

STATE OF NORTH CAROLINA

*Return To: Wayne Tyree*

COUNTY OF JOHNSTON

*56 Chase Drive  
Selma, NC 27576*

AMENDMENT TO  
RESTRICTIVE COVENANTS

THIS INDENTURE OF COVENANTS, made and entered into this the 25 day of October by the undersigned owners of a majority of the lots in the River Dell Chase Subdivision, Selma, Johnston County, North Carolina;

WITNESSETH:

THAT WHEREAS, the undersigned are the owners of a fee simple of a majority of the lots in River Dell Chase Subdivision, in the Town of Selma, Johnston County, State of North Carolina, a map of which appears of record in Plat Book 26, page 75; Plat Book 26, page 139; Plat Book 26, page 213; Plat Book 26, page 241; Plat Book 27, page 113; Plat Book 27, page 303; Plat Book 37, page 275; Plat Book 39, page 437; Plat Book 40, page 331; Plat Book 42, page 271 in the Office of the Register of Deeds of Johnston County; and

WHEREAS, the undersigned are desirous of amending the Restrictive Covenants for said Subdivision, said covenants contained in Book 975, page 38; Book 980, page 803; Book 995, page 1; Book 1008, page 665; Book 1014, page 552; Book 1016, page 195; Book 1020, page 387; Book 1284, page 280; Book 1304, page 413; Book 1352, page 923; Book 1374, page 967; Book 1391, page 104 in the Office of the Register of Deeds of Johnston County; and

WHEREAS, the purpose of the Restrictive Covenants previously recorded as aforesaid was to assure the orderly and uniform development of said subdivision; and

WHEREAS, the majority of the lots in said subdivision have been developed; and

WHEREAS, the Restrictive Covenants previously recorded as aforesaid set forth the requirements for voting on assessments, amendments to these covenants, and meetings for the purpose of voting;

WHEREAS, the majority of the owners of the lots in said subdivision desire to amend the covenants to provide that the maximum annual assessment for each lot may be increased and special assessments for capital improvements may be assessed by a majority vote of those lot owners in attendance at a properly called meeting together with the number of written proxies submitted to the Board prior to or contemporaneous with the call of the vote at the meeting. Said owners also desire to delete all quorum requirements.

WHEREAS, the majority of the owners of the lots in said subdivision desire to amend the covenants as aforesaid, the majority of the owners of the lots wish to assure the continued orderly and uniform development of said subdivision in a manner consistent with the development to date, and to promote the preservation and enhancement of property values;

NOW, THEREFORE, in consideration of the covenants hereinafter set out and for good and valuable consideration this day received, the undersigned parties to this instrument agree and covenant that the Restrictive Covenants of the River Dell Chase Subdivision as set forth above shall be and the same hereby are amended to add the following:

**An increase in the maximum annual assessment for each lot or any special assessment for capital improvements assessed against each lot, shall require a majority vote of those lot owners in attendance at a properly called meeting together with the number of written proxies submitted to the Board prior to or contemporaneous with the call of the vote at the meeting. There are no quorum requirements for voting on these matters. The vote will be determined by the majority present and voting in person at the meeting or through proxy. To the extent the prior covenants conflict with this paragraph II, the prior covenants are amended to reflect this change.**

covenant that the Restrictive Covenants of the River Dell Chase Subdivision as set forth above shall be and the same hereby are amended to add the following:

I. In addition to a dwelling constructed in compliance with the Restrictive Covenants, each lot may also have one detached standard size garage and one additional detached building no larger than twenty-five feet by twenty-five feet. The purpose of this provision is to allow for each lot to have a detached standard garage and one additional detached building for use in compliance with the Restrictive Covenants. If a dwelling has an attached garage, then such lot can have only one detached building no larger than twenty-five feet by twenty-five feet. Any detached building must be constructed in accordance with the construction requirements set forth in the Restrictive Covenants for the subdivision and shall be of the same construction and color of the dwelling.

Any lot owner whose dwelling is constructed with stucco shall not be limited to constructing a detached garage or building with stucco, but is hereby allowed to construct a detached garage or building out of material that is the same or substantially similar to that of frame houses in the subdivision. However the color of the detached garage or outbuilding must match the color of the dwelling.

To the extent the prior covenants conflict with this paragraph I, the prior covenants are amended to reflect this change.

II. In addition to the option set forth in previous covenants for installation of a satellite disk, the homeowners shall be permitted to install as 18 inch satellite disk by attaching the 18 inch disk to their home in the least conspicuous place from the street. The plans and specifications for the location of satellite disk must have prior approval of the architectural committee.

*Jessie Wayne Tyler*  
VP HOA

I, MONICA J. PERRY, a Notary Public for Cumberland County, NC, do hereby certify that Jessie Wayne Tyler, came before me this date, and personally being known to me, acknowledged that he is Vice President of the Homeowners Association of the River Dell Chase Subdivision in the State of North Carolina in the County of Johnston. Witness my hand and official seal, this the 25 day of Oct, 2007.

(Official Seal) *Monica J. Perry*

My Commission Expires: August 16, 2009

Monica J Perry (Printed name of Notary)

