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Caldwell County, NC
WAYNE L RASH Register of Deeds
BK 1699 PG 339-410

Prepared By and Return To: Timothy D. Swanson, Young, Morphis, Bach & Taylor, LLP, P.O.
Drawer 2428, Hickory, NC 28603

W Va Coffey
STATE OF NORTH CAROLINA

COUNTY OF CALDWELL

**AMENDMENT TO DECLARATION
OF RESTRICTIVE COVENANTS OF
PLANTATION POINTE SUBDIVISION**

**THIS AMENDMENT TO THE DECLARATION OF COVENANTS OF PLANTATION
POINTE SUBDIVISION** is made effective this the 18 day of December, 2008, by the Plantation Pointe
Homeowners Association, Inc. (the "Association") of Caldwell County, North Carolina, along with the
written consent of at least sixty-seven (67%) percent of the lot owners subject to said Declaration.

WITNESSETH:

WHEREAS, the Declaration of Restrictive Covenants of Plantation Pointe Subdivision was recorded
in Book 1353 at page 800 and the Declaration of Covenant, Conditions, and Restriction of Plantation Pointe
Subdivision was recorded in Book 1353 at page 807 in the Caldwell County Registry on August 15, 2001
(hereinafter collectively referred to as the "Declaration"); and

WHEREAS, the Declaration permits amendment of said Declaration by recorded agreement signed
by a sixty-seven (67%) percent majority of the lot owners; and

WHEREAS, the Association has received an affirmative vote and written consent of more than
sixty-seven (67%) percent of the lot owners subject to said Declaration to adopt this amendment and make
it applicable to Plantation Pointe Subdivision; and

WHEREAS, the Association and at least a sixty-seven (67%) percent majority of the lot owners of
lots within Plantation Pointe Subdivision, as evidenced by Exhibit A attached hereto, desire to amend the
Declaration as herein provided; and

227.⁰⁰72

25.⁰⁰(c)

WHEREAS, the properties subject to the Declaration and this amendment are more particularly described by plat(s) thereof recorded in Plat Book 19 at Pages 410-417 in the Office of the Register of Deeds for Caldwell County, North Carolina.


NOW THEREFORE, the Association, with the written approval of a sixty-seven (67%) percent majority of the lot owners subject to the Declaration of Restrictive Covenants of Plantation Pointe, said written consent being incorporated herein by reference and attached hereto as Exhibit A, hereby amend said Declaration as follows:

By replacing Paragraph 2 of the "General Use Restrictions" with the following:

Each single-family dwelling shall have an enclosed, heated living area (exclusive of open porches, garages, and other unheated spaces) not less than "Two Thousand Two Hundred" (2200) square feet on the main level for one and one and a half story houses, and "One Thousand Six Hundred" (1600) on the main level for two and two and a half story houses. Before any clearing, grading or construction of any nature begins on any lot, the design, location and construction of all improvements on each lot (regardless of when such improvements are made) and the landscaping of each lot must be approved in writing in advance by the Architectural Review Committee, hereinafter referred to as the "Committee", which Committee is established pursuant to the Declaration.

IN WITNESS WHEREOF, this Amendment to the Declaration is executed by its President, and consented to in writing by at least sixty-seven (67%) percent of the lot owners subject to the Declaration, and made effective the day and year first above written.

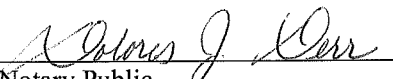
Plantation Pointe Homeowners Association, Inc.

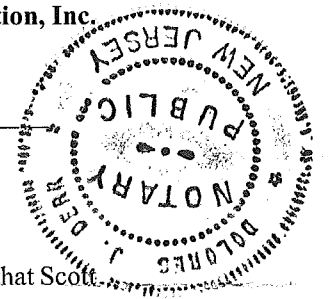
By: 
Scott Goess, *President*

STATE OF NORTH CAROLINA
COUNTY OF CALDWELL

I, Dolores J. Derr, a Notary Public for said County and State, do hereby certify that Scott Goess personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and notarial seal, this the 13th day of December, 2008.


Notary Public
My Commission Expires _____



THE DRAFTSMAN OF THIS INSTRUMENT DID NOT SEARCH TITLE NOR ABSTRACT TITLE TO THE PROPERTIES LOCATED IN PLANTATION POINTE SUBDIVISION; THEREFORE, HE MAKES NO CERTIFICATION NOR ACCEPTS ANY LIABILITY FOR THE CONDITION OF THE TITLE THERETO OR THE EFFECT THAT THE CONDITION OF TITLE MAY HAVE TO THIS AMENDMENT.

DOLORES J. DERR
NOTARY PUBLIC OF NEW JERSEY 157715.1
MY COMMISSION EXPIRES OCT. 22, 2011