

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

AMENDMENT TO RESTRICTIVE COVENANTS AND CONDITIONS
FOR RAMBLING RIDGE, DIVISION III

THIS CONTRACT OF AMENDMENT, Made and entered into this 25th day of November, 1991, by MELBET, INC. (successor to Marper, Inc.), a corporation organized and existing under the laws of the State of North Carolina, for its benefit and for the mutual benefit and protection of the other lots owners in Rambling Ridge, Division III, situated in Crab Creek Township, Henderson County, North Carolina, which said subdivision is shown on plats duly recorded in the office of the Register of Deeds for Henderson County;

W I T N E S S E T H:

WHEREAS, Melbet, Inc. is the owner of lots situate, lying and being in Rambling Ridge; and,

WHEREAS, the said Rambling Ridge, Division III, was made subject to certain restrictive covenants and conditions as will appear by reference to that certain instrument recorded in Deed Book 662, at page 653, in the office of the Register of Deeds for Henderson County; and,

WHEREAS, as hereinbefore stated, Melbet, Inc. is the owner of lots situate in Rambling Ridge, and it desires to alter, amend, change and modify the said restrictive covenants and conditions, and to exercise the authority and power as set forth in that covenant known and designated as "2," and more particularly reading, in part, as follows:

"...provided, however, it is understood and agreed that these restrictive covenants and conditions shall not be obligatory and binding on Marper, Inc., the original developer of Rambling Ridge, Division III, or its successors and assigns, for so long a period of time as the said developer shall have an interest in any portion or part of Rambling Ridge, Division III, and until the lot, tract or portion thereof has been sold and conveyed by the said developer..."

WHEREAS, the party to this instrument desires to exercise the authority set out in the above-mentioned paragraph of the existing covenants and conditions, and considers that the same is for the greater benefit and happiness of the owners of said lots and to protect the value of homes and structures already erected, or to be erected,

NOW, THEREFORE, the said restrictive covenants and conditions as recorded in Deed book 662, at page 653, Henderson County Registry, shall be altered and amended in the following particulars, and none other:

The restriction known and designated as "8," is altered and amended so as to read as follows:

8. Each residence must be located at least forty (40) feet from the centerline of adjoining streets, and shall be at least twenty (20) feet from the back lines. If the topography of a lot will permit, without undue difficulty or hardship on the owner thereof, any house constructed thereon must be centered as nearly as possible at the geographic center of the tract. Provided, by virtue of the unique difficulties presented by the topography of the particular site, the rear setback line applicable to Lot 4 shall be fifteen (15) feet.

In all other respects, the restrictive covenants and conditions pertinent to Rambling Ridge, Division III, as set out

in that instrument recorded in Deed Book 662, at page 653, Henderson County Registry, and any amendments thereto, shall remain the same.

IN TESTIMONY WHEREOF, the said Melbet, Inc. has caused this instrument to be signed in its corporate name by its President and attested by its Secretary, and sealed with its common corporate seal, on the day and year first above written.



MELBET, INC.

By Bob Huggins
President

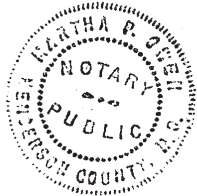
Christina J. Jordan
Asst. Secretary

STATE OF NORTH CAROLINA, COUNTY OF HENDERSON

This the 6 day of December, 1991, personally appeared before me, the undersigned Notary Public in and for the aforesaid County and State, Bob Huggins who, being duly sworn, says that he is President of MELBET, INC., and that the seal affixed to the foregoing instrument in writing is the corporate seal of said Corporation, and that said writing was signed by him in behalf of said Corporation by its authority duly given. And the said Bob Huggins acknowledged the said writing to be the act and deed of said Corporation.

Martha P. Owen
Notary Public

My commission expires 4-8-96



North Carolina, Henderson County The foregoing certificate(s) of Martha P. Owen

Notary Public (Notaries Public) is/are certified to be correct. This

Instrument presented for registration and recorded in this office this 6 day of Dec 1991 at 12:10 P. in Book 788 Page 55

Luby A. Maxwell Linda J. Jones, Att
Register of Deeds (Assistant) (Deputy)