

DAVIDSON COUNTY NC
Book 1598
Pages 1182-1186
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MARK C. MYERS
Register Of Deeds

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Prepared by: David L. Maynard, Attorney-at-Law
P.O. Box 1550, High Point, NC 27261

AMENDMENT TO THE DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
PENNFIELD

THIS AMENDMENT made and entered into this 5 day of March, 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, and ALBERT THOMAS and wife, MILDRED THOMAS, 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.

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ARTICLE IV

The parties hereto desire to amend the Declaration of Pennfield by adding the following language:

Insurance The Association shall be responsible for sufficiently insuring all Common Elements and shall be responsible for paying the costs of all such insurance. Each Owner shall be responsible for insuring any structures built on their Lot against loss or damage by fire or casualty and shall be responsible for paying the costs of such insurance. Owners shall be required to carry sufficient all-peril insurance to cover 100% of the replacement cost of any structure constructed on the Lot and the contents thereof and, in addition, general liability insurance, including bodily injury, death, and property damage, for a combined single limit of Three Hundred Thousand Dollars (\$300,000.00). Owners shall name the Association as an additional insured such that the Association shall be entitled to receive notification of cancellation of such insurance policies. In the event of non-payment of any premium for insurance required hereunder, the Association is authorized to pay such premium and sums so paid shall become a lien upon the Lot for which shall be enforceable in the same manner and to the same extent as provided herein for enforcement of assessments. Owners shall be obligated to apply the full amount of any insurance proceeds to the rebuilding or repair of any structure constructed on a Lot.

ARTICLE V

The above are all the owners of the lots in Pennfield, except for Carl C. Busdiecker and wife, Marcie K. Busdiecker, who are owners of Lot 27.

ARTICLE VI

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.

ABBOTT'S CREEK ASSOCIATES, LLC

BY: PHD ENTERPRISES, INC., Member/Manager

BY: Arthur Salter
Vice President

PHD ENTERPRISES, INC.

BY: Arthur Salter
Vice President

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

Julie M. Kimsey (SEAL)
Julie M. Kimsey

G. William Joyce (SEAL)
G. William Joyce

Sara Lee Joyce (SEAL)
Sara Lee Joyce

____ (SEAL)
Carl C. Busdiecker

____ (SEAL)
Marcie K. Busdiecker

Albert Thomas (SEAL)
Albert Thomas

Mildred Thomas (SEAL)
Mildred Thomas

STATE OF NORTH CAROLINA
COUNTY OF DAVIDSON

I, Deborah G. Gaskey, a Notary Public of the County of Randolph State of North Carolina, do hereby certify that F. Hunter Dalton personally appeared before me this day and acknowledged that he is Vice 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 Vice President on behalf of the LLC.

Witness my hand and official stamp or seal this the 22 day of March, 2005.



Deborah G. Gaskey
Notary Public

STATE OF NORTH CAROLINA
COUNTY OF DAVIDSON

I, Deborah G. Gaskey, a Notary Public of the County of Randolph, State of North Carolina, do hereby certify that P. Hunter/^{Dalton} personally appeared before me this day and acknowledged that he is/^{Vice} 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/^{Vice} President on behalf of the corporation

Witness my hand and official stamp or seal this the 22 day of March, 2005.

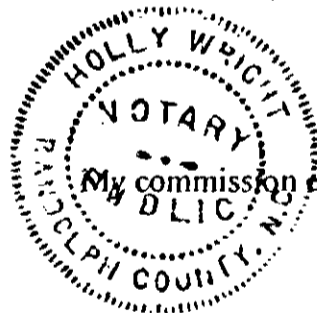


Deborah G. Gaskey
Notary Public

STATE OF NORTH CAROLINA
COUNTY OF DAVIDSON

I, Holly Wright, a Notary Public of the County of Randolph 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 22nd day of March, 2005.



Holly Wright
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 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 15 day of March, 2005.

Willie P. Smith
Notary Public

My commission expires: 5-3-2005

STATE OF NORTH CAROLINA
COUNTY OF DAVIDSON

I, _____, a Notary Public of the County of _____ 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 _____ day of March, 2005.

Notary Public

My commission expires: _____

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 Thomas and wife, Mildred 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 8th day of March, 2005.

Willie P. Smith
Notary Public

My commission expires: 5-3-2005

North Carolina - Davidson County

The foregoing (or annexed) certificate(s) of
Willie P. Smith, Holly Wright
& Deborah E. Gasky

Notary Public (Notary as Public) is certified to be correct
this 24 day of March A.D. 2005

Mary C. Myers, Register of Deeds
Pam P. Pligg, Asst Deputy