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FORSYTH CO, NC FEE \$20.00
PRESENTED & RECORDED:
12-30-2005 04:15 PM
DICKIE C WOOD
REGISTER OF DEEDS
By: PATSY RUTH DAVIS DPTY
BK: RE 2629
PG: 130-132

Drafted by: N. Alan Bennett - Box 20

Original to A. Bennett

**Amendment To
Plan of Development
With Restrictive Covenants, Easements and Provisions For
Oakmont East
(Re: Lots 92, 93 and 94, Oakmont East – Phase 2)**

This Amendment to Plan of Development is made on this 20th day of September, 2005, by **Calmit Properties**, a North Carolina General Partnership ("Declarant") and **Glenn Myrick Builder, Inc.**, a North Carolina corporation ("Myrick").

WITNESSETH:

WHEREAS, Declarant was the owner of certain real property located in Forsyth County, North Carolina which it has developed into a subdivision known as "Oakmont East" and said property was subjected to a Plan of Development with Restrictive Covenants, Easements and Provisions which is recorded in Book 2384, Page 4582, Forsyth County Registry ("Original Plan of Development"). This property has now been developed and plats have been recorded as follows:

- Oakmont East – Phase One (Plat Book 46, Page 6, Forsyth County Registry)
- Oakmont East – Phase 2 (Plat Book 48, Page 72, Forsyth County Registry)
- Oakmont East – Phase Three (Plat Book 48, Page 180, Forsyth County Registry)

WHEREAS, Declarant conveyed Lots 92, 93 and 94 of Oakmont East – Phase 2 (Plat Book 48, Page 72, Forsyth County Registry) to Myrick by Deed recorded in Book 2574, Page 2469, Forsyth County Registry.

WHEREAS, the lots referenced herein conveyed to Myrick are located along Joyner Cross Road which is a road that does not contain curbing nor guttering and is separated from the remainder of development along Joyner Cross Road by a tract of real property that was not owned by Declarant; and

WHEREAS, Declarant desires to amend certain Restrictive Covenants in the Original Plan of Development to allow the houses to be built on these three lots to be built with all vinyl and not require any masonry on these houses; and

WHEREAS, Myrick is executing this Amendment since Myrick owns Lots 92, 93 and 94 of Oakmont East – Phase 2 (Plat Book 48, Page 72, Forsyth County Registry).

NOW, THEREFORE, Declarant does hereby amend the Original Plan of Development pursuant to the special declarant’s rights contained in the Original Plan of Development to make such amendment as follows:

The paragraph entitled “Land Use and Building Type” contains a subparagraph (a) which reads “Houses must be at least 70% masonry (brick, stone and/or stucco) on front and each side.”

This restriction is hereby removed as the same pertains to Lots 92, 93 and 94 of Oakmont East – Phase 2 (Plat Book 48, Page 72, Forsyth County Registry) and which lots were conveyed by Declarant to Myrick in the Deed recorded in Book 2574, Page 2469, Forsyth County Registry.

IN WITNESS WHEREOF, Calmit Properties, a North Carolina General Partnership, has caused the Declaration to be executed by its partners.

**CALMIT PROPERTIES,
a North Carolina General Partnership**

By: Leslie R. Mitchell (Seal)
Leslie R. Mitchell, General Partner

By: Larry L. Callahan (Seal)
Larry L. Callahan, General Partner

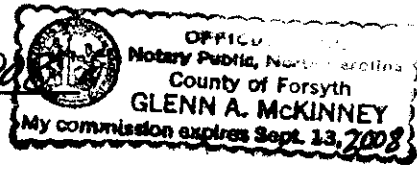
North Carolina, Forsyth County

I, GLENN A. MCKINNEY, a Notary Public of FORSYTH County, North Carolina, certify that **Leslie R. Mitchell and Larry L. Callahan, General Partners of Calmit Properties**, a North Carolina General Partnership, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 20th of September, 2005.

Glenn A. McKinney
Notary Public

My commission expires September 13, 2008



IN WITNESS WHEREOF, **Glenn Myrick Builder, Inc.**, a North Carolina corporation, has caused the Declaration to be executed by its duly authorized officer.

GLENN MYRICK BUILDER, INC.,
a North Carolina corporation

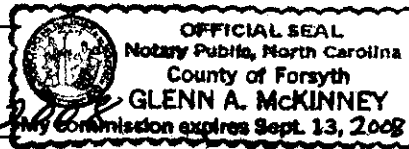
By: *Glenn Myrick* (Seal)
Glenn Myrick, President

North Carolina, Forsyth County

I, *GLENN A. MCKINNEY*, a Notary Public of *FORSYTH* County, North Carolina, hereby certify that **Glenn Myrick** personally came before me this day and acknowledged that he is the **President of Glenn Myrick Builder, Inc.**, a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President.

Witness my hand and official stamp or seal, this the *20th* day of September, 2005.

Glenn A. McKinney
Notary Public



My Commission Expires: *September 13, 2008*

The foregoing certificate(s) of _____

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.

Dickie C. Wood
Forsyth County Register of Deeds

By _____
Deputy/Assistant - Register of Deeds