

Prepared by Lynn A. Matthews, P.A., Attorney at Law;  
108 Commerce Drive, Ste B, Dunn, NC 28334

NORTH CAROLINA  
HARNETT COUNTY

**AMENDED** DECLARATION OF  
PROTECTIVE COVENANTS FOR  
CAROLINA SEASONS, PHASE 2,  
SECTION 1 and PHASE 2,  
SECTION 2

THIS AMENDED DECLARATION OF PROTECTIVE COVENANTS made this \_\_\_\_ day of February, 2010 by Crestview Development LLC, a North Carolina limited liability company with its principal office in Harnett County, North Carolina, hereinafter referred to as “Declarant”; New Century Homes, LLC, a North Carolina Limited Liability Company (“New Century”); Cumberland Homes, Inc., a North Carolina Corporation (“Cumberland”); Jason Price Construction, Inc., a North Carolina Corporation (“Price”); M&P Partners, LLC, a North Carolina Limited Liability Company (“M&P”); Israel Lucas Construction, Inc., a North Carolina Corporation (“Israel Lucas”); Watermark Homes Inc., a North Carolina Corporation (“Watermark”), Silverado Homes, LLC, a North Carolina Limited Liability Company (“Silverado”); LDS Homes LLC, a North Carolina Limited Liability Company (“LDS”), Danny E. Norris dba Craftsman Construction (“Craftsman”); Matthew H. Norris dba Prominent Builders (“Prominent”); and Jeffery Wayne Lucas (“Lucas”).

WITNESSETH:

WHEREAS, Declarant previously recorded in Book 2604, Page 212 of the Harnett County Register of Deeds those certain Declaration of Protective Covenants for Carolina Seasons Phase 2, Section 1 dated March 18, 2009 (hereinafter the “Declaration”) with respect to certain real property described in that certain plat for Carolina Seasons, Phase 2, Section 1 and recorded in Map Number 2009, Pages 96-99 in the Harnett County Register of Deeds (the “Property”); and

WHEREAS, Declarant previously recorded in Book 2652, Page 530 of the Harnett County Register of Deeds those certain Declaration of Protective Covenants for Carolina Seasons Phase 2, Section 2 dated July 20, 2009 (hereinafter the “Declaration”) with respect to certain real property described in that certain plat for Carolina Seasons, Phase 2, Section 2 and recorded in Map Number 2009, Pages 438-440 in the Harnett County Register of Deeds (the “Property”);

WHEREAS, Declarant, New Century, Cumberland, Price, M&P, Israel Lucas, Watermark, Silverado, LDS, Craftsman, Prominent, and Lucas desire to amend t the Declarations by the execution of this Amendment for the purpose of revising various aspects of the Declarations.

NOW, THEREFORE, in consideration of the foregoing, Declarant, New Century, Cumberland, Price, M&P, Israel Lucas, Watermark, Silverado, LDS, Craftsman, Prominent, and Lucas do declare as follows:

1. Article XVIII of both Declarations for Phase 2, Sections 1 and 2 are hereby amended as follows:

ARTICLE XVIII: ENFORCEMENT. The Declarant and then subsequently the Carolina Seasons Property Owners Association (“Association”), or any Owner, shall have the right to enforce, by any proceeding at law or in equity, all restrictions, conditions, covenants, reservations, liens and charges now or hereafter imposed by the provisions of this Declaration and/or the adopted provisions of the Declaration recorded in Book 1080, Page 552 of the Harnett County Registry. Failure by the Declarant, Association, or by any Owner to

enforce any covenant or restriction herein contained shall in no event be deemed a waiver of the right to do so thereafter.

2. Article XXI of both Declarations for Phase 2, Sections 1 and 2 are hereby amended as follows:

ARTICLE XXII: PROPERTY OWNERS ASSOCIATION. There is an existing property owners association for other phases of this Subdivision known as Carolina Seasons Property Owners Association, Inc. Declarant hereby annexes and adopts that portion of the Covenants and Restrictions recorded in Book 1080, Page 552 as it pertains to the property owners' association membership, voting rights and assessments only, subject to the following:

- a. Declarant/Developer shall retain architectural control for the lots contained in this Declaration (Phase 2, Section 1 and Phase 2, Section 2) and will not be subject to the Architectural Control as provided for in Article V of those Declaration of Covenants recorded in Book 1080, Page 552. However, upon conveyance of any lot to a permanent owner, said lot owners will then be subject to the architectural control provisions of the Carolina Seasons Property Owners Association Inc. as provided for in Article V of those Declaration of Covenants recorded in Book 1080, Page 552, Harnett County Registry.
- b. The Developer/Declarant shall pay no association dues for any of the lots.
- c. Any builder purchasing a lot for residential construction and resale shall be responsible for a maximum of \$150.00 annual assessment, if any.
- d. Any subsequent purchaser of any unimproved or improved lot shall be responsible for the regular assessment as provided for by the Association.

Declarant does not intend to annex any other article or provision of that Declaration of Covenants and Restrictions recorded in Book 1080, Page 552, except as provided for above.

3. Except as amended and modified herein the Declaration remains in full force and effect.

***THE REMAINDER OF THIS PAGE INTENTIONALLY LEFT BLANK  
SIGNATURES AND NOTARY ACKNOWLEDGEMENTS FOLLOW***

IN WITNESS WHEREOF, the Declarant, New Century, Cumberland, Price, M&P, Israel Lucas, Watermark, Silverado, LDS, Craftsman, Prominent, and Lucas have caused this instrument to be executed as of the day and year first above written.

**DECLARANT:** CRESTVIEW DEVELOPMENT, LLC  
A North Carolina Limited Liability Company

By: \_\_\_\_\_  
DANNY E NORRIS, Manager

State of North Carolina  
Harnett County

I, Theda C. Poole, a notary public of Harnett County, North Carolina do certify that on this \_\_\_\_ day of February, 2010, before me personally appeared Danny E. Norris, Manager of Crestview Development, LLC, a North Carolina Limited Liability Company who is personally known to me to be the person(s) whose name(s) is signed on the preceding or attached record, and acknowledged to me that he signed in voluntarily for its stated purpose.

\_\_\_\_\_  
Theda C. Poole, Notary Public

My commission expires: 12/5/14

**NEW CENTURY:** NEW CENTURY HOMES, LLC  
A North Carolina Limited Liability Company

By: \_\_\_\_\_  
JOAN L. NORRIS, Manager

State of North Carolina  
Harnett County

I, Theda C. Poole, a notary public of Harnett County, North Carolina do certify that on this \_\_\_\_\_ day of February, 2010, before me personally appeared Joan L. Norris, Manager of New Century Homes, LLC, a North Carolina Limited Liability Company who is personally known to me to be the person(s) whose name(s) is signed on the preceding or attached record, and acknowledged to me that he signed in voluntarily for its stated purpose.

\_\_\_\_\_  
Theda C. Poole, Notary Public

My commission expires: 12/5/14

**CUMBERLAND**

**CUMBERLAND HOMES, INC.**  
A North Carolina Corporation

By: \_\_\_\_\_  
DANNY E NORRIS, President

State of North Carolina  
Harnett County

I, Theda C. Poole, a notary public of Harnett County, North Carolina do certify that on this \_\_\_\_\_ day of February, 2010, before me personally appeared Danny E. Norris, President of Cumberland Homes Inc., a North Carolina Corporation who is personally known to me to be the person(s) whose name(s) is signed on the preceding or attached record, and acknowledged to me that he signed in voluntarily for its stated purpose.

\_\_\_\_\_  
Theda C. Poole, Notary Public

My commission expires: 12/5/14

**PRICE:**

**JASON PRICE CONSTRUCTION, INC.**  
A North Carolina Corporation

By: \_\_\_\_\_  
Jason R. Price, President

State of North Carolina  
Harnett County

I, Theda C. Poole, a notary public of Harnett County, North Carolina do certify that on this \_\_\_\_\_ day of February, 2010, before me personally appeared Jason R. Price, President of Jason Price Construction Inc., a NC corporation who is personally known to me to be the person(s) whose name(s) is signed on the preceding or attached record, and acknowledged to me that he signed in voluntarily for its stated purpose.

\_\_\_\_\_  
Theda C. Poole, Notary Public

My commission expires: 12/5/14

**M&P:**

M&P PARTNERS, LLC  
A North Carolina Limited Liability Company

By: \_\_\_\_\_  
Jason R. Price, Manager

State of North Carolina  
Harnett County

I, Theda C. Poole, a notary public of Harnett County, North Carolina do certify that on this \_\_\_\_\_ day of February, 2010, before me personally appeared Jason R. Price, Manager of M&P Partners, LLC, a North Carolina Limited Liability Company who is personally known to me to be the person(s) whose name(s) is signed on the preceding or attached record, and acknowledged to me that he signed in voluntarily for its stated purpose.

\_\_\_\_\_  
Theda C. Poole, Notary Public

My commission expires: 12/5/14

**ISRAEL LUCAS:**

ISRAEL LUCAS CONSTRUCTION INC.  
A North Carolina corporation

By: \_\_\_\_\_  
ISRAEL LUCAS, President

State of North Carolina  
\_\_\_\_\_ County

I, \_\_\_\_\_, a notary public of the county and state aforesaid do certify that on this \_\_\_\_\_ day of February, 2010, before me personally appeared Israel Lucas, President of Israel Lucas Construction Inc. who is personally known to me to be the person(s) whose name(s) is signed on the preceding or attached record, and acknowledged to me that he signed in voluntarily for its stated purpose.

\_\_\_\_\_  
\_\_\_\_\_, Notary Public

My commission expires: \_\_\_\_\_

**WATERMARK:**

WATERMARK HOMES INC.  
A North Carolina corporation

By: \_\_\_\_\_  
\_\_\_\_\_, \_\_\_\_\_ President

State of North Carolina  
\_\_\_\_\_ County

I, \_\_\_\_\_, a notary public of the county and state aforesaid do certify that on this \_\_\_\_\_ day of February, 2010, before me personally appeared \_\_\_\_\_, \_\_\_\_\_ President of Watermark Homes Inc. who is personally known to me to be the person(s) whose name(s) is signed on the preceding or attached record, and acknowledged to me that he signed in voluntarily for its stated purpose.

\_\_\_\_\_  
\_\_\_\_\_, Notary Public

My commission expires: \_\_\_\_\_

**SILVERADO:**

SILVERADO HOMES, LLC  
A North Carolina Limited Liability Company

By: \_\_\_\_\_  
DANNY E. NORRIS, Member-Manager

State of North Carolina  
Harnett County

I, Theda C. Poole, a notary public of Harnett County, North Carolina do certify that on this \_\_\_\_\_ day of February, 2010, before me personally appeared Danny E. Norris, Member-Manager of Silverado Homes, LLC, a North Carolina Limited Liability Company who is personally known to me to be the person(s) whose name(s) is signed on the preceding or attached record, and acknowledged to me that he signed in voluntarily for its stated purpose.

\_\_\_\_\_  
Theda C. Poole, Notary Public

My commission expires: 12/5/14

**LDS:**

LDS HOMES, LLC  
A North Carolina Limited Liability Company

By: \_\_\_\_\_  
LARRY W. STROTHER, Manager

State of North Carolina  
Harnett County

I, \_\_\_\_\_, a notary public of the county and state aforesaid do certify that on this \_\_\_\_\_ day of February, 2010, before me personally appeared Larry W. Strother, Manager of LDS Homes, LLC, a North Carolina Limited Liability Company who is personally known to me to be the person(s) whose name(s) is signed on the preceding or attached record, and acknowledged to me that he signed in voluntarily for its stated purpose.

My commission expires: \_\_\_\_\_  
\_\_\_\_\_, Notary Public

**CRAFTSMAN:**

By: \_\_\_\_\_  
DANNY E. NORRIS dba Craftsman Construction

State of North Carolina  
Harnett County

I, Theda C. Poole, a notary public of Harnett County, North Carolina do certify that on this \_\_\_\_\_ day of February, 2010, before me personally appeared Danny E. Norris, who is personally known to me to be the person(s) whose name(s) is signed on the preceding or attached record, and acknowledged to me that he signed in voluntarily for its stated purpose.

\_\_\_\_\_  
Theda C. Poole, Notary Public

My commission expires: 12/5/14



**PROMINENT**

By: \_\_\_\_\_  
MATTHEW H. NORRIS dba Prominent Builders

State of North Carolina  
Harnett County

I, Theda C. Poole, a notary public of Harnett County, North Carolina do certify that on this \_\_\_\_\_ day of February, 2010, before me personally appeared Matthew H. Norris, who is personally known to me to be the person(s) whose name(s) is signed on the preceding or attached record, and acknowledged to me that he signed in voluntarily for its stated purpose.

\_\_\_\_\_  
Theda C. Poole, Notary Public

My commission expires: 12/5/14

**LUCAS**

By: \_\_\_\_\_  
JEFFERY WAYNE LUCAS

State of North Carolina  
Harnett County

I, \_\_\_\_\_, a notary public of Harnett County, North Carolina do certify that on this \_\_\_\_\_ day of February, 2010, before me personally appeared Jeffery Wayne Lucas, who is personally known to me to be the person(s) whose name(s) is signed on the preceding or attached record, and acknowledged to me that he signed in voluntarily for its stated purpose.

\_\_\_\_\_  
\_\_\_\_\_, Notary Public

My commission expires: \_\_\_\_\_