

FILED	
LEE COUNTY NC	
PAMELA G. BRITT	
REGISTER OF DEEDS	
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INSTRUMENT #	07439
EXCISE TAX	(None)

Prepared by: Frank W. Wishart, Jr., Attorney, PO Box 76, Sanford NC 27331  
Return to: Autumnwood POA, PO Box 3367, Sanford NC 27331

STATE OF NORTH CAROLINA

<p><b>SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AUTUMNWOOD SUBDIVISION (FORMERLY WESTFALL SUBDIVISON)</b></p>
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COUNTY OF LEE

THIS SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS, made this 10<sup>th</sup> day of December, 2019, by WESTFALL SANFORD, L.L.C., (the "Grantor" or "Declarant"):

WITNESSETH:

WHEREAS, by instrument dated May 14, 2010, the Grantor herein executed a Declaration of Covenants, Conditions and Restrictions affecting the property of said Grantor located within Sanford; said Declaration being recorded in Book 01210, Page 0279, Lee County Registry (the "Original Declaration") and amended by Amendment dated October 10, 2014 which is recorded in Book 1369, Page 387 (the "Amendment") and with such real property being more particularly described on Exhibit A attached hereto and made a part hereof (the "Property" or "Subdivision"; and

WHEREAS, it is the desire of the Grantor to amend and modify said restrictions and all amendments thereto and to subject the Property described in Exhibit "A" to this amendment to the conditions, covenants and restrictions hereinafter set forth, each and all of which is and are for the benefit of said Property.

NOW, THEREFORE, WESTFALL SANFORD, L.L.C., pursuant to its authority under Section 10.4 and Section 1.15 of the Original Declaration and Amendment, hereby amends and modifies the Original Declaration and Amendment as follows:

- Section 8.5 shall be deleted in its entirety and replaced with the following:


**Section 8.5 Exteriors.** All dwellings and garages shall have a foundation of brick, stone veneer or parged concrete. Any other structures built or placed on the lot, such as storage buildings, must have siding that matches the color of the siding on the home on the lot and the roof pitch on the structure must be similar to that of the home on the lot, as determined in the sole discretion of the Declarant. Any storage building must be located at least twenty(20) feet behind the home on the lot meaning that the front of the storage building is not located any closer to the street than twenty(20) feet from the back of the home on the lot. On a lot with two street


frontages the storage building should also be no closer to the side street than the side of the dwelling closest to the side street. No metal storage building shall be allowed on any lot. The balance of the exterior covering of the house or any other structure on the lot may be composed of brick, stone veneer, wood siding, or hardiplank (fiber cement) or similar siding approved by the Declarant. Vinyl siding or metal wrap may only be used on the rear of a home, but otherwise is not allowed unless permission is granted in the sole discretion of the Declarant.

Except as expressly modified or amended herein by this amendment, the Original Declaration and Amendment thereto shall remain in full force and effect.

IN TESTIMONY WHEREOF, the parties below have caused this Second Amendment to be signed effective as of the day and year first above written.

WESTFALL SANFORD, L.L.C.  
DECLARANT

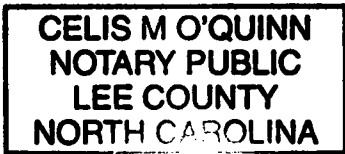
BY:   
Name: \_\_\_\_\_  
its member-manager

BY:   
Name: \_\_\_\_\_  
its member-manager

Lee County, North Carolina

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: Albert C. Adcock, member-manager

Date: Dec. 12, 2019



*Celis M. O'Quinn*  
Official Signature of Notary

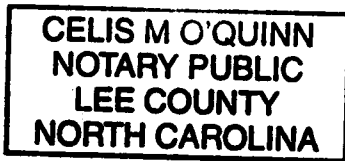
Celis M. O'Quinn, Notary Public  
Notary's Printed or Typed Name

My Commission Expires: June 19, 2024

Lee County, North Carolina

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: Rex W. Brown, member-manager

Date: Dec. 12, 2019



*Celis M. O'Quinn*  
Official Signature of Notary

Celis M. O'Quinn, Notary Public  
Notary's Printed or Typed Name

My Commission Expires: June 19, 2024

**EXHIBIT "A"**

**Being located in Lee County, North Carolina, and being more particularly depicted as Sixty-Nine (69) subdivided residential building Lots, being Lots 100-107 and 109 -169 together with associated Common Areas including private alleys, public rights of way, etc. as shown on a plat of survey entitled: "Autumnwood Subdivision, Phase I" recorded in Plat 2015, Slide 8, Lee County Registry (and also being shown on plat of survey entitled "Subdivision Survey for Westfall Subdivision Phase I" recorded in Plat Cabinet 2010, Slide 64, Lee County Registry). Reference to said plats is hereby made for a more perfect description.**