#### STATE OF NORTH CAROLINA

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR NORTHCROSS

### **COUNTY OF MECKLENBURG**

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THIS AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS made this 24 day of November, 1997 by HUNTLANDS LIMITED PARTNERSHIP, a North Carolina Limited Partnership, hereinafter referred to as "Declarant";

### WITNESSETH:

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for NorthCross recorded in the office of the Mecklenburg County Public Registry on March 15, 1990 in Book 6229 at Page 610; hereinafter referred to as "Declaration;" and

WHEREAS, Declarant as a member of NorthCross Master Association, Inc. desires to further amend the Declaration in the manner hereinafter set forth; and

WHEREAS, Section 3 of Article IX of the Declaration provides that the Declaration may be amended by an instrument signed by the Owners with at least fifty-one percent (51%) of the Total Votes and by the Declarant, so long as the Declarant still owns any portion of the Properties; and

WHEREAS, as of the date hereof, the Declarant is entitled to fifty-one percent (51%) of the Total Votes;

NOW, THEREFORE, the undersigned does hereby amend the Declaration as follows:

1. The provisions of Section 1, Article IX are amended by adding the following:

In addition to any other rights and remedies available for the enforcement of the provisions of this Declaration (including without limiting the powers of the Architectural Committee), the Association

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acting by the unanimous vote of its Board of Directors present at a meeting at which a quorum is present may after delivery of notice meeting the requirements set out herein to the owner of the Lot on which the breach is occurring impose a fine against such owner for each day the breach continues. The fine shall not exceed Two Hundred dollars (\$200.00) per day. Such fine shall constitute a lien against such Lot in the same manner as an assessment under Article V. The notice to the Lot Owner shall state the owner's name, the Lot number, the specific violation which is occurring, a reasonable time period for correction of such violation before the imposition of a fine (which shall be determined based upon the nature of the violation, but shall be no less than three (3) days), the amount of the fine and the fact that it will be imposed daily until the violation is cured. Delivery of notice shall be sufficient if either mailed by registered or certified mail, return receipt requested or posted in a prominent location on the Lot.

2. In all other respects, the Declaration shall remain unchanged and is hereby approved, ratified and affirmed.

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IN WITNESS WHEREOF, Declarant has caused these presents to be executed as of the day and year first above written.

### **DECLARANT:**

HUNTLANDS LIMITED PARTNERSHIP, a North Carolina **Limited Partnership** 

Crosland Investors, Inc. BY: General Partner

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Secretary Corporate Seal)

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## STATE OF NORTH CAROLINA

# **COUNTY OF MECKLENBURG**

This alth day	of November	, 1997, personally	
came before me, Jane	s. E. Merrifield	, who being by me duly nt of Crosland Investors, Inc.,	
sworn, says that he is	VICE Presider	TNERSHIP, a North Carolina	
limited partnership; that the	e seal affixed to the for	egoing instrument in writing is	
the corporate seal of said	Crosland Investors, In	ic.; and that said writing was	
signed and sealed by him o	n behalf of said corpora	ntion, acting as general partner nority duly given. And the said	
Via. President ack	nowledged the said wri	ting to be the act and deed of	
said corporation, acting	as general partner	of HUNTLANDS LIMITED	
PARTNERSHIP.	Harry M.	Youback	
-	Notary Pul	blic	
My commission expires:			
Aug. 6,200			
MOTARIAL SEAL)			
TAR			
BLICA			
Sto	te of North Carolina, County of Meckl	unhuro	
The The	e foregoing certificate(s) of	Karen M. Laubach	
Not	ery(ies) Public is/are certified to be con	reci.	
	This 17	thanks I	
By:	THA. CIESON, REGISTER OF	DEFIDS:	.97
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