY THESE PRESENTS THAT:

WHEREAS, KING MODEL HOMES CONSTRUCTION COMPANY, INC., hereinafter called "OWNER", is the owner of a majority of the lots contained in the subdivision known as HARRIS PLACE ADDITION, a plat of which is duly recorded in Book of Plats 88, Page 16, Cumberland County Registry; and

WHEREAS, Restrictive Covenants for said subdivision are recorded in Book 4265, Page 673, Cumberland County Registry; and paragraph 4 of said Restrictive Covenants recites that "All lots in said subdivisions are restricted to residential use only..."; and

WHEREAS, OWNER wishes to convey Lot 77 of said subdivision to CAROLINA TELEPHONE AND TELEGRAPH COMPANY, hereinafter called "CT&T", for the purpose of allowing CT&T to install and operate various items of telephone equipment, to construct a small utility building to house the equipment and generally to use the lot in providing telephone services; and that said installation and operation of the equipment is needed to serve the subdivision and surrounding areas; and

WHEREAS, Paragraph 13 of the Restrictive Covenants provides the following:

"Notwithstanding anything contained herein, these restrictive covenants may be amended at any time by King Model Homes Construction Company, Inc., its heirs or devisees, so long as King Model Homes Construction Company, Inc., its heirs or devisees own a majority of the lots contained in HARRIS PLACE ADDITION, Book of Plats 88, Page 16, Cumberland County Registry"; and

WHEREAS, OWNER, being the owner of a majority of the lots in said subdivision, desires to amend the Restrictive Covenants to said subdivision to permit CT&T to use said Lot 77 for other than residential purposes and to permit CT&T to use the Lot for providing telephone service.

NOW, THEREFORE, OWNER does hereby amend the aforesaid Restrictive Covenants so as to permit Lot 77 of the subdivision to be used for the purpose of providing telephone service which

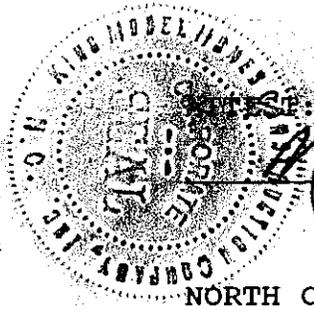
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purpose shall include, but not be limited to, the right to construct, operate and maintain such poles, wires, cables, anchors, pedestals or other fixtures and buildings as CT&T deems necessary in providing telephone service.

IN WITNESS WHEREOF, KING MODEL MODEL HOMES CONSTRUCTION COMPANY, INC., a North Carolina corporation, has caused this Amendment to be signed in its corporate name by its _____ President and attested by its _____ Secretary, and sealed with its corporate seal, this the 13th day of December, 1995.

KING MODEL HOMES CONSTRUCTION COMPANY, INC.

By: [Signature] President



[Signature]
Secretary

NORTH CAROLINA

CUMBERLAND COUNTY

I, Sherry H. Edwards, a Notary Public in the aforesaid County and State do hereby certify that Michael H. Stadman personally appeared before me this day and acknowledged that (s)he is the _____ Secretary of KING MODEL HOMES CONSTRUCTION COMPANY, INC., a North Carolina Corporation, and that by authority duly given and as the act of the said Corporation, the foregoing instrument was signed in its name by its _____ President, sealed with its corporate seal, and attested by himself as its _____ Secretary.

Witness my hand and official stamp or seal, this December, 1995.



Sherry H. Edwards
Notary Public

My Commission Expires: December 20, 1999

The foregoing Certificate(s) of Sherry H. Edwards

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

By George E. Fatum REGISTER OF DEEDS FOR CUMBERLAND COUNTY,
[Signature] Deputy/Assistant - Register of Deeds