

STATE OF NORTH CAROLINA
COUNTY OF CHEROKEE

AMENDMENT OF COVENANTS, RESTRICTIONS, RESERVATIONS,
TERMS AND CONDITIONS GOVERNING THE
CEDAR RIDGE SUBDIVISION

WHEREAS, the undersigned, Joey Reid, Trustee, is the owner and developer of a certain tract or parcel of land called Cedar Ridge Subdivision and has previously restricted the said lands by Restrictive Covenants and Conditions as recorded in Deed Book 805, Page 130, Cherokee County Registry, reference to said document being made hereby and for incorporation herein of a more complete description of said restrictive covenants; and

WHEREAS, the undersigned, Joey Reid, Trustee, desires to amend Section One of the Restrictive Covenants as described in Deed Book 805, Page 130 for the protection of said lands as owned by the undersigned, Joey Reid, Trustee as hereinabove referred, his heirs, and/or successors or assigns in interest.

NOW, THEREFORE, for and in consideration of the mutual covenants herein contained and in consideration of the obligation of said Developer to Purchaser(s) of said land(s), the undersigned, Joey Reid, Trustee, as Owner and Developer of Cedar Ridge Subdivision, does hereby amend the Restrictive Covenant designated as Section One as set forth in the Covenants, Restrictions, Terms and Conditions governing Cedar Ridge Subdivision as recorded in Deed Book 805, Page 130 as follows:

The Developer reserves unto himself, his heirs, successors and/or assigns in interest a perpetual, alienable, releasable, and non-exclusive road and utility right-of-way for purposes of ingress, egress and utilities over, on and across all roadways, whether existing or not shown on any plat of said subdivision for the benefit of the properties now owned or hereafter acquired by Developer. Developer further reserves the right to grant said right-of-way unto additional properties owned by third parties in his sole discretion. Unless otherwise shown on a conveyance or plat, said road and utility right-of-way shall be 30 feet in width, 15 feet on either side of the centerline of said right-of-way.

Said road and utility rights-of-way are for the benefit, use and enjoyment of the owners and their heirs, successors and/or assigns and every conveyance of the lands herein restricted shall be deemed to be subject to said easements while conveying to the Grantee under said conveyance a similar right appurtenant to his lands to the benefit, use and enjoyment of said easements in common with the undersigned Developer, his heirs, successors and/or assigns in interest, said road and utility right-of-way and easement to provide access to the state maintained road and well lots.

In the event that the North Carolina Department of Transportation should desire to make public roads out of any or all of the roads within said property, this reservation is made for the benefit of the Department of Transportation and its successors with the intent that no further consent shall be required of any land owner then holding title within said property. No warranty, either express or implied, is made by the