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GUILFORD CO, NC FEE \$26.00
PRESENTED & RECORDED:

10-04-2013 04:04:16 PM

JEFF L. THIGPEN
REGISTER OF DEEDS
BY: DENISE BOWENS
DEPUTY-GB

BK: R 7538

PG: 2212-2215

4 DB

**SECOND AMENDMENT TO DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
THE GATES**

(Reference Lots 12 through 35, 44, 45)

Plu Isaacson

**NORTH CAROLINA
GUILFORD COUNTY**

Prepared By: John T. Higgins, Jr.

This Second Amendment to Declaration made on the date hereinafter set forth by D. Stone Builders, Inc. existing under the laws of the State of North Carolina with its principal office and place of business being Greensboro, North Carolina hereinafter referred to as "Declarant."

WITNESSETH:

WHEREAS, Declarant recorded the Restated Declaration of Covenants, Conditions and Restrictions for The Gates in Book 7140 , Page 685 of the Guilford County Registry with said instrument encompassing property, a plat of which is recorded in Plat Book 179, Page 18 of the Guilford County Registry (herein after referred to as the "Declaration"). Any capitalized term within quotation marks not otherwise defined herein shall have the definition provided for such term in the Declaration; and

WHEREAS, Declarant recorded the Amendment to Declaration in Book 7246, Page 1464 of the Guilford County Registry with said instrument encompassing property, a plat of which is recorded in Plat Book 180, Page 84 of the Guilford County Registry; and

WHEREAS, said Declaration provided in Article IX, Section 4 (b) on Page 24 of said document, that the Declarant could amend the Declaration by annexing certain property as described in **Exhibit A** attached to the Declaration; and

WHEREAS, the property described herein after lies within the boundary of such property as described in **Exhibit A** attached to the Declaration;

NOW, THEREFORE, Declarant hereby amends the Declaration and declares that all the properties to be known as Section 3A of The Gates more particularly described as being all of the property so designated and recorded in Plat Book 184 , Page 44 of the Guilford County Registry, shall be held, sold and conveyed subject to the easements, restrictions, covenants and conditions as recorded in the Declaration, which are for the purpose of protecting the value and desirability of, and which shall run with the real property and be binding on all parties having any right, title or interest in said property, or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof. By accepting the deed to any portion of such property, the owners thereto agree to abide by all of said covenants, conditions and restrictions including their agreement to pay any assessments levied pursuant thereto.

This Amendment shall be treated as an expansion of the tract subjected to the above-referenced Declaration and the Declarant will convey the "Common Elements," if any, (as that term is defined in the Declaration) within said Subject Property to the Association prior.

Branch Banking and Trust Company, as the holder of the existing loan secured by deed of trust encumbering the Subject Property described herein above and BB&T Collateral Service Corporation as Trustee under the Deed of Trust recorded in Book 6869, Page 2885 in the Guilford County

Registry, join in the execution of this instrument solely for the purpose of subjecting the aforesaid Deed of Trust to this Amendment of Declaration and the annexing thereto of the Subject Property.

Except as specifically modified and amended herein the Declaration will remain in full force and effect.

IN WITNESS WHEREOF, the undersigned parties have caused this instrument to be executed by their duly authorized officers and the individual trustees have hereunto set their hands and seals as of March 12, 2013.

D. Stone Builders, Inc.

By: [Signature]
Dwight D. Stone, President

CONSENT

Branch Banking and Trust Company, as the holder of the existing loan secured by the deed of trust on the property described in Exhibit "A", and BB&T Collateral Service Corporation, as Trustee under the Deed of Trust recorded in Book 6869, Page 2885, Guilford County Registry, join in the execution of this instrument for the purpose of subjecting and subordinating the aforesaid Deed of Trust to the terms and provisions of this Second Amendment of Declaration.

Branch Banking and Trust Company

BB&T Collateral Service Corporation

By: [Signature]
C. Preston Russell, VP
[Print name and office]

By: [Signature]
Nathan L. Myers, VP
[Print name and office]

STATE OF NORTH CAROLINA
COUNTY OF GUILFORD

I, the undersigned, a Notary Public for said County and State, do hereby certify that Dwight D. Stone, President of D. Stone Builders, Inc., a North Carolina corporation, personally appeared before me this day and acknowledged the due execution of the foregoing instrument on behalf of the company.

Witness my hand and official stamp or seal, this 24th day of September 2013.

NOTARY PUBLIC
JOHN T. HIGGINS, JR.
GUILFORD COUNTY, NC
My Commission Expires June 11, 2012

[Signature]
John T. Higgins, Jr., Notary Public

(SEAL)

My commission expires: August 19, 2017

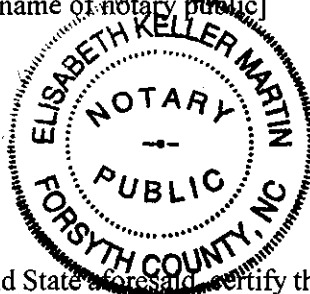
STATE OF NORTH CAROLINA
COUNTY OF Guilford

I, the undersigned, a Notary Public of the County and State aforesaid, certify that Nathan L. Mas
personally came before me this day and acknowledged that s/he is V.P.
President of Branch Banking and Trust Company, and that by authority duly given and as the act of the
corporation, the foregoing instrument was signed in its name by him/her as its V.P. President.
Witness my hand and official stamp or seal, this 24th day of September, 2013.

Elisabeth K. Martin
ELISABETH K. MARTIN, Notary Public
[Print name of notary public]

[SEAL]

My Commission Expires: 4-1-14



STATE OF NORTH CAROLINA
COUNTY OF Guilford

I, the undersigned, a Notary Public of the County and State aforesaid, certify that Preston Rossell
personally came before me this day and acknowledged that s/he is VP
President of BB&T Collateral Service Corporation, and that by authority duly given and as the act of the
corporation, the foregoing instrument was signed in its name by him/her as its VP President.
Witness my hand and official stamp or seal, this 24th day of September, 2013.

Elisabeth Keller Martin
ELISABETH KELLER MARTIN, Notary Public
[Print name of notary public]

[SEAL]

My Commission Expires: 4-1-14

