

REGISTERED SEP/25/1990 02:50PM ANNE A. POWERS REGISTER OF DEEDS MECK. CO. N.C.

AMENDMENT OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WEDGEWOOD, PHASES II AND III

THIS AMENDMENT is made this 21st day of September, 1990, by the undersigned, who represent at least ninety percent (90%) of the owners of that certain parcel of land which is known as Wedgewood, Phases II and III, located in Long Creek Township, Mecklenburg County, North Carolina, more particularly described in Exhibit A attached hereto and incorporated herein by reference (the "Property").

The owners of the Property, pursuant to Paragraph (8.3) of the Declaration of Covenants, Conditions and Restrictions for Wedgewood, Phases II and III, as recorded in Deed Book 6247 at Page 250 in the Mecklenburg County Public Registry (the "Declaration") desire to amend said Declaration as follows:

1. Paragraph (3.1)(d) of the Declaration shall be deleted and replaced by the following paragraph:

(3.1) (d) The Board of Directors of the Association shall have the right to dedicate or transfer all or any part of the Common Area except for the Master Amenities Tract to third parties provided the Association requires in return other Common Area of equal or greater value.

2. Paragraph (8.7) of the Declaration shall be deleted and replaced by the following paragraph:

(8.7) Unintentional Violation of Restrictions. In the event of an unintentional violation of any of the foregoing restrictions with respect to any Lot, the Developer or its successors reserves the right (by and with the mutual written consent of the then Owner or Owners of such Lot) to change, amend, or release a portion of the foregoing restrictions as the same may apply to that particular Lot.

All provisions of the Declaration not specifically referred to in this Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned have caused this Amendment to Declaration to be executed under seal on the day and year first above written.

FIRST COLONY GROUP, LTD.

By: [Signature]
VICE President

[CORPORATE SEAL]

ATTEST:

[Signature]
Secretary

Amendment of Declaration of Covenants, Conditions and Restrictions for Wedgewood, Phases II & III ~~is~~ being re-recorded to reflect the correction of the notary acknowledgement for TC Homes Charlotte Long Creek Limited Partnership
Horack Talley Pharr & Lowndes P A By: [Signature]

DRAWN BY AND MAIL TO:
HORACK, TALLEY, PHARR & LOWNDES
BOX 74

[CORPORATE SEAL]

ATTEST:

Cheryl Kötter Belcher
Asst. Secretary

RIDGELINE DEVELOPMENT CORPORATION

By: V. Hayes McMath Jr
President

TC HOMES CHARLOTTE - LONG CREEK
LIMITED PARTNERSHIP

By: TRAMMELL CROW HOMES - CHARLOTTE, INC.

By: [Signature]
Vice President

(CORPORATE SEAL)

ATTEST:

[Signature]
Asst. Secretary
STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

This 21st day of September, 1990, before me, the undersigned Notary Public in and for the County and State aforesaid, personally came James A. Coates, who, being duly sworn, says that he is Vice President of FIRST COLONY GROUP, LTD., and that the seal affixed to the foregoing instrument in writing is the corporate seal of said corporation, and that he signed and sealed said instrument on behalf of said corporation by its authority duly given. And the said Secretary Vice President acknowledged said instrument to be the act and deed of said corporation.

WITNESS my hand and seal this 21st day of September, 1990.

[Signature]
Notary Public

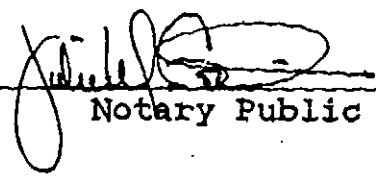
My Commission Expires: January 18, 1994

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

This 24th day of September, 1990, before me, the undersigned Notary Public in and for the County and State aforesaid, personally came V. Hayden McMahon, Jr., who, being duly sworn, says that he is XX President of RIDGELINE DEVELOPMENT CORPORATION, and that the seal affixed to the foregoing instrument in writing is the corporate seal of said corporation, and that he signed and sealed said instrument on behalf of said corporation by its authority duly given. And the said President, V. Hayden McMahon, Jr. acknowledged said instrument to be the act and deed of said corporation.

WITNESS my hand and seal this 24th day of September, 1990.


Notary Public



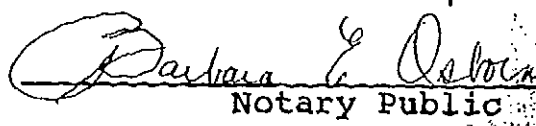
My Commission Expires: 5-13-95

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

This 24th day of September, 1990, personally came before me, a Notary Public in and for the County and State aforesaid, Robert R. Inarcho, who, being by me duly sworn, says that he is the Vice President of TC Homes Charlotte - Long Creek Limited Partnership, a limited partnership, and that the foregoing instrument was signed and sealed by him as the act and deed of TC Homes Charlotte - Long Creek Limited Partnership, for the purposes expressed herein.

WITNESS my hand and seal this 24th day of September, 1990.


Notary Public



My commission expires: My Commission Expires November 2, 1994

EXHIBIT A

Beginning at a point in the centerline of the 60 foot right-of-way of Mt. Holly-Huntersville Road (SR #2004), said point marking the common corner of that property conveyed to St. Mark's Episcopal Church in Deed Book 1870 at Page 119 and that property conveyed to First Colony Group, Ltd. in Deed Book 6183 at Page 634, both in the Mecklenburg County Public Registry, said point also being located approximately 1/2 mile east of the intersection of the centerline of the 60 foot right-of-way of Beatties Ford Road and the aforesaid Mt. Holly-Huntersville Road; thence running from said Beginning Point along the centerline of Mt. Holly-Huntersville Road, North 46-50-34 East 371.61 feet to a point; thence leaving the centerline of Mt. Holly-Huntersville Road and running South 40-14-58 East 29.86 feet to a point marking the northwesternmost corner of that property conveyed to John C. Blythe in Deed Book 4404 at Page 602 in the Mecklenburg County Public Registry; thence running along the margin of the aforesaid John C. Blythe property (now or formerly) the following three (3) courses and distances: (1) South 40-14-58 East 29.86 feet to an iron pipe, (2) South 40-14-58 East 669.72 feet to an iron pipe, and (3) North 46-49-53 East 299.84 feet to an iron pipe in the line of the property conveyed to John Lee Blythe as described in deed recorded in Book 1723 at Page 304 in the Mecklenburg County Public Registry; thence along three (3) lines of the aforesaid John Lee Blythe property (now or formerly) as follows: (1) South 40-16-33 East 113.33 feet to an iron rod, (2) North 11-03-33 East 330.37 feet to an iron rod, and (3) North 26-50-28 West 603.99 feet to a point (passing an axle at 595.29 feet); thence North 42-08-28 East 682.95 feet to an iron pin within the right-of-way of Mt. Holly-Huntersville Road; thence South 35-51-14 East 297.33 feet (passing a spike in the southerly margin of Mt. Holly-Huntersville Road at 43.94 feet) to an iron bolt marking the southwesternmost corner of that property conveyed to Elizabeth Vance Wilson (now or formerly); thence along the line of the aforesaid Elizabeth Vance Wilson property (now or formerly) the following two (2) courses and distances: (1) North 86-22-51 East 759.29 feet to an iron rod, and (2) North 73-30-07 East 216.12 feet to an iron pipe marking the common corner of aforesaid Elizabeth Vance Wilson property, property conveyed to AMT Group in Deed Book 5641 at Page 300, and property conveyed to First Colony Group, Ltd. in Deed Book 6183 at Page 634, all in the Mecklenburg County Public Registry; thence along two (2) lines of the aforesaid AMT Group property (now or formerly) as follows: (1) South 61-58-27 East 111.54 feet to an iron pin, and (2) North 60-01-55 East 286.74 feet to a bolt marking a common corner of the aforesaid AMT Group Property (now or formerly) and property conveyed to Julian W. Vance in Deed Book 5843 at Page 138 in the Mecklenburg County Public Registry; thence along four (4) lines of the aforesaid Julian W. Vance property (now or formerly) as follows: (1) South 47-44-33 East 197.94 feet to an iron

pin, (2) South 48-31-43 East 227.96 feet to an iron pin, (3) North 45-34-02 East 109.18 feet to a spike, and (4) North 19-39-14 West 362.43 feet to a spike marking a common corner of the aforesaid AMT Group property (now or formerly) and the aforesaid Julian W. Vance property (now or formerly); thence running along the line of the aforesaid AMT Group property (now or formerly) North 37-36-17 West 315.99 feet to an iron pin located in the southerly margin of Westmin-Ster Park, Map No. 2, as shown on map recorded in Map Book 11 at Page 61 in the Mecklenburg County Public Registry; thence along the southerly margin of the aforesaid Westmin-Ster Park, Map No. 2 property as follows: (1) North 65-43-41 East 278.58 feet to an iron pipe, and (2) North 65-44-04 East 512.80 feet to an iron pin marking the northwesternmost corner of that property conveyed to Long Creek Baptist Church in Deed Book 4089 at Page 772 in the Mecklenburg County Public Registry; thence along two (2) lines of the aforesaid Long Creek Baptist Church property (now or formerly) as follows: (1) South 31-16-11 East 128.21 feet to an iron pipe, (2) North 64-58-28 East 253.06 feet (passing an iron pipe at 221.69 feet) to the centerline of the sixty foot right-of-way of Vance Road (State Road 2113); thence running along the centerline of the aforesaid Vance Road the following two (2) courses and distances: (1) with the arc of a circular curve to the left having a radius of 922.74 feet, an arc distance of 42.04 and a chord bearing and distance of South 40-58-15 East 42.04 feet to a point, and (2) South 42-16-34 East 562.67 feet to a point marking the northernmost corner of that property conveyed to Edwin Lee Blythe in Deed Book 3010 at Page 585 in the Mecklenburg County Public Registry; thence running along the line of the aforesaid Edwin Lee Blythe property (now or formerly) and that property conveyed to Franklin Webb Blythe in Deed Book 1602 at Page 1 in the Mecklenburg County Public Registry South 67-34-33 West 814.98 feet (passing an iron pin at 31.90 feet) to an iron pipe; thence along two (2) lines of the aforesaid Franklin Webb Blythe property (now or formerly) as follows: (1) South 36-28-43 East 801.30 feet to an iron pin, and (2) North 60-37-35 East 313.48 feet to a concrete monument; thence running along a new line on the proposed Outer Belt the following five (5) courses and distances: (1) South 21-44-08 West 100.26 feet to a concrete monument, (2) with the arc of a circular curve to the right having a radius of 1,241.46 feet and an arc distance of 500.0 feet and a chord bearing and distance of South 33-16-25 West 496.63 feet to a concrete monument, (3) with the arc of a circular curve to the right having a radius of 4,553.10 feet, an arc distance of 1,639.89 feet and a chord bearing and distance of South 55-07-47 West 1,631.04 feet to a concrete monument, (4) with the arc of a circular curve to the right having a radius of 5,375.0 feet, an arc distance of 782.07 feet and a chord bearing and distance of South 69-36-58 West 781.38 feet to a concrete monument, and (5) South 73-47-04 West 279.18 feet to an iron pin marking the easternmost corner of the property conveyed to First Colony Group, Ltd. in Deed Book 6183 at Page 617 in the Mecklenburg

County Public Registry; thence along two (2) lines of the aforesaid First Colony Group, Ltd. property (now or formerly) as follows: (1) North 65-17-20 West 628.57 feet to an iron pin, and (2) South 85-02-24 West 171.51 feet to an iron pin marking a common corner of the aforesaid First Colony Group, Ltd. property (now or formerly) and that property conveyed to John Joseph Neely and James William Neely in Deed Book 4098 at Page 263 in the Mecklenburg County Public Registry, and thence running along the property lines of the aforesaid John Joseph Neely and James William Neely property (now or formerly) and property conveyed to R. D. Whitley, Sr. in Deed Book 4098 at Page 703 in the Mecklenburg County Public Registry and St. Mark's Episcopal Church in Deed Book 1870 at Page 119 in the Mecklenburg County Public Registry, as follows: (1) North 43-37-41 West 540.30 feet to an iron pipe, (2) North 47-06-45 West 446.41 feet to a stone, (3) North 20-56-43 East 40.54 feet to an iron rod, and (4) North 43-15-55 West 254.66 feet (passing an iron pin at 225.27 feet to the Point and Place of Beginning and containing 147.83 acres, as shown on survey for Wedgewood, Phases II and III, dated March 23, 1990, by Edward L. Killough, N.C.R.L.S., to which survey reference is hereby made for a more particular description of the property.

U1-17B.CDS

State of North Carolina, County of Mecklenburg

The foregoing Certificate(s) of Leah A. Holman, and

Julie W. Hodwin

Notary(ies) Public is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

ANNE A. POWERS/REGISTER OF DEEDS

By Amy K. Privett

Deputy - Register of Deeds

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State of North Carolina, County of Mecklenburg

The foregoing Certificate(s) of _____

Banbara E. Osborne

Notary(ies) Public is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

ANNE A. POWERS, REGISTER OF DEEDS

By Severa W. Meadome

Deputy - Register of Deeds