

1
2200

DAVIDSON COUNTY NC
Book 1620
Pages 1721-1726

FILED 6 PAGE(S)
06/22/2005 3:26 PM
MARK C. MYERS
Register of Deeds

PREPARED BY ✓ David L. Maynard, P. O. Box 1550, High Point, NC 27261

SECOND AMENDMENT TO THE DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS

FOR

PENNFIELD

THIS AMENDMENT made and entered into this 9th day of May, 2005, by ABBOTTS CREEK ASSOCIATES, LLC, a North Carolina Limited Liability Company, hereinafter referred to as "Declarant" and PHD ENTERPRISES, INC., a North Carolina corporation; ARNOLD EDWARD KIMSEY, JR. and wife, JULIE M. KIMSEY, G. WILLIAM JOYCE and wife, SARA LEE JOYCE, CARL C. BUSDIECKER and wife, MARCIE K. BUSDIECKER, ALBERT L. THOMAS and wife, MILDRED B. THOMAS and AVONDALE HOMES, INC., A North Carolina corporation, hereinafter referred to as "Owners", do hereby declare:

ARTICLE I

The Declarant purchased land in Deed recorded in Book 1341, page 245, in the Office of the Register of Deeds of Davidson County, North Carolina.

ARTICLE II

The Declarant subdivided the property known as Pennfield, Phase 1, Section 1, Sheet 1 of 2, map of which is recorded in Plat Book 41, at Page 24 and 25, in the Office of the Register of Deeds of Davidson County, North Carolina.

ARTICLE III

The Declarant recorded a Declaration of Covenants, Conditions and Restrictions in Book 1494, page 1055, in the Office of the Register of Deeds of Davidson County, North Carolina.

0017285

ARTICLE IV

The Declarant and Owners recorded an Amendment to the Declaration of Covenants, Conditions and Restrictions in Book 1598, page 1192, in the Office of the Register of Deeds of Davidson County, North Carolina.

ARTICLE V

The parties hereto desire to amend the Declaration of Pennfield by deleting Article VI, Section 1, Maintenance of Common Area and Lots and adding the following language:

SECTION 1. MAINTENANCE OF COMMON AREA AND LOTS. The Association shall maintain the Common Area. The Association shall be responsible for the exterior maintenance of each dwelling and Lots, as follows: painting, replacement and care of roofs, gutters, downspouts, exterior building surfaces, lawn, trees, shrubs, driveways, walks and other exterior improvements. The determination as to whether an Owner has neglected or failed to maintain his lot and dwelling in a manner consistent with other Lots and dwellings in PENNFIELD shall be made by the Board of Directors of the Association. The Association shall be responsible for the exterior maintenance except for the following: glass, screens, doors and hardware, lighting bulbs, plumbing, electrical, HVAC equipment, water and sewer lines and additions.

ARTICLE VI

The above are all the owners of the lots in Pennfield.

ARTICLE VII

This Amendment is made pursuant to Article XI, Section 3 of the Declaration of Covenants, Conditions and Restrictions for Pennfield, recorded in Book 1494, page 1055 in the Office of the Register of Deeds of Davidson County, North Carolina.

ABBOTTS CREEK ASSOCIATES, LLC

BY: PHD ENTERPRISES, INC., Member/Manager

BY: 

President

PHD ENTERPRISES, INC.

BY: LT Dalton

President

Arnold Edward Kimsey, Jr. (SEAL)
Arnold Edward Kimsey, Jr.

Julie M. Kimsey (SEAL)
Julie M. Kimsey

William Joyce (SEAL)
William Joyce

Sara Lee Joyce (SEAL)
Sara Lee Joyce

Carl C. Busdiecker (SEAL)
Carl C. Busdiecker

Marcie K. Busdiecker (SEAL)
Marcie K. Busdiecker

Albert L. Thomas (SEAL)
Albert L. Thomas

Mildred B. Thomas (SEAL)
Mildred B. Thomas

AVONDALE HOMES, INC.

BY: James B. Fran

President

STATE OF NORTH CAROLINA
COUNTY OF DAVIDSON

I, Willie P. Smith, a Notary Public of the County of Guilford, State of North Carolina, do hereby certify that Hunt Dalton personally appeared before me this day and acknowledged that he is President of PHD ENTERPRISES, INC., a North Carolina corporation and Member/Manager of ABBOTTS CREEK ASSOCIATES, LLC, a North Carolina Limited Liability Company, and that by authority duly given and as the act of the

corporation, the foregoing instrument was signed in its name by him as its President on behalf of the LLC.

Witness my hand and official stamp or seal this the 9th day of May, 2005.

Willie P. Smith
Notary Public

My commission expires: May 3, 2010



STATE OF NORTH CAROLINA
COUNTY OF DAVIDSON

I, Willie P. Smith, a Notary Public of the County of Guilford, State of North Carolina, do hereby certify that Hunt Dalton personally appeared before me this day and acknowledged that he is President of PHD ENTERPRISES, INC., a North Carolina corporation and that by authority duly given and as the act of the corporation, the foregoing instrument was signed by him as its President on behalf of the corporation.

Witness my hand and official stamp or seal this the 9th day of May, 2005.

Willie P. Smith
Notary Public

My commission expires: May 3, 2010.



STATE OF NORTH CAROLINA
COUNTY OF DAVIDSON

I, Willie P. Smith, a Notary Public of the County of Guilford, State of North Carolina, do hereby certify that Arnold Edward Kimsey, Jr. and wife, Julie M. Kimsey, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official stamp or seal this the 20th day of ~~May~~^{June}, 2005.

Willie P. Smith
Notary Public

My commission expires: May 3, 2010



STATE OF NORTH CAROLINA
COUNTY OF DAVIDSON

I, Willie P. Smith, a Notary Public of the County of Guilford State of North Carolina, do hereby certify that G. William Joyce and wife, Sara Lee Joyce, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.



Witness my hand and official stamp or seal this the 1st day of June, 2005.

Willie P. Smith
Notary Public

STATE OF NORTH CAROLINA
COUNTY OF DAVIDSON

I, Willie P. Smith, a Notary Public of the County of Guilford State of North Carolina, do hereby certify that Carl C. Busdiecker and wife, Marcie K. Busdiecker, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official stamp or seal this the 17th day of June, 2005.

My commission expires: 5/3/2010

Willie P. Smith
Notary Public



STATE OF NORTH CAROLINA
COUNTY OF DAVIDSON

I, Willie P. Smith, a Notary Public of the County of Guilford State of North Carolina, do hereby certify that Albert L. Thomas and wife, Mildred B. Thomas, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official stamp or seal this the 20th day of May, 2005.

Willie P. Smith
Notary Public

My commission expires: 5/3/2010



STATE OF NORTH CAROLINA
COUNTY OF DAVIDSON

I, Willie P. Smith, a Notary Public of the County of Guilford, State of North Carolina, do hereby certify that James R. Fraser personally appeared before me this day and acknowledged that he is President of AVONDALE HOMES, INC., a North Carolina corporation and that by authority duly given and as the act of the corporation, the foregoing instrument was signed by him as its President on behalf of the corporation.



Witness my hand and official stamp or seal this the 19 day of May, 2005.

Willie P. Smith
Notary Public

My commission expires 5/3/2010

Notary Public

Willie P. Smith

Notary Public (Notary Public) for the State of North Carolina
this 22 day of June, 2005

Mark C. Miller, Registrar of Deeds
James R. Fraser