

Laney

Prepared by and mail to: Wyatt Early Harris & Wheeler, L.L.P. (R. Bruce Laney), P.O. Drawer 2086, High Point, NC 27262

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KATHERINE LEE PAYNE
REGISTER OF DEEDS
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NORTH CAROLINA

FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR ASHTON OAKS

GUILFORD COUNTY

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR ASHTON OAKS is made this 15th day of May, 2000 by and among Ashton Oaks, LLC, a North Carolina Limited Liability Company, hereinafter referred to as "Declarant"; and Ashton Oaks Owners Association, Inc., hereafter referred to as "Association."

WITNESSETH:

A Declaration of Covenants, Conditions, and Restrictions for Ashton Oaks (the "Declaration") was recorded in Book 4958, Page 0001 in the Office of the Register of Deeds of Guilford County, North Carolina. Declarant and Association desire to amend various terms and provisions of the Declaration as set out herein. Article XI, Section III, of the Declaration contains the provisions for Amendment of the Declaration.

The consent of the Owners entitled to cast at least sixty-seven (67%) percent of the votes of the Association has been obtained. The officer executing this amendment on behalf of the Association hereby certifies and attests that the requisite owners' approval has been obtained. Declarant joins in this Amendment to evidence its consent to the Amendment.

NOW, THEREFORE, Declarant and Association hereby declare that the Declaration shall be and hereby is amended as follows:

I. The first paragraph of Article VII, Section 9 "Exterior Materials and Supplies" shall be deleted, and there is hereby substituted in its place and stead the following first paragraph of Article VII, Section 9:

EXTERIOR MATERIALS AND SUPPLIES. Exterior construction materials shall be at least eighty percent(80%) of one of the following materials: brick, stucco, stone, wood, hardboard or masonry-based siding. All exterior walls shall be generally of like materials so as to present a uniform appearance on all sides. No vinyl or aluminum shall be allowed except in soffits, eaves, window trims, small cantilevered areas, dormers or like areas specifically approved by the Architectural Control Committee. Concrete or cinder blocks used in foundation or wall construction shall not be visible from the exterior of a dwelling.

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1 MISC DOCUMENTS 358278 16.00
2 MISC DOC ADDN PGS 44.00

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II. Article VII, Section 10. "ROOFS" shall be deleted, and there is hereby substituted in its place and stead the following Article VII, Section 10:

ROOFS. Roofs and roof pitches shall be in proportion to the overall size and shape of the dwelling. Except as specifically approved otherwise, the minimum roof slope shall be nine in twelve. Acceptable roofing materials are wood shingles, wood shakes, natural or man-made slate, tile, or fiberglass shingles, commonly known as architectural or dimensional shingles, with at least a twenty-five (25) year manufacturer's warranty.

III. Article VII, Section 12. "CHIMNEYS" shall be deleted, and there is hereby substituted in its place and stead the following Article VII, Section 12:

CHIMNEYS. All chimneys and fireplace enclosures extending outside the outer wall line of the dwelling shall be full foundation based and made of brick, stone or other material approved in writing by the Architectural Control Committee, and of a design, location and material appropriate to the dwelling. Wood chases shall not be used. Particular design or construction needs requiring an exception must be approved by the Architectural Control Committee.

Except as herein modified the Declaration shall be and remain in full force and effect.

IN WITNESS WHEREOF, the undersigned, have caused this instrument to be executed this the 15th day of May, 2000.

Ashton Oaks, LLC

By:  (SEAL)
Joseph A. Farcloth, Jr., Member
Manager of Ashton Oaks, LLC

Ashton Oaks Owners Association, Inc.

By:  (SEAL)
President

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