

Prepared by and return to: Jordan Price Wall Gray Jones and Carlton, PLLC, P.O. Box 10669, Raleigh, NC 27605

STATE OF NORTH CAROLINA

COUNTY OF FRANKLIN

FIRST AMENDMENT TO RESTRICTIVE  
COVENANTS OF SOMERSET SUBDIVISION

THIS FIRST AMENDMENT TO THE RESTRICTIVE COVENANTS OF SOMERSET SUBDIVISION, ("Amendment") is made and entered into this 10<sup>th</sup> day of January, 2022 by Holden Road Properties, LLC, a North Carolina limited liability company (hereinafter referred to as the ("Declarant").

RECITALS:

- A. The Restrictive Covenants of Somerset Subdivision is dated June 23, 2003 and recorded June 23, 2003 at Book 1344 Page 314, Franklin County Registry ("Declaration").
- B. The recital in the Declaration states the Declarant is the owner of certain property in or near Youngsville Township, County of Franklin, State of North Carolina, commonly referred to as "Somerset Subdivision", which is more particularly described on Exhibit "A" attached hereto.
- C. The recital in the Declaration further states it is the desire and intention of the Declarant to impose on that Property described in Exhibit "A" attached hereto restrictions, conditions, easements, covenants and agreements under a general plan or scheme of improvements for the benefit of all property herein described and the future owners thereof.
- D. The Declaration was recorded in the Franklin County Registry without the referenced Exhibit "A" attached.
- E. Pursuant to Article XIII, Section 3, of the Declaration, the Declaration may be amended during the first twenty (20) year period by an instrument signed by the Declarant or not less than ninety percent (90%) of the Lot Owners.
- F. Declarant wishes to amend the Declaration to include Exhibit "A" to describe the property that is subject to the Declaration as intended.

H. Declarant amends this Declaration as part of winding up Holden Road Properties, LLC.

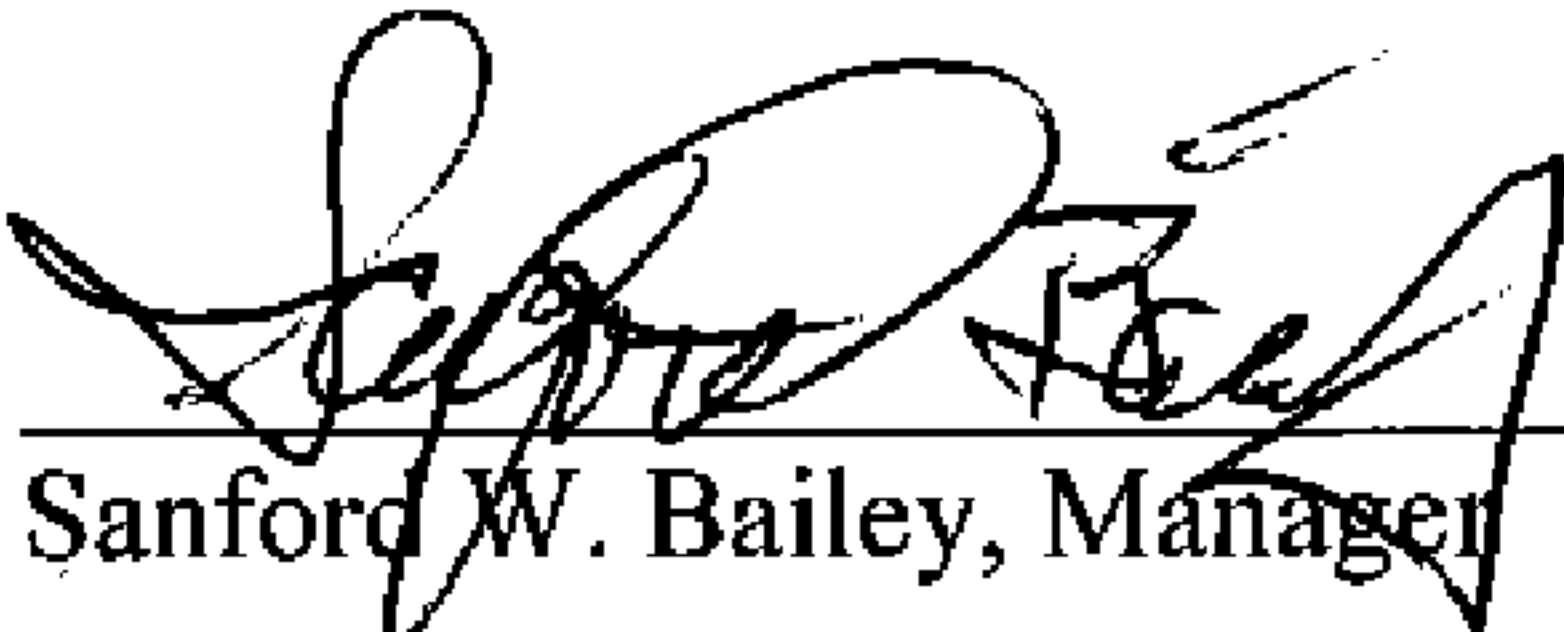
NOW, THEREFORE, the undersigned does hereby declare that the Restrictive Covenants of Somerset Subdivision shall be amended as follows:

1. Exhibit "A" is attached hereto and incorporated herein to describe the Property subject to the Declaration.

IN TESTIMONY WHEREOF, the Declarant has caused this instrument to be executed as of the day and year first above written.

{Signature Page Follows}

**HOLDEN ROAD PROPERTIES, LLC,**  
a North Carolina limited liability company

By:   
Sanford W. Bailey, Manager

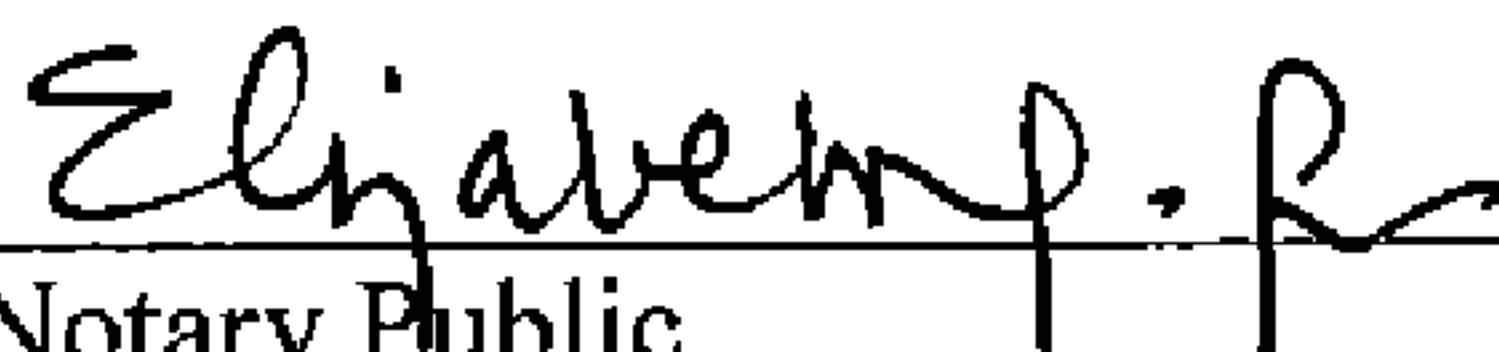
STATE OF NORTH CAROLINA,  
COUNTY OF Orange.

**ACKNOWLEDGMENT**

I, Elizabeth S. Gold, a Notary Public of Durham County and State of North Carolina, certify that Sanford W. Bailey personally came before me this day and acknowledged that he is Manager of Holden Road Properties, LLC, a North Carolina limited liability company, and he signed the foregoing document for the purpose stated herein and in the capacity indicated.

Witness my hand and official stamp or seal, this 10<sup>th</sup> day of January, <sup>2022</sup>~~2021~~.

(Stamp or Seal)

  
Notary Public  
Printed Name: Elizabeth S. Gold

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



Exhibit "A"

BEING all of Tract 3 containing 24.273 acres as shown on plat entitled "Survey for Ruby K. Stephenson" a copy of which is recorded in Plat Cabinet C-3, 1994-58, Franklin County Registry.

4844-4546-6363, v. 1