

FOR REGISTRATION REGISTER OF DEEDS
Judy D. Martin
Moore County, NC
February 24, 2016 04:24:13 PM
Book 4609 Page 453-457
FEE: \$26.00
INSTRUMENT # 2016002318

LC

Barney



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Prepared by and return to Robbins May & Rich LLP (SFL), 120 Applecross Road, Pinehurst, North Carolina 28374
No Title Examination Performed

Brief Description for Index: Amendment to Declaration/Southern Pines Corporate Park and Nature Preserve

AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS
FOR SOUTHERN PINES CORPORATE PARK AND NATURE PRESERVE

THIS AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR SOUTHERN PINES CORPORATE PARK AND NATURE PRESERVE (this "**Amendment**") is made this 17 day of February, 2016 by RAB Investments LLC, a North Carolina limited liability company, 312 Fields Drive, Aberdeen, North Carolina 28315, ("**Developer**") and RAB Group III, LLC, a North Carolina limited liability company, 312 Fields Drive, Aberdeen, North Carolina 28315, ("**RAB Group**").

WITNESSETH

WHEREAS, on August 30, 2010, Developer recorded that certain Declaration of Covenants and Restrictions for Southern Pines Corporate Park and Nature Preserve in Book 3766, Page 151, Moore County Registry, and subjected the Property to its terms (the "**Declaration**");

WHEREAS, pursuant to Section 3.3 of the Declaration, Developer wishes to withdraw a portion of the Property from the Declaration.

NOW, THEREFORE, Developer does hereby cause the execution of this Amendment to Declaration in order to amend the Declaration as follows:

A. **Withdrawal of Certain Property.** The real property described on **Exhibit A** is hereby withdrawn from the Declaration, subject to the reservations hereinafter set forth in this Amendment, and thus excluded from the "Property" as defined therein.

B. **Reserved Rights.** Developer hereby reserves, to RAB Group and Developer, the rights and easements hereinafter set forth for their use or maintenance.

1. An easement over the all roadways within the Property that are used for ingress and egress to and from public roads and (i) are dedicated to the Town of Southern Pines or (ii) constitute Common Areas.

2. The right to access and use utility easements portions of the Common Area designated by Developer for the provision of utilities

C. **Remaining Application of Declaration.** The rights and easements reserved to RAB Group and Developer in **Section B** are without financial obligation to the Association, pursuant to Article V of the Declaration, but remain otherwise subject to the terms of the Declaration.

D. **Additional Rights.** Developer hereby consents to the construction of a roadway, for ingress and egress to and from Air Tool Drive, across the real property described on **Exhibit A** for the benefit of additional lands (whether a portion of the Property or otherwise) located adjacent thereto owned by Developer, RAB Group or third parties that contract with Developer or RAB Group for the use thereof. It is hereby acknowledged, in an abundance of caution, that the additional rights set forth in this **Section D** shall accrue to the successors in title, from time to time, of Developer and RAB Group.

E. **Miscellaneous.** All capitalized terms otherwise undefined herein shall be defined as set forth in the Declaration. All references in the Lease to “this Declaration” shall be deemed to refer to the Declaration as amended hereby. Except as explicitly amended by this Declaration, all of the terms and conditions of the Declaration shall remain in full force and effect. The rights, easements and obligations set forth in this Amendment shall obligate and accrue to the benefit of Developer and RAB Group and their respective successors and assigns.


F. **Joinder.** RAB Group joins in the execution of this Amendment in order to evidence its consent to the terms of this Amendment, but for no other purposes, and no further obligation shall be inferred from its execution hereof.

[the remainder of this page intentionally left blank]

IN WITNESS WHEREOF, this Amendment is executed by a limited liability company by its duly authorized manager on its behalf, on the day and year first above written.

DEVELOPER

RAB Investments LLC

 (SEAL)
 G. Christopher Jordan
 Manager

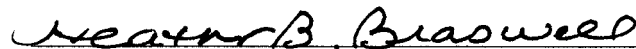
STATE OF North Carolina
 COUNTY OF Moore

I certify that the following person personally appeared before me this day and acknowledged to me that the following Person voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name	Capacity
G. Christopher Jordan	Manager, RAB Investments LLC

- I have personal knowledge of the identity of the principal;
- I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a _____; or
- A credible witness has sworn to the identity of the principal

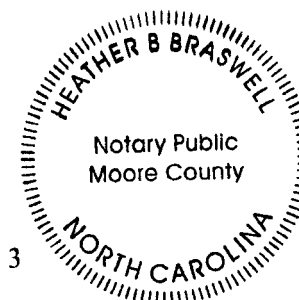
Witness my hand and official stamp or seal on this the 17 day of February, 2016.


 Notary Public

Print notary name: Heather B Braswell
 (notary name must be exactly as on notary seal)

My commission expires: 1-23-2019

[affix notary seal, which must be fully legible, below]



IN WITNESS WHEREOF, this Amendment is executed by a limited liability company by its duly authorized manager on its behalf, on the day and year first above written.

RAB GROUP

RAB Group III, LLC

[Signature] (SEAL)
G. Christopher Jordan
Manager

STATE OF North Carolina
COUNTY OF Moore

I certify that the following person personally appeared before me this day and acknowledged to me that the following Person voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Name	Capacity
G. Christopher Jordan	Manager, RAB Group III, LLC

- I have personal knowledge of the identity of the principal;
- I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a _____; or
- A credible witness has sworn to the identity of the principal

Witness my hand and official stamp or seal on this the 17 day of February, 2016.

Heather B. Braswell
Notary Public

Print notary name: Heather B. Braswell
(notary name must be exactly as on notary seal)

My commission expires: 1-23-2019

[affix notary seal, which must be fully legible, below]

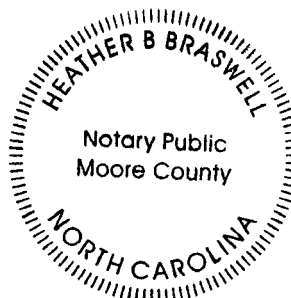


Exhibit A

[Legal Description of the Property]

Tract One

±5.05 acres shown on a plat recorded in Plat Cabinet 14, Page 45, Moore County Registry.

Tract Two

±4.26 acres shown on a plat recorded in Plat Cabinet 16, Page 870, Moore County Registry.