

FOR REGISTRATION REGISTER OF DEEDS
 Judy D. Martin
 Moore County, NC
 July 20, 2018 08:00:00 AM
 Book 5010 Page 381-382
 FEE: \$26.00
 INSTRUMENT # 2018010544

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D.I. SCARBOROUGH III

AMENDMENT TO DECLARATION OF FOX GROVE

Amendment to Declaration

This Amendment made and entered into this 20th day July 2018, by Fox Grove, LLC, a NC Limited Liability Company (hereafter referred to as "Declarant") by and on behalf of itself and all future **Owners of Lots in the Planned Community known as Fox Grove** (hereafter "Fox Grove"):

WITNESSETH:

WHEREAS, Fox Grove is subject to those certain Declaration of Covenants, Conditions, Easements, Restrictions, Charges, Liens, and Reservations recorded in the Office of the Register of Deeds of Moore County in **Book 4984 Page 221** (hereafter the "Declaration");

WHEREAS, **Fox Grove Property Owners Association, Inc.** is the Association of Owners as designated under the Declaration for the purpose of exercising and performing functions designated in the Declaration; and

WHEREAS, the Developer desires to amend certain provisions of the Declaration concerning Additions prior to the conveyance of the first Homesite; and

NOW, THEREFORE, the Declaration and By-Laws governing the administration, operation, holding, conveying, hypothecating, encumbering, and transferring of any Homesite are amended as follows by replacing in their entirety 1 Article, Definition Section 1.11 and 2 Article in their entirety with:

1 Article, Section 1.11 Development Area. "Development Area" means that property owned by Declarant as recorded in Book 4932, Page 148 and in Book 5010 Page 290, both in the Office of the Register of Deeds of Moore County; or, any other tract(s) or parcel(s) that are contiguous to the Development Area and which may be subsequently acquired by the Declarant.

2

ARTICLE

PROPERTY SUBJECT TO DECLARATION

2.1 Existing Property. The Property which is and shall be held, transferred, sold, conveyed, given, donated, leased and occupied under the Declaration and within the jurisdiction of the Association, is located in Carthage Township, Moore County, North Carolina, and is more particularly described as Fox Grove, Phase One, as shown on plat thereof recorded in the Office of the Register of Deeds of Moore County, North Carolina in Plat Cabinet 17 Slide 748.

2.2 Additions to Existing Property. Additional land within the Development Area may be brought within the scheme and operation of the Declaration and the Jurisdiction of the Association by the Declarant without the consent of the Association or any Member in the following manner: The area of the Property subject to this Declaration may be increased by filing with the Register of Deeds of the jurisdiction referred to above, plats of additional phases within the Development Area and the subsequent conveyance of any Homesite by the Declarant in such phase by reference to such plat and the original Declaration, which shall then extend the scheme of the Declaration, as amended, to all property shown on the plat of that phase, except for any areas marked "Reserved" or such areas of similar nomenclature. No other land within the Development Area or vicinity of the Development Area shall be subject to this Declaration unless the provisions of this section are complied with, it being intended that this Declaration may not be construed or considered as a scheme for the development of any land other than that shown on the then existing and recorded plats for each phase by which at least one of the Homesites shown thereon has been conveyed by reference to such plat and this Declaration.

2.3 Supplemental Declaration. In addition the Declarant reserves the right to file Supplemental Declarations with the development of each successive phase, which may contain such complementary additions and modifications of this Declaration as may be necessary or convenient, in the sole judgment of the Declarant, to reflect and adapt to any difference in character of the added properties (for example, a Regime developed on a Cluster Residential Tract, or that includes Limited Common Elements), and as are not inconsistent with the scheme of this Declaration.

To the extent that any provision of the present Declaration and By-Laws conflict with this Amendment, the provisions of this Amendment shall control.

IN WITNESS WHEREOF, Fox Grove, LLC, as Declarant, has caused this instrument to be executed.

Fox Grove, LLC

By: _____

Colin S. Webster, Manager

NOTARY'S ACKNOWLEDGMENT

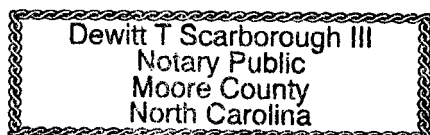
State of NC

County of Moore

I certify that the following person(s) personally appeared before me this day, and, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: **Colin S. Webster**

Witness my hand and official seal, this the July 19, 2018

(Official Seal)



 Official Signature of Notary

My commission expires: 1-18-2020