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GUILFORD CO, NC FEE \$20.00

PRESENTED & RECORDED:

01-22-2010 04:45:50 PM

JEFF L. THIGPEN

REGISTER OF DEEDS

BY: TAMMY C. SMITH

DEPUTY-GB

BK: R 7094

PG: 2502-2504

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Plu Black

Prepared by and Mail to: Steven E. Black, Forman Rossabi Black PA
P.O. Box 41027, Greensboro, NC 27404

NORTH CAROLINA

AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND

GUILFORD COUNTY

RESTRICTIONS FOR SPENCERS TRACE

THIS AMENDMENT TO DECLARATION is made this the 19 day of
January, 2010, by the Spencers Trace Homeowners Association, Inc., hereinafter
referred to as the "Association."

WITNESSETH THAT

WHEREAS, all lots within the jurisdiction of the Association at the time of the
recording of this Amendment are reflected on the following Plat Books and Pages,
recorded with the Guilford County Register of Deeds:

Plat Book 151, Page 006; and
Plat Book 152, Page 144; and
Plat Book 153, Page 115; and
Plat Book 158, Page 91.

WHEREAS, Centex Homes, a Nevada general partnership, the "Declarant"
caused the Declaration of Covenants, Conditions and Restrictions for Spencers Trace (the
"Declaration,") dated May 29, 2003, to be recorded in **Book 5849, Page 1** of the Guilford
County Register of Deeds; and

WHEREAS, the Declarant caused the Declaration to be amended by recording the
Amendment to Declaration of Covenants Conditions and Restrictions for Spencers Trace
recorded on December 19, 2003 in **Book 6004, Page 1579**; and

WHEREAS, Article 17, Section 10 of the Declaration, provides that any material
amendment requires the vote or written consent of sixty-seven percent (67%) of the total
Voting Power of the Association and the written consent of sixty-seven percent (67%) of
the Mortgagees (based on one vote for each mortgage). Further, any Mortgagee who
does not respond within thirty (30) days' request by the Association for consent to an
amendment of this Declaration shall be deemed to have approved such request.

WHEREAS, the required consent of the membership has been obtained to amend the Declaration. The instrument containing said consent may be found among the books and records of the Association.

WHEREAS, the required consent of the Mortgagees has been obtained to amend the Declaration.

NOW THEREFORE, the Declaration shall be amended as follows:

Article 7, shall be amended to add the following:

“Section 7.15 Land Use. No lot within the Association shall be used as a halfway house, juvenile home, group home, detention center, detention home, temporary shelter, long-term shelter, institution, treatment facility or rehabilitation center of any kind.

No lot within the Association shall be used to house persons addicted to or recuperating from the effects of or addiction to drugs or alcohol or persons adjusting to non-prison life, including but not limited to pre-release, work release, probationary programs or detention.

This Section is intended to prevent the use of property within the Association for, by way of illustration and not limitation, protection, detention, or rehabilitation of drug addicts, criminals, juveniles, homeless persons or other similarly situated persons. It is not the intent of this provision to prevent the owners of the lots, their spouses, children, or legal relatives from undergoing medical, therapeutic, rehabilitation or treatment at home.

Section 7.16 Prohibition against Registered Sex Offenders and Sexual Predators. No person listed as a registered sex offender, or who is required to register as a sex offender, within the state of North Carolina may be a member of the Association, own title to property within the Association, or reside on a Lot within the Association. The clear intent of this strict prohibition is to prevent registered sex offenders, or persons who are required to be registered sex offenders, from residing on any Lot within the Association.

Moreover, no person adjudicated as a sexual predator may be a member of the Association, own title to property within the Association, or reside on a Lot within the Association.”

This the 19 day of January 2010.

Spencers Trace Homeowners Association, Inc.

By: Matthew H. Underwood
President

- CERTIFICATION -

I hereby certify that the above Amendment to Declaration of Covenants, Conditions and Restrictions for Spencers Trace has been correctly adopted in according with the requirements set forth in the Declaration of Covenants, Conditions and Restrictions.

This the 19 day of January, 2010.

Barbara J. Schaver
Secretary, Spencers Trace Homeowners Association, Inc.

NORTH CAROLINA
GUILFORD COUNTY

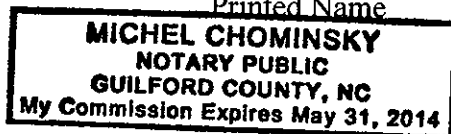
I, the undersigned Notary Public, do hereby certify that Matthew H. Underwood personally appeared before me this day and acknowledged that s/he is the President of Spencers Trace Homeowners Association, Inc. and that by authority duly given by the Board of Directors, and as an act of the Corporation, the foregoing instrument was signed on behalf of the Corporation.

WITNESS my hand and seal this the 19 day of January 2010.

Michel Chominsky
Notary Public
Michel Chominsky
Printed Name

My commission expires:

NORTH CAROLINA
GUILFORD COUNTY



I, the undersigned Notary Public, do hereby certify that Barbara J. Schaver personally appeared before me this day and acknowledged that s/he is the Secretary of Spencers Trace Homeowners Association, Inc., and that the foregoing instrument was signed on behalf of the Corporation.

WITNESS my hand and seal this the 19 day of January 2010.

Michel Chominsky
Notary Public
Michel Chominsky
Printed Name

My commission expires:

