SIDE NO 868820 BK 6133 PG 0629

000629

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR MONTIBELLO

PICK UP BY
MARC ISAACSON

THIS AMENDMENT is entered into this 25th day of June, 2004, by Portrait Homes Construction Co. (hereinafter referred to as "Declarant").

of Covenants, Conditions

07/16/2004 GUILFORD CO. NC
1 MISC DOCUMENTS 868820 $12.00
1 MISC DOC ADDN PGS $3.00

WHEREAS, Declarant executed that certain Declaration of Covenants, Conditions and Restrictions for Montibello recorded in the Register of Deeds of Guilford County, North Carolina on November 26, 2003 as Record No. 794718 in Book 5990, Page 3032 to 3067; and

WHEREAS, pursuant to Article XI, the Declarant has reserved the right and option to amend the Declaration and the Exhibits and Declarant owns more than 67% of the Lots as of this date; and

WHEREAS, Declarant now desires and intends hereby to so amend the Declaration; and

NOW, THEREFORE, Declarant does hereby amend the Declaration as follows:

RECORDED - 868820
KATHERINE LEE PAYNE
REGISTER OF DEEDS
GUILFORD COUNTY, NC
BOOK: 6133
PAGE(S):0629 TO 0631
07/16/2004 12:49:03

1. The term "Common Area" is replaced with the term "Common Elements" throughout the entire Declaration, Bylaws and Articles.

07/16/2004 GUILFORD CO. NC
1 MISC DOCUMENTS 868820 $12.00
1 MISC DOC ADDN PGS $3.00

2. Article V, Section 2. is stricken and replaced with the following:

"Section Two. Purpose of Assessments. The assessments levied by the Association shall be used exclusively to promote the recreation, health, safety, and welfare of the residents of the Properties and in particular for: (1) the improvement, maintenance, repair, and reconstruction of the Common Areas and of the exterior of the residential units, including landscaping; (2) the maintenance, repair, and reconstruction of (a) private water and/or sewer lines (and any meters or lift stations associated therewith), (b) any pond (detention, retention or water quality) as directed by the governmental office having jurisdiction for water quality protection, (c) pool and pool house, (d) private streets, (e) street lights, driveways, walks, and parking areas and such maintenance to include the cutting and removal of weeds and grass, the removal of trash and rubbish, or any other maintenance; (3) the use and enjoyment of the Common Area, including, but not limited to, the cost of repairs, replacements, and additions; (4) the cost of labor, equipment, materials, management, and supervision; (5) the payment of taxes and public assessments assessed against the Common Area; (6) the procurement and maintenance of insurance in accordance with this Declaration; (7) the employment of attorneys to represent the Association when necessary; (8) the provision of adequate reserves for the replacement of capital improvements, including, without limiting the generality of the foregoing, roofs, paving, and any other major expense for which the Association is responsible; and (9) such other needs as may arise."

1 PROBATE FEE $2.00

IN WITNESS WHEREOF, the Declarant has executed this Amendment this 25th day of

1 NON-STANDARD DOC $25.00

000630

June, 2004.

PORTRAIT HOMES CONSTRUCTION CO.

BY: _____
Name: John J. Giampoli
Its: V.P.

STATE OF Illinois)
) SS
COUNTY OF Cook)

Before me, the undersigned Notary Public in and for Cook County, State of Illinois, personally appeared John J. Giampoli who, being duly sworn upon his/her oath, acknowledged that he/~~she~~ is the V.P. of Portrait Homes Construction Co. and that he/she is authorized and empowered so to do, executed the above and foregoing Amendment to Declaration for and on behalf of Portrait Homes Construction Co., for the uses and purposes therein set forth.

DATED this 22nd day of June, 2004.

Paloma Y.G. Riordan
NOTARY PUBLIC

My Commission Expires: 5-19-07

"OFFICIAL SEAL"
Paloma Y.G. Riordan
Notary Public, State of Illinois
My Commission Expires 5/19/07

This instrument was prepared by Greg Bouwer, of Koransky & Bouwer, P.C., 425 Joliet Street, Suite 425, Dyer, IN 46311

000631

KATHERINE LEE PAYNE, REGISTER OF DEEDS
GUILFORD COUNTY
201 SOUTH EUGENE STREET
GREENSBORO, NC 27402

* *

State of North Carolina, County of Guilford

The foregoing certificate of Paloma Y S Riordan

A Notary (Notaries) Public is/are certified to be correct. This instrument and this certificate are duly registered at the date and time shown herein.

KATHERINE LEE PAYNE, REGISTER OF DEEDS

By: Jane Schultz
Deputy - Assistant Register of Deeds

* *

This certification sheet is a vital part of your recorded document.
Please retain with original document and submit when re-recording.

000632

RECORDED - 868821
KATHERINE LEE PAYNE
REGISTER OF DEEDS
GUILFORD COUNTY, NC
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RECORDED - 868822
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GUILFORD COUNTY, NC
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RECORDED - 868823
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