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GUILFORD COUNTY, NC
JEFF L. THIGPEN
REGISTER OF DEEDS

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NORTH CAROLINA
GUILFORD COUNTY

**AMENDMENT OF DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR THE CADENCE SUBDIVISION**

THIS AMENDMENT TO DELCARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE CADENCE SUBDIVISION (the "Amendment") is made this 4th day of August, 2022, by **Clayton Properties Group, Inc.**, a Tennessee corporation (the "Declarant"), pursuant to the provisions of Chapter 47F of the North Carolina General Statutes, entitled the "North Carolina Planned Community Act", and Article IX, Section (6) of the Declaration of Covenants, Conditions and Restrictions for The Cadence Subdivision.

BACKGROUND STATEMENT

[Capitalized terms used but not otherwise defined herein shall have the meanings given to them in the Declaration]

THAT WHEREAS, Clayton Properties Group, Inc. ("Clayton"), as Declarant, caused to be recorded in in Book 8608, Page 21, Guilford County Registry, a Declaration of Covenants, Conditions and Restrictions for The Cadence Subdivision (the "Declaration"), which Declaration established certain covenants and conditions for the real property described therein and the property subsequently annexed therein; and

WHEREAS, pursuant to Article IX, Section (6) of the Declaration, the Declaration may be amended by the Declarant as long as the Declarant owns any Lot in The Cadence Subdivision development by executing and recording an Amendment to the Declaration in accordance with said Article; and

WHEREAS, the Declarant is the owner of Lots in The Cadence Subdivision and wishes to amend the terms of the Declaration, as set forth herein.

Kim Nichols
221 Jonestown Rd
Winston Salem NC 27104
336.306.4264

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

1. **Incorporation of Background Statement.** The above background statement and preamble is incorporated herein by reference, and this Amendment shall be construed in light thereof.

2. **Amendment to Exhibit A.** Exhibit A of the Declaration is hereby amended to include the following:

BEING KNOWN AND DESIGNATED as all of the real property as shown on the plat of PHASE ONE, CADENCE, dated July 6, 2021, recorded Plat Book 209, pages 47-48 in the Guilford County Registry. Reference to said plat is hereby made for a more particular description.

3. **Ratification of Declaration.** All the terms of the Declaration, whether or not expressly modified herein, shall be construed to give effect to the Amendment contained herein, and such Amendment shall supersede conflicting terms of the Declaration. In all other respects, the Declaration shall continue in full force and effect in accordance with its terms, except as expressly amended and supplemented by this Amendment, and is hereby ratified and affirmed by the Declarant.

4. **Covenants Running with the Land; Binding Nature.** This Amendment and the Declaration, as amended from time to time, and the rights and obligations thereunder, shall run with title to the any Lot and shall be appurtenant thereto, and shall bind and inure to the benefit of the Declarant and subsequent owners of the Lots, and their respective heirs, successors and assigns.

5. **Governing Law.** This Amendment and the Declaration and any controversy or claim arising out of or relating to this Amendment or the Declaration shall be governed by, interpreted and construed in accordance with the laws of the State of North Carolina, without giving effect to the principles of conflicts of laws.

IN WITNESS WHEREOF, the Declarant has executed this Amendment effective as of the day and year first above written.

CLAYTON PROPERTIES GROUP, INC.

By: _____

Title: *Land Development Manager*

[Notary Page to Follow]

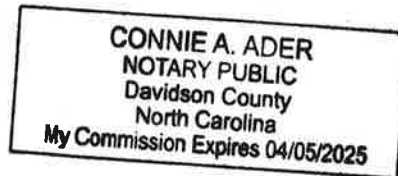
STATE OF NORTH CAROLINA
FORSYTH COUNTY

I certify that James W Derrickson as LD manager of Clayton Properties Group, Inc., personally appeared before me this day, acknowledging to me that he/she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated.

Today's Date: Aug 4, 2022.

Connie A Ader

[Notary's signature as it appears on seal]



My commission expires: 4/5, 2025