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BY: DEBORAH CITY

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GUILFORD COUNTY, NC

JEFF L. THIGPEN

REGISTER OF DEEDS

NC FEE \$26.00

Drawn By and Return To:
Isaacson Sheridan
Attention: Marc L. Isaacson
804 Green Valley Road, Suite 200
Greensboro, NC 27408

SECOND AMENDMENT TO
DECLARATION OF COVENANTS
CONDITIONS AND RESTRICTIONS
FOR
TROSPER PLACE

THIS SECOND AMENDMENT TO DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS FOR TROSPER PLACE (this "Amendment"), dated November 14, 2019, is executed by SUN CAPITAL, INC., a North Carolina corporation ("Declarant").

RECITALS

A. That certain Declaration of Covenants, Conditions and Restrictions for the subdivision known as "Trospers Place" is recorded in Book 7842 at Page 911, as amended by that certain Amendment to Declaration of Covenants, Conditions and Restrictions, recorded in Book 7848 at Page 2135, in the Office of the Register of Deeds for Guilford County, North Carolina (as amended, the "**Declaration**"). Any capitalized term used but not defined in this Amendment shall have the meaning given that term in the Declaration.

B. Declarant owns 8 of the Lots located within the Property and desires to amend the Declaration as hereafter provided.

C. Declarant owns Lot 26 as shown on the Plat. Declarant has determined, in accordance with the plan of development of Troser Place, that Lot 26 has unique elements in that Lot 26 is comprised of approximately 5.295 acres, has varying topography, is located at the end of a separate access from Bedstone Drive and is adjoined on three sides by properties not included in Troser Place Subdivision, including common elements and a natural trail along the northern line of Lot 26. Accordingly, Declarant desires to exempt Lot 26 from any architectural restrictions contained in the Declaration, subject to the conditions set forth herein.

D. Pursuant to Article X, Section 3, "Amendment," Declarant, entitled to cast not less than 67% of the votes of the Association, desires to and does hereby amend the Declaration as follows:

STATEMENT OF AMENDMENT

NOW, THEREFORE, for and in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Declarant agrees, for itself and its successors and assigns, that the Declaration is amended as follows:

1. Article XI is amended to delete section XI (iii) (which shall now read "Reserved") and to add new section (vi) as follows:

"(vi) Lot 26 shall not be subject to any architectural restrictions of the Declaration or Architectural Control Committee; provided, however, that Declarant reserves the right to approve the plans and specifications for any improvements during the Period of Declarant Control. No subsequent architectural restrictions shall be imposed upon Lot 26 without the consent of the Owner of Lot 26. For elimination of doubt, any waiver or variance approved by Declarant for Lot 26 shall establish a standard of compliance for said Lot 26, and the Association may not subsequently reinstate any restriction or standard previously waived or varied by action of the Declarant, provided that the owner of Lot 26 is in compliance with the terms of the Declaration, as amended. In the event of the destruction of the improvements on Lot 26 by reason of casualty or other event, the Owner of Lot 26 may reconstruct such improvements, substantially in compliance with those standards and plans as previously approved by Declarant, without the approval of the Association."

2. Article XI is further amended to add a new section (vii) as follows:

"(vii) The Owner of Lot 26 shall establish and/or maintain a landscaping buffer of not less than twenty feet (20') between Lot 26 and any adjoining Lot within the Property. Specifically, such buffer shall be maintained to provide a reasonable screen for the following Lots: 7, 8 and 9 from view of Lot 26.

3. Except as expressly amended by this Amendment, the Declaration shall continue in full force and effect.

SIGNATURE PAGE ATTACHED HERETO

IN WITNESS WHEREOF, the undersigned has caused this instrument to be executed and has hereunto set its hand and seal on this date first above written.

SUN CAPITAL, INC., a North Carolina corporation

By: *KDM*
Kenneth D. Miller, President

Guilford County, North Carolina

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Kenneth D. Miller.

Date: 11-14, 2019

Kimberly Lemons
Notary Public

Printed Name: Kimberly Lemons, Notary Public

My commission expires: 11/6/21

(Official Seal)

