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J. LEE WARREN, JR.
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AMENDMENT AND SUPPLEMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR
CYPRESS LAKES VILLAGE SECTION FIVE
AND ANNEXATION OF THE GARDENS AT CYPRESS LAKES VILLAGE (Phase 1)

Prepared by/~~return to~~
Rebecca F. Person *Boy*
2401 Robeson Street
Fayetteville, NC 28305

THIS AMENDMENT AND SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR CYPRESS LAKES VILLAGE SECTION FIVE AND ANNEXATION OF THE GARDENS AT CYPRESS LAKES VILLAGE (Phase 1) (this "Amendment") is made and entered into this 29th day of July, 2015 by BIRCHWOOD FARMS, INC., a North Carolina corporation, hereinafter referred to as "Declarant":

WITNESSETH:

Declarant executed and caused to be recorded a certain Declaration of Covenants, Conditions, and Restrictions for Cypress Lakes Village Section Five in Book 9416, Page 609 of the Cumberland County, NC, Registry, the terms of which are incorporated herein by this reference. Declarant caused said Declaration to be amended by written instruments recorded in Book 9534, Page 362, Book 9588, Page 614, and Book 9622, Page 536 of the aforesaid Registry. (The aforesaid Declaration of Covenants, Conditions, and Restrictions for Cypress Lakes Village Section Five, as amended, is hereinafter referred to

as the "Declaration").

The Declaration provides that additional lots and future sections of Cypress Lakes Village would become subject to the Declaration after recording of the plat for said new lots or new section and recording of a Supplemental Declaration which expressly made the new lots or new section subject to them. Additionally, the Declaration provides that the Declarant may alter or amend the Declaration as long as Declarant owns any Lot or any portion of the Property (as those terms are defined in the Declaration).

Declarant is the owner of and has caused to be recorded a plat of "The Gardens at Cypress Lakes Village Phase 1" (the "New Section") as recorded in Plat Book 136, Page 55, Cumberland County, North Carolina Registry. Declarant desires the New Section as set forth above be subject to and bound by the Declaration, except as may be amended below, and further desires that the said real property as shown on said plat of the New Section held, transferred, sold, conveyed, given, donated, leased, occupied and used subject to the Declaration, except as amended below.

NOW, THEREFORE, in consideration of the premises, the Declarant hereby expressly declares that the New Section as described above be and hereby is subject to the Declaration, except as amended herein:

1. Annexation of Additional Lots.

- a. All references to a recorded plat in the Declaration shall include the plat of the New Section.
- b. "Lot" as defined in the Declaration shall include a numbered lot as shown on the plat of the New Section, excluding any "common area", "open spaces" or "detention basins" as may be shown on the plat.
- c. "Common Area" as defined in the Declaration shall include common area and common area access as shown on the plat of the New Section.

2. Amendment of Declaration.

- a. The first sentence of Section 3 of Article III is amended as follows:

No dwelling shall be erected or allowed to remain on any of the said Lots which shall contain a heated-area living space of less than sixteen hundred (1600) square feet.
- b. The last sentence of Section 16 of Article III is amended to correct a typographical error

as follows:

No Owner shall change the exterior design or color of the dwelling on such Owner's Lot, including the roof thereof, except in compliance with Section 3.

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

IN WITNESS WHERE, Declarant has hereunto set its hand and seal.

BIRCHWOOD FARMS, INC.

By: Thomas R Prewitt (SEAL)

Name: Thomas R. Prewitt

Title: President

NORTH CAROLINA
CUMBERLAND COUNTY

I certify that the following person(s) personally appeared before me this day and acknowledged to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Name of Principal: Thomas R. Prewitt, President

Date: 8/3/15

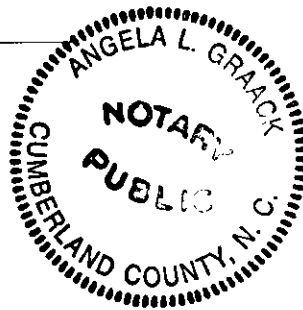
Angela L Graack

Notary Public

Angela L Graack

Printed or Typed Name of Notary Public

My commission expires: 1/14/2019



(N.P. SEAL)