

FILED

BK. 770 PG. 1027

Drawn by and Mail to: ~~Harold R. Wright~~ O. Box 1780, High Point, North Carolina 27261-1780

NORTH CAROLINA

DAVIDSON COUNTY

RONALD W. CALVERT 18.00
REGISTER OF DEEDS
DAVIDSON COUNTY AMENDMENT TO THE DECLARATIONS OF TREYMONT
PONTE SUBDIVISION CHANGING THE NAME OF
THE SUBDIVISION TO COUNTRY CLUB WEST,
PHASE I AND ANNEXATION OF COUNTRY CLUB
WEST, PHASE II

THIS AMENDMENT to the Declarations hereinafter referred and ANNEXATION is made the 24th day of April, 1991, by RESOLUTION TRUST CORPORATION, as Conservator for Preferred Savings Bank, F. S. B., Successor to Preferred Savings Bank, Inc., COUNTRY CLUB WEST HOMEOWNERS ASSOCIATION (formerly known as Trey mont Pointe Homeowners Association), and the undersigned owners of all Lots in COUNTRY CLUB WEST SUBDIVISION, Phase I (formerly known as Trey mont Pointe, Phase I).

WHEREAS, K & C Development Corporation developed Trey mont Pointe, Phase I, plat of which is recorded in Plat Book 18 at Page 35 in the Davidson County Registry, and;

WHEREAS, Pursuant to the development plan, K & C Development Corporation recorded a Declaration of Covenants, Conditions and Restrictions recorded in Book 636, at Page 587 in the Davidson County Registry, which Declarations are rerecorded in Book 657, at Page 161 in the Davidson County Registry, and;

WHEREAS, Preferred Savings and Loan, Inc. foreclosed its development loan to K & C Development Corporation and received a Trustee's Deed in Book 652, at Page 381 covering the unsold units in the development, and;

WHEREAS, Preferred Savings Bank, Inc. was placed in receivership March 8, 1991, and;

WHEREAS, Resolution Trust Corporation as Conservator for Preferred Savings Bank, F. S. B. (herein RTC) acquired all assets and rights of Preferred Savings Bank, Inc., as its successor, concerning Country Club West, and;

WHEREAS, RTC is the successor to the rights of the developer, K & C Development Corporation, and as such owns all units in proposed Phase II of Country Club West, and;

WHEREAS, Country Club West Homeowners Association is successor to Trey mont Pointe Homeowners Association, and the subdivision formerly known as Trey mont Pointe, Phase I, recorded in Plat Book 18, at Page 35 in the Davidson County Registry is now known as County Club West, Phase I; and,

WHEREAS, a revised map of Trey mont Pointe, Phase I has been recorded in Plat Book 21 at Page 41 in the Davidson County Registry, which

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map also renames the subdivision Country Club West, Phase I; and,

WHEREAS, It is the intention of all parties to:

- A. Ratify and confirm the existing Declarations.
- B. Change the name of the Subdivision and all subsequent Phases to Country Club West
- C. Annex a new Phase II of Country Club West.

WHEREAS, the undersigned individuals are owners of all Lots in existing Phase I of Treymont Pointe, said deeds being recorded in Book 637, at Page 400, Book 637, at Page 903, Book 638, at Page 482, Book 656, at Page 15, Book 661, at Page 49, Book 661, at Page 296, Book 666, at Page 518, Book 670, at Page 435 and Book 967, at Page 29, and;

WHEREAS, Resolution Trust Corporation as Conservator for Preferred Saving Bank, F. S. B. hereby exercises its development rights as the owner of certain property located in the City of High Point, County of Davidson, Township of Thomasville, which is more particularly described as follows:

BEING ALL the numbered Lots and all of the lands being designated as common area within the phase lines for Country Club West, Phase II which appears of record in Office of the Register of Deeds of Davidson County, North Carolina, in Plat Book 21, at Page 145.

WHEREAS, Resolution Trust Corporation as Conservator for Preferred Savings Bank, F. S. B. as Declarant will convey said above property subject to those covenants, conditions, restrictions, reservations, liens, and charges set forth in the Declaration recorded in Book 636, at Page 587 and rerecorded in Book 657, at Page 161 in the Office of the Register of Deeds of Davidson County, North Carolina, which instruments are incorporated herein by reference, as amended herein.

NOW AND THEREFORE, Resolution Trust Corporation as Conservator for Preferred Savings Bank, F. S. B. as Declarant hereby declares all the property described above as Country Club West, Phase II shall be held, sold, conveyed, subject to those easements, covenants, conditions and restrictions set forth in the Declaration recorded in Book 636, at Page 587 and rerecorded in Book 657, at Page 161, as amended herein which are incorporated herein by reference for the purpose of enhancing and protecting the value desirability and attractiveness of said real property. Said easements, covenants, conditions and restrictions shall run with the real property and shall be binding upon all parties having or acquiring any right title or interest in the above described properties or any part thereof and shall inure to the benefit each owner thereof its successors and assigns.

IN FURTHERANCE THEREOF the developer, undersigned owners and Homeowners Association join this Declaration for the purpose of ratifying the

existing declarations and approving this annexation and the Homeowners Association agrees to accept and maintain the common area.

AND ALL PARTIES herein join together for the purpose of renaming the subdivision, heretofore known as Treymont Pointe, Phase I according to plat and recorded in Plat Book 18, at Page 35 in the Davidson County Registry.

Henceforth all lots and common area described above shall be referred to and known as Country Club West, Phase I recorded in Plat Book 21 at Page 141 or as Country Club West, Phase II recorded in Plat Book 21 at Page 145 in the Office of the Register of Deeds of Davidson County.

IN WITNESS WHEREOF the parties have executed this agreement the day and year first above written.



(Corporate Seal)

RESOLUTION TRUST CORPORATION, as Conservator for PREFERRED SAVINGS BANK, F. S. B., successor to PREFERRED SAVINGS BANK, INC.

BY: J. Newton Thrash, Jr. (SEAL)
J. NEWTON THRASH, JR., Managing Agent



COUNTRY CLUB WEST HOMEOWNERS ASSOCIATION (formerly Treymont Pointe Homeowners Association)

BY: Kester Kay Benner
PRESIDENT

B. K. [Signature]
SECRETARY

[Signature] (SEAL)

Hope B. [Signature] (SEAL)

Robert B. Rankin (SEAL)

Nanabeth N. Rankin (SEAL)

Francis J. Lambeth (SEAL)

R. K. DeLoach (SEAL)

Elizabeth A. Ragan (SEAL)

Royal L. Jennings (SEAL)

Royal L. Jennings (SEAL)

Trena M. Jennings (SEAL)

Walter C. Jennings (SEAL)

Nadine B. Bennett (SEAL)

Vester L. Bennett (SEAL)

Hal Q. Kennedy (SEAL)

Becky H. Lenthicum (SEAL)

W. H. Lumberton (SEAL)

Blanche J. Lumberton (SEAL)

_____ (SEAL)

STATE OF NORTH CAROLINA

COUNTY OF Guilford

I, LANA C. Wheeler, a Notary Public, do hereby certify that J. NEWTON THRASH, JR. personally came before me this day and acknowledged that he is Managing Agent of RESOLUTION TRUST CORPORATION, as Conservator for PREFERRED SAVING BANK, F.S.B. successor to PREFERRED SAVINGS BANK, INC. and that by authority duly pursuant to its Power of Attorney, the foregoing instrument was signed in its name by its Managing Agent as its act and Deed.

WITNESS my hand and Notary Seal this the 25th day of April, 1991.

Lana C. Wheeler
NOTARY PUBLIC

My Commission Expires:

7-96

North Carolina-Davidson County
The foregoing (or annexed) certificate(s) of _____

T. H. White
Rebecca G. Goskey

Notary Public (Notaries Public) is certified to be correct this 3rd day of May, A.D. 1991

Ronald W. Callcott, Register of Deeds
Ronald W. Callcott Deputy

STATE OF NORTH CAROLINA

COUNTY OF GUILFORD

I, T. H. WHITE, a Notary Public, do hereby certify that R. Fred Lambeth personally came before me this day and acknowledged that he is Secretary of COUNTRY CLUB WEST HOMEOWNERS ASSOCIATION, (formerly Trey mont Pointe Homeowners Association)

and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its _____ President, sealed with its corporate seal and attested by himself as its _____ Secretary.

WITNESS my hand and Notary Seal this the 24 day of April, 1991.

T. H. White
NOTARY PUBLIC

My Commission Expires:

Aug. 26, 1991

T. H. WHITE
NOTARY PUBLIC
GUILFORD COUNTY, N. C.
My Commission Expires 8-26-91

STATE OF NORTH CAROLINA

COUNTY OF GUILFORD

I, T. H. WHITE, a Notary Public, do hereby certify that Fred M. Councill, Hope B. Councill, Robert B. Rankin, Nanabeth N. Rankin, Frances F. Lambeth, R. Fred Lambeth, Elizabeth H. Ragan, Treva M. Jennings, Royal G. Jennings, Mildred C. Kennerly, Nadine B. Burrow, Kester Ray Burrow, Hal A. Kennerly, Becky H. Linthicum, W.H. Linthicum, Jr., Blanche S. Sechrest

personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notary Seal this the 24 day of April, 1991.

T. H. White
NOTARY PUBLIC

My Commission Expires:

Aug. 26, 1991

T. H. WHITE
NOTARY PUBLIC
GUILFORD COUNTY, N. C.
My Commission Expires 8-26-91

STATE OF NORTH CAROLINA

COUNTY OF _____

I, _____, a Notary Public, do hereby certify that _____

personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and Notary Seal this the ____ day of _____, 1991.

NOTARY PUBLIC

My Commission Expires:

STATE OF NORTH CAROLINA

ACKNOWLEDGMENT

COUNTY OF GUILFORD

I, Deborah G. Gaskey, a Notary Public for Rowan County, North Carolina, do hereby certify that J. Newton Thrash, Jr., Managing Agent and Attorney-in-Fact for Resolution Trust Corporation, as Conservator for Preferred Savings Bank, F.S.B. (Successor to Preferred Savings Bank, Inc.) personally appeared before me this day, and being by me sworn, says that he executed the foregoing and annexed instrument for and in behalf of the said Resolution Trust Corporation, and that his authority to execute and acknowledge said instrument is contained in an instrument duly executed, acknowledged, and recorded in the Office of the Register of Deeds in the County of Davidson, State of North Carolina, on the 26 day of April, 1991, in Book 769 at Page 1278, and that this instrument was executed under and by virtue of the authority given by said instrument granting him power of attorney. I do further certify that the said J. Newton Thrash, Jr. acknowledged the due execution of the foregoing and annexed instrument for the purposes therein expressed for and in behalf of the said Resolution Trust Corporation.

Witness my hand and official stamp or seal, this 26 day of April, 1991.

Deborah G. Gaskey
Notary Public

My commission expires:

7-7-91

DEBORAH G. GASKEY
NOTARY PUBLIC
STATE OF NORTH CAROLINA