

NORTH CAROLINA
HAYWOOD COUNTY

PREPARED BY
ALLEY, KILLIAN & KESSTEN

FIRST AMENDMENT
TO
DECLARATION
OF
PROTECTIVE COVENANTS, CONDITIONS,
RESTRICTIONS, AND EASEMENTS
FOR
LAUREL RIDGE COUNTRY CLUB

THIS FIRST AMENDMENT, made this the 20th day of August, 1986, A.D., by LAUREL RIDGE LIMITED PARTNERSHIP, a North Carolina Limited Partnership, (hereinafter referred to as "The DECLARANT").

W I T N E S S E T H:

WHEREAS, by instrument entitled "Declaration of Protective Covenants, Conditions, Restrictions, and Easements for Laurel Ridge Country Club", dated July 1, 1986 and recorded in the Office of the Register of Deeds of Haywood County on July 2, 1986, the DECLARANT placed of record certain restrictions and provided for the creation of an "Association" to be known as "Laurel Ridge Homeowners Association, Inc.", as defined in Article I-A, and as further provided for in Article V-A and V-B of said Declaration; and

WHEREAS, the aforesaid Declaration further provided that the DECLARANT could amend said Declaration until ninety (90%) percent of the lots platted and recorded from the Development or Properties had been conveyed or contracted for conveyance, and thus far no lots have been platted and recorded and only two (2) lots have been conveyed, being less than ninety (90%) percent.

NOW, THEREFORE, the DECLARANT does hereby amend the Declaration as follows:

1. By changing the name of the "Association" in Article I-A, from "Laurel Ridge Homeowners Association, Inc." to "Laurel Ridge Country Club Homeowners Association, Inc."

2. Except as herein set forth, the terms and provisions of the aforesaid Declaration are ratified and approved.

IT WITNESS WHEREOF, the DECLARANT has caused this Amendment to be executed on its behalf by its corporate General Partner on the day and year first above written.

DECLARANT:

LAUREL RIDGE LIMITED PARTNERSHIP

ATTEST:

BY: COUNTRY CLUB MANAGEMENT CORPORATION, General Partner

Vicki W James
Asst. Secretary

By: [Signature] (SEAL)
Vice-President

(Corporate Seal)

STATE OF NORTH CAROLINA
COUNTY OF HAYWOOD

I, a Notary Public of the County and State aforesaid, certify that VICKI W. JAMES, personally came before me this day and acknowledged that she is the Asst. Secretary of COUNTRY CLUB MANAGEMENT CORPORATION, a North Carolina corporation, General Partner of LAUREL RIDGE LIMITED PARTNERSHIP, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Vice-President, sealed with its corporate seal and attested by her as its Asst. Secretary.

Witness my hand and notarial seal, this 20th day of August, 1986.

[Signature]
Notary Public

My Commission Expires:

April 28, 1991



NORTH CAROLINA HAYWOOD COUNTY

EACH OF THE FOREGOING CERTIFICATES, NAMELY OF Kathy W Yount

A NOTARY OR NOTARIES PUBLIC IS CERTIFIED TO BE CORRECT. FILED FOR

REGISTRATION THIS 22 DAY OF August 19 86 AT 9:10 O'CLOCK P.M. IN

BOOK 372 PAGE 63

Charles B. Howell

REGISTER OF DEEDS
HAYWOOD COUNTY

By: Helen J. Davis Asst.

NORTH CAROLINA

HAYWOOD COUNTY

SECOND AMENDMENT
TO
DECLARATION
OF
PROTECTIVE COVENANTS, CONDITIONS,
RESTRICTIONS, AND EASEMENTS
FOR
LAUREL RIDGE COUNTRY CLUB

THIS SECOND AMENDMENT, made this the 20th day of January, 1987, A.D., by LAUREL RIDGE LIMITED PARTNERSHIP, a North Carolina Limited Partnership, (hereinafter referred to as "The DECLARANT").

W I T N E S S E T H:

WHEREAS, by instrument entitled "Declaration of Protective Covenants, Conditions, Restrictions, and Easements for Laurel Ridge Country Club", dated July 1, 1986 and recorded in the Office of the Register of Deeds of Haywood County on July 2, 1986, the DECLARANT placed of record certain restrictions and provided, among other things, under Article VI "EASEMENTS", for certain perpetual easements for utilities and other easements as particularly described therein and as particularly set forth in the various recorded plats for the "Properties" which are subdivided from time to time; and

WHEREAS, by plat of "Laurel Ridge Country Club", Sheet No. 1 of Phase 1 - South Lots, dated April 24, 1986 and revised on October 17, 1986, by James T. Herron, R.L.S., of record in Plat Cabinet B, Slot 379C, Haywood County Registry, certain easements were located along the property line between Lots 12 and 14, ten (10) feet in width, for the purposes set forth upon said recorded plat as well as those purposes set forth in the aforesaid Declaration of Protective Covenants, Conditions, Restrictions, and Easements for Laurel Ridge Country Club; and

WHEREAS, the aforesaid easements between Lots 12 and 14, now owned by Ruth M. Hughes (see Deed Book 375, pages 761 and

763, Haywood County Registry), have not been conveyed to the Town of Waynesville or to any utility company, and Hughes has requested that same be released as a burden upon the aforesaid lots, since she owns both lots and desires to use same together as one lot for purposes of building; and

WHEREAS, Laurel Ridge Limited Partnership, by and through its General Partner, Country Club Management Corporation, a North Carolina corporation, as set forth in paragraphs 3 and 4 of the "Recitals" and as set forth in Article V, Sections C and D of said Declaration, reserve the right to amend the Declaration until ninety (90%) percent of the lots platted and recorded from the Development or Properties, both now and in the future, have been conveyed or contracted for conveyance, by subsequent recordation of an amendment to the Declaration, and Hughes has requested that same be amended as is set forth herein.

NOW, THEREFORE, the DECLARANT does hereby amend the Declaration as follows:

1. By adding the following paragraph at the end of Article VI, Section A and before Article VI, Section B, to wit:

"Provided, however, that the utility easements described between Lots 12 and 14 as set forth upon that plat recorded in Plat Cabinet B, Slot 379C, Haywood County Registry, are, and the same are hereby withdrawn, released, waived and removed as a burden upon the aforesaid lots for all purposes set forth in the Declaration of Protective Covenants, Conditions, Restrictions and Easements for Laurel Ridge Country Club and upon the recorded plat of Phase 1 - South, Sheet No. 1 for Laurel Ridge Country Club.

2. That the General Partner shall cause to be placed of record an amended plat for Lots 12 and 14 of Phase 1 - South, Laurel Ridge Country Club, Plat Cabinet B, Slot 379C, Haywood County Registry, showing the removal and release of said easements from the aforesaid lots.

NORTH CAROLINA HAYWOOD COUNTY
EACH OF THE FOREGOING CERTIFICATES, NAMELY OF Kathy W. Yount
A NOTARY PUBLIC IS CERTIFIED TO BE CORRECT. FILED FOR
RECORDATION THIS 20 DAY OF JAN 1987 AT 4:00 O'CLOCK P.M. IN
BOOK 376 PAGE 1079
Charlottesville
REGISTER OF DEEDS
HAYWOOD COUNTY

3. Except as herein set forth, the terms and provisions of the aforesaid Declaration are ratified and approved.

TO HAVE AND TO HOLD the aforesaid tract or parcel of land and all privileges thereunto belonging to her, Ruth M. Hughes, her heirs, successors and assigns, free and discharged from all right, title, claim or interest of Laurel Ridge Limited Partnership or anyone claiming by, through or under it, in and to the easements described above.

IT WITNESS WHEREOF, the DECLARANT has caused this Amendment to be executed on its behalf by its corporate General Partner on the day and year first above written.

DECLARANT:

LAUREL RIDGE LIMITED PARTNERSHIP

ATTEST:

BY: COUNTRY CLUB MANAGEMENT CORPORATION, General Partner

Wicki W. James
Asst. Secretary

By: David J. [Signature] (SEAL)
Vice-President

STATE OF NORTH CAROLINA
COUNTY OF HAYWOOD

I, a Notary Public of the County and State aforesaid, certify that VICKI W. JAMES, personally came before me this day and acknowledged that she is the Asst. Secretary of COUNTRY CLUB MANAGEMENT CORPORATION, a North Carolina corporation, General Partner of LAUREL RIDGE LIMITED PARTNERSHIP, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Vice-President, sealed with its corporate seal and attested by her as its Asst. Secretary.

Witness my hand and notarial seal, this 20th day of January, 1987.



Kathy W. Yount
Notary Public

My Commission Expires April 28, 1991

NORTH CAROLINA
HAYWOOD COUNTY

THIRD AMENDMENT
TO
DECLARATION
OF
PROTECTIVE COVENANTS, CONDITIONS
RESTRICTIONS, AND EASEMENTS
FOR
LAUREL RIDGE COUNTRY CLUB

THIS THIRD AMENDMENT, made this the 25 day of June, 1987, A.D., by LAUREL RIDGE LIMITED PARTNERSHIP, a North Carolina Limited Partnership, (hereinafter referred to as "THE DECLARANT").

W I T N E S S E T H:

WHEREAS, by instrument entitled "Declaration of Protective Covenants, Conditions, Restrictions, and Easements for Laurel Ridge Country Club", dated July 1, 1986 and recorded in the Office of the Register of Deeds of Haywood County on July 2, 1986, the DECLARANT placed of record certain restrictions, which were intended to apply only to lots intended to be used as single family dwelling lots; and

WHEREAS, said Declaration could be interpreted to apply also to condominiums, townhouses or PUD types of ownership; and

WHEREAS, the aforesaid Declaration further provided that the Declarant could amend said Declaration until ninety (90%) percent of the lots platted and recorded from the Development or Properties had been conveyed or contracted for conveyance, and thus far fewer than ninety (90%) percent of the lots which have been platted and recorded have been conveyed.

NOW, THEREFORE, the DECLARANT does hereby amend the Declaration as follows:

1. By deleting the first phrase contained in lines one (1) through six (6) of Paragraph 2 of "RECITALS", and substituting in lieu thereof the following: "The DECLARANT intends to sell and convey certain lots and parcels within the Development for single family dwelling use and, before doing so, desires to impose upon them mutual and beneficial restrictions, covenants, equitable servitudes, and charges under the general plan or scheme of improvements for the benefit of such lots and parcels in the Development and for the benefit of the Owners and future Owners thereof."

2. By deleting the paragraph which begins "NOW, THEREFORE..." at the bottom of Page 628 and the top of Page 629 in its entirety and substituting in lieu thereof, the following paragraph: "NOW, THEREFORE, the DECLARANT declares that all of the lots and parcels for single family dwellings in the Development which are conveyed by DECLARANT with specific reference to this "Declaration" made in the deed are held and shall be held, conveyed, hypothecated, or encumbered, leased, rented, used, occupied, and improved subject to the provisions of this Declaration, all of which are declared by the DECLARANT, and agreed by DECLARANT'S successors in title, to be in furtherance of a plan of development established for the purpose of enhancing and protecting the value, desirability, and attractiveness thereof."

3. By adding the following language at the end of Paragraph I. (E), to-wit: "..., and also excepting all lots, parcels, tracts, living units, homes, home lots or units which are made subject to a different scheme of development by the recordation of a separate Declaration with reference to such property including Declarations of Condominium or Declarations pertaining to townhouses or other planned unit developments."

4. By inserting the following language in the first line of Paragraph I. (G), between the words "land" and "separately", to-wit: "for single family dwelling use...".

5. By deleting the remainder of the first sentence at the top of Page 632 in its entirety, and substituting in lieu thereof the following: "Provided, however, that no residential structure shall be located closer than sixty (60) feet from the centerline of any street within the property, fifteen (15) feet from any side Lot line, twenty (20) feet from any rear Lot line abutting on the golf course, all as particularly set forth on the various recorded plats for single family lots within Laurel Ridge".

IN WITNESS WHEREOF, the DECLARANT has caused this Amendment to be executed on its behalf by its corporate General Partner on the day and year first above written.

DECLARANT:

LAUREL RIDGE LIMITED PARTNERSHIP

BY: COUNTRY CLUB MANAGEMENT

CORPORATION, General Partner

ATTEST:

Wicki W. James
Asst. Secretary

(Corporate Seal)

By: [Signature] (SEAL)
Vice President

STATE OF NORTH CAROLINA
COUNTY OF HAYWOOD

I, a Notary Public of the County and State aforesaid, certify that VICKI W. JAMES, personally came before me this day and acknowledged that she is the Asst. Secretary of COUNTRY CLUB MANAGEMENT CORPORATION, a North Carolina Corporation, General Partner of LAUREL RIDGE LIMITED PARTNERSHIP, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Vice President, sealed with its corporate seal and attested by her as its Asst. Secretary.

Witness my hand and notarial seal, this 25 day of June, 1987.

Linda W. Edwards
Notary Public

My Commission Expires:

3-23-90

NORTH CAROLINA HAYWOOD COUNTY
EACH OF THE FOREGOING CERTIFICATES, NAMELY OF

REGISTRATION THIS 1 DAY OF July 1987 AT 10:45 O'CLOCK A.M. IN
BOOK 381 PAGE 1787.
Charles B. Howell

REGISTER OF DEEDS
HAYWOOD COUNTY

By: Helen F. Davis Asst.

FOURTH AMENDMENT

92 MAR 20 PM 12:41

TO

DECLARATION

Melvin F. Davis
REGISTER OF DEEDS
HAYWOOD CO., N.C.

OF

PROTECTIVE COVENANTS, CONDITIONS,

RESTRICTIONS AND EASEMENTS

FOR

LAUREL RIDGE COUNTRY CLUB

THIS FOURTH AMENDMENT, made this the 20 day of March, 1992, A.D., by PIEDMONT GOLF DEVELOPMENT CORPORATION, a North Carolina corporation, (hereinafter referred to as "The DECLARANT").

W I T N E S S E T H:

WHEREAS, by instrument entitled "Declaration of Protective Covenants, Conditions, Restrictions and Easements for Laurel Ridge Country Club", dated July 1, 1986 and recorded in the Office of the Register of Deeds of Haywood County on July 2, 1986, recorded in Deed Book 370, Page 627, Haywood County Registry (hereinafter "DECLARATION"), the DECLARANT place of record certain restrictions; and

WHEREAS, the aforesaid DECLARATION further provided that the DECLARANT could amend said DECLARATION until ninety (90%) percent of the lots platted and recorded from the Development or Properties had been conveyed or contracted for conveyance, and thus far no lots have been platted and recorded and only two (2) lots have been conveyed, being less than ninety (90%) percent; and

WHEREAS, DECLARANT hereinabove is the successor to the original DECLARANT set forth in the herein recited recorded DECLARATION; and

WHEREAS, DECLARANT has caused to be recorded a certain plat in Plat Cabinet C, Slot 691, Haywood County Registry, which plat shows therein and creates a lot known as Lot 110 according to that certain plat of survey titled "Phase 2 South - Sheet 4, Laurel Ridge Country Club", by J. Randy Herron, R.L.S., Herron Land Surveying, being Drawing No. 1674-295-A, dated March 5, 1992, and being recorded in Cabinet C, Slot 691, Haywood County Registry; and

WHEREAS, DECLARANT desires to relieve this Lot 110 from certain burdens and restrictions placed thereon and appurtenant thereto by virtue of the herein recited DECLARATION.

NOW, THEREFORE, the DECLARANT does hereby amend the DECLARATION as follows:

1. Said Lot 110 is not subject to the following provisions of said DECLARATION:

i. Paragraph II. RESIDENTIAL RESTRICTIONS, subparagraphs B, E and F.

ii. Paragraph III. LAND USE RESTRICTIONS, subparagraph A.

iii. Paragraph IV. THE ENVIRONMENTAL CONTROL COMMITTEE.

iv. Paragraph VI. EASEMENTS.

2. Except as herein set forth, the terms and provisions of the aforesaid DECLARATION are ratified and approved.

IN WITNESS WHEREOF, the DECLARANT has caused this Amendment to be executed on the day and year first above written.

DECLARANT:

PIEDMONT GOLF DEVELOPMENT CORPORATION

By: Robert M. Davis (SEAL)
President

ATTEST:

Jessy Secretary

NORTH CAROLINA

CALDWELL COUNTY

I, a Notary Public in and for said County and State, certify that John C. Kersten personally came before me this day and acknowledged that he is Asst. Secretary of PIEDMONT GOLF DEVELOPMENT CORPORATION, a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by him self as its Asst. Secretary.

WITNESS my hand and notarial seal, this 20 day of March, 1992.

Stephanie A. Barefoot
NOTARY PUBLIC

My commission expires: 9/21/92



STATE OF NORTH CAROLINA, HAYWOOD COUNTY

The foregoing certificate of Stephanie A. Barefoot is certified to be correct.

This 20 day of March, 1992, Book 425, Page 149

Helen F. Davis
Register of Deeds
HELEN F. DAVIS

REGISTERED
BOOK 427 PAGE 1077

92 JUL -1 PM 12: 26

FIFTH AMENDMENT

TO

DECLARATION

OF

PROTECTIVE COVENANTS, CONDITIONS,

RESTRICTIONS AND EASEMENTS

FOR

LAUREL RIDGE COUNTRY CLUB

Helena J. Davis
REGISTER OF DEEDS
HAYWOOD CO., N.C.

THIS FIFTH AMENDMENT, made this the 1st day of July, 1992, A.D., by PIEDMONT GOLF DEVELOPMENT CORPORATION, a North Carolina corporation, (hereinafter referred to as "The DECLARANT").

W I T N E S S E T H:

WHEREAS, by instrument entitled "Declaration of Protective Covenants, Conditions, Restrictions and Easements for Laurel Ridge Country Club", dated July 1, 1986 and recorded in the Office of the Register of Deeds of Haywood County on July 2, 1986, recorded in Deed Book 370, Page 627, Haywood County Registry (hereinafter "DECLARATION"), the DECLARANT place of record certain restrictions; and

WHEREAS, the aforesaid DECLARATION further provided that the DECLARANT could amend said DECLARATION until ninety (90%) percent of the lots platted and recorded from the Development or Properties had been conveyed or contracted for conveyance, and thus far no lots have been platted and recorded and only two (2) lots have been conveyed, being less than ninety (90%) percent; and

WHEREAS, DECLARANT hereinabove is the successor to the original DECLARANT set forth in the herein recited, recorded DECLARATION; and

001077

WHEREAS, DECLARANT has caused to be recorded a certain plat in Plat Cabinet C, Slot 691, Haywood County Registry, which plat shows therein and creates a lot known as Lot 114 according to that certain plat of survey titled "Phase 2 South - Sheet 4, Laurel Ridge Country Club, by J. Randy Herron, R.L.S., dated March 5, 1992, being Drawing No. 1674-295-A, and recorded in Plat Cabinet C, Slot 725, Haywood County Registry; and

WHEREAS, DECLARANT desires to relieve this Lot 114 from certain burdens and restrictions placed thereon and appurtenant thereto by virtue of the herein recited DECLARATION.

NOW, THEREFORE, the DECLARANT does hereby amend the DECLARATION as follows:

1. Said Lot 114 is not subject to the following provisions of said DECLARATION:

i. Paragraph II. RESIDENTIAL RESTRICTIONS, subparagraphs B, E and F.

ii. Paragraph III. LAND USE RESTRICTIONS, subparagraph A.

iii. Paragraph IV. THE ENVIRONMENTAL CONTROL COMMITTEE.

iv. Paragraph VI. EASEMENTS.

2. Except as herein set forth, the terms and provisions of the aforesaid DECLARATION are ratified and approved.

IN WITNESS WHEREOF, the DECLARANT has caused this Amendment to be executed on the day and year first above written.

DECLARANT:

PIEDMONT GOLF DEVELOPMENT CORPORATION

By: *Robert M. Davis* (SEAL)
President

ATTEST:

Bobby D. Capps
Secretary

001078

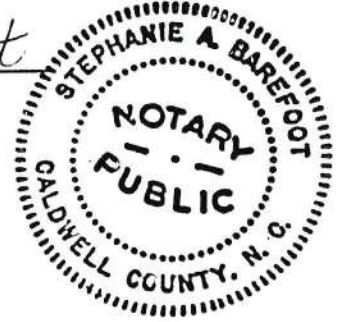
NORTH CAROLINA

Caldwell COUNTY

I, a Notary Public in and for said County and State, certify that Bobby V. Capps personally came before me this day and acknowledged that he is Secretary of PIEDMONT GOLF DEVELOPMENT CORPORATION, a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by self as its Secretary.

WITNESS my hand and notarial seal, this 1st day of July, 1992.

Stephanie A. Barefoot
NOTARY PUBLIC



My commission expires: 9/21/92

STATE OF NORTH CAROLINA, HAYWOOD COUNTY

The foregoing certificate of Stephanie A. Barefoot is certified to be correct.

This 1 day of July, 1992, Book 427 Page 1077

Allen F. Davis
Register of Deeds

HELEN F. DAVIS

001079

NORTH CAROLINA

HAYWOOD COUNTY

REGISTERED
BOOK 449 PAGE 1085

95 OCT -3 AM 9: 58

Arny R. Murray
REGISTER OF DEEDS
HAYWOOD CO., N.C.

SIXTH AMENDMENT
TO
DECLARATION
OF
PROTECTIVE COVENANTS, CONDITIONS,
RESTRICTIONS, AND EASEMENTS
FOR
LAUREL RIDGE COUNTRY CLUB

THIS SIXTH AMENDMENT, made this the 15th day of September, 1995, by
PIEDMONT GOLF DEVELOPMENT CORPORATION, (hereinafter referred to as "The
Successor Declarant").

W I T N E S S E T H:

WHEREAS, by instrument entitled "Declaration of Protective Covenants, Conditions, Restrictions, and Easements for Laurel Ridge Country Club", dated July 1, 1986 and recorded in the Office of the Register of Deeds of Haywood County on July 2, 1986 in Deed Book 370, Page 627, as amended five times thereafter, the Declarant named therein placed of record certain restrictions and provided, among other things, under Article VI "EASEMENTS", for certain perpetual easements for utilities, roadways, and other easements as particularly described therein and as particularly set forth in the various recorded plats for the "Properties" which are subdivided from time to time; and

WHEREAS, the Successor Declarant is the owner of the remainder of the "properties" in Waynesville Township, Haywood County, State of North Carolina, which were originally described within the original "Declaration" filed of record in Deed Book 370, Page 627, in the Office of the Register of Deeds of Haywood County, several properties having been sold off and the remainder of which having been conveyed to Piedmont Golf Development Corporation, by deed dated January 22, 1992, of record in Deed Book 423, Page 698, Haywood County Registry; and

WHEREAS, by virtue of property interests and powers acquired pursuant to that deed dated January 22, 1992, of record in Deed Book 423, Page 698, Haywood County Registry, Piedmont Golf Development Corporation became the "Successor Declarant" to Laurel Ridge Limited Partnership, a North Carolina Limited Partnership; and

WHEREAS, Laurel Ridge Limited Partnership, Declarant, as set forth in paragraphs 3 and 4 of the "Recitals" and as set forth in Article V, Sections C and D of said Declaration as "Declarant", reserved the right to amend the Declaration until ninety (90%) percent of the lots platted and recorded from the Development or Properties, both now and in the future, have been conveyed or contracted for conveyance, by subsequent recordation of an amendment to the Declaration; and

001085

WHEREAS, various plats have been recorded by Declarant and Successor Declarant, all pursuant to the aforesaid Declaration, as amended from time to time, and such plats have described a total of 165 separate lots which were restricted to use for "single family dwellings", of which number 109 platted lots have been sold and conveyed, leaving 56 platted lots presently under the ownership of Successor Declarant, with the result that less than ninety (90%) percent of the lots platted and recorded from the properties have been conveyed or contracted for conveyance; and

WHEREAS, by plat of "Laurel Ridge Country Club", Sheet No. 1 of Phase 1 - South Lots, dated April 24, 1986 and revised on October 17, 1986, by James T. Herron, R.L.S., of record in Plat Cabinet B, Slot 379C, Haywood County Registry, certain easements were located along the property line between Lots 18, 20 and 22, ten (10) feet in width, as well as easements and building setbacks, for the purposes set forth upon said recorded plat as well as those purposes set forth in the aforesaid Declaration of Protective Covenants, Conditions, Restrictions, and Easements for Laurel Ridge Country Club; and

WHEREAS, the aforesaid easements between Lots 18, 20 and 22, now owned by James T. Welch and wife, Jane S. Welch (see Deed Book 408, Page 642) and A. W. Lanning (see Deed Book 410, Page 312, Haywood County Registry), have not been conveyed to the Town of Waynesville or to any utility company and have not been constructed or installed, and Welch and Lanning have requested that same be released as a burden upon the aforesaid lots, since they own all three lots and desire to use same together as one lot for purposes of building; and

WHEREAS, Welch has acquired from Lanning the aforesaid Lot 18, pursuant to a deed recorded prior to the recording of this instrument; and

WHEREAS, the Board of Adjustment of the Town of Waynesville has granted a Conditional Use Permit permitting the use of the aforesaid Lots 18, 20 and 22 as a Planned Unit Development pursuant to the ordinances of the Town of Waynesville, and on September 26, 1995, the Board of Aldermen of the Town of Waynesville adopted a resolution permitting the abandonment of a portion of roads (known as Cardinal Lane) and other easements dedicated upon that portion of the recorded subdivision plat for Laurel Ridge Country Club, Sheet No. 1 of Phase 1 - South Lots (Plat Cabinet B, Slot 379C) as describes Lots 18, 20 and 22 thereon, except as required pursuant to the newly approved Planned Unit Development for which preliminary plat approval has been obtained and the final plat for which has been approved by the Board of Aldermen of the Town of Waynesville, such plat having been recorded in the Office of the Register of Deeds of Haywood County, in Plat Cabinet C, Slot 1266, Haywood County Registry, contemporaneously with the recording of this Sixth Amendment to Declaration; and

WHEREAS, this document does further serve to amend that portion of the above referenced recorded plat as describes Lots 18, 20 and 22; and

WHEREAS, this document shall further serve to release said Lots 18, 20 and 22 from various covenants and restrictions contained in the aforesaid Declaration, as amended; and

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WHEREAS, the Successor Declarant shall cause to be placed of record an amended plat for Lots 18, 20 and 22 of Phase 1 - South, Laurel Ridge Country Club, showing the removal and release of said easements from the aforesaid lots, and offering for dedication, jointly with the owners thereof, James T. Welch and wife, Jane S. Welch, for use and development as a Planned Unit Development pursuant to the ordinances of the Town of Waynesville and pursuant to the declaration for same to be hereinafter recorded by Successor Declarant, and by the owners thereof, showing upon such new recorded plat the various utility easements, roadway easements, setbacks and other matters and things required by the ordinances of the Town of Waynesville and the declaration for such Planned Unit Development.

NOW, THEREFORE, the Successor Declarant does hereby amend the Declaration as follows:

1. By adding the following paragraph at the end of Article VI, Section A, and before Article VI, Section B, to wit:

"Provided, however, that the utility easements described between Lots 18 and 20, and between Lots 20 and 22, as well as the utility easements surrounding the boundary of Lots 18, 20 and 22 as set forth upon the plat recorded in Plat Cabinet B, Slot 379C, Haywood County Registry, are, and the same are hereby withdrawn, released, waived and removed as a burden upon the aforesaid lots for all purposes set forth in the Declaration of Protective Covenants, Conditions, Restrictions and Easements for Laurel Ridge Country Club as recorded in Deed Book 370, Page 627, Haywood County Registry, plus amendments thereto recorded in Deed Book 372, Page 63, Deed Book 376, Page 1079, Deed Book 381, Page 787, Deed Book 425, Page 149, Deed Book 427, Page 1077, and any other amendments thereto appearing of record in the Office of the Register of Deeds of Haywood County and upon the recorded plat of Sheet No. 1 of Phase 1 - South, for Laurel Ridge Country Club, Plat Cabinet B, Slot 379C, Haywood County Registry."

2. By adding the following paragraph to Article II, to be designated Paragraph U, and to read as follows:

"The terms and provisions of this Article II shall not apply to lots excepted therefrom by the Declarant or Successor Declarant pursuant to the amendment powers set forth and reserved in Article V, Sections C and D hereof."

3. That Lots 18, 20 and 22 of Laurel Ridge Country Club, Sheet No. 1 of Phase 1 - South, of record in Plat Book B, Slot 379C, Haywood County Registry, are hereby excepted, released, waived and removed from paragraphs B, E and F of Article II, "Residential Restrictions"; paragraph A of Article III, "Land Use Restrictions"; all of Article IV, "Environmental Control Committee"; and all of Article VI, "Easements", of the Declaration recorded in Deed Book 370, Page 627, Haywood County Registry.

4. Except as herein set forth, the terms and provisions of the aforesaid Declaration are hereby ratified and approved.

001087

IN WITNESS WHEREOF, the undersigned Piedmont Golf Development Corporation, a North Carolina corporation, being the Successor Declarant, herein, joined by James T. Welch and wife, Jane S. Welch, owners of the above referenced property, have executed this instrument this the day and year first above written.

Successor Declarant
PIEDMONT GOLF DEVELOPMENT CORPORATION

BY: [Signature]
President

[Signature] (SEAL)
James T. Welch

[Signature] (SEAL)
Jane S. Welch

SEAL
ATTEST
Asst. Secretary

STATE OF NORTH CAROLINA, COUNTY OF HAYWOOD

I, a Notary Public of said State and County, do hereby certify that JOHN C. KERSTEN, personally appeared before me this day and acknowledged that he is ASST. Secretary of PIEDMONT GOLF DEVELOPMENT CORPORATION, a North Carolina Corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its corporate name by its _____ President, sealed with its corporate seal and attested by him as its ASST. Secretary. Witness my hand and notarial seal, this the 15 day of September, 1995.

My Commission Expires:
4/28/96

Kathy W. Mount
Notary Public STATE OF NORTH CAROLINA, HAYWOOD COUNTY
The foregoing certificate of Kathy W. Mount
Katherine C. Byrson is certified to be correct.

STATE OF NORTH CAROLINA, COUNTY OF HAYWOOD

I, a Notary of said State and County, do hereby certify that JAMES T. WELCH and wife, JANE S. WELCH, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal this the 15th day of September, 1995.

My commission expires:
6-20-2000

By: [Signature]
[Signature]
Notary Public
001060

NORTH CAROLINA
HAYWOOD COUNTY

483 2631

FILED
HAYWOOD COUNTY NC
12/28/2000 4:19 PM
AMY R. MURRAY
Register Of Deeds

**SEVENTH AMENDMENT
TO
DECLARATION OF
PROTECTIVE COVENANTS, CONDITIONS,
RESTRICTIONS, AND EASEMENTS
FOR
LAUREL RIDGE COUNTRY CLUB**

THIS SEVENTH AMENDMENT, made this 28th day of December, 2000, by **PIEDMONT GOLF DEVELOPMENT CORPORATION** (hereinafter referred to as "Successor Declarant");

WITNESSETH:

WHEREAS, by instrument entitled "Declaration of Protective Covenants, Conditions, Restrictions, and Easements for Laurel Ridge Country Club", dated July 1, 1986 and recorded in the Office of the Register of Deeds of Haywood County on July 2, 1986 in Deed Book 370, Page 627, as amended six times thereafter, the Declarant named therein placed of record certain restrictions and provided, among other things, under Article VI "EASEMENTS", for certain perpetual easements for utilities, roadways, and other easements as particularly described therein and as particularly set forth in the various recorded plats for the "Properties" which are subdivided from time to time; and

WHEREAS, the Successor Declarant is the owner of the remainder of the "properties" in Waynesville Township, Haywood County, State of North Carolina, which were originally described within the original "Declaration" filed of record in Deed Book 370, Page 627, in the Office of the Register of Deeds of Haywood County, several properties having been sold off and the remainder of which having been conveyed to Piedmont Golf Development Corporation, by deed dated January 22, 1992, of record in Deed Book 423, Page 698, Haywood County Registry; and

WHEREAS, by virtue of property interests and powers acquired pursuant to that deed dated January 22, 1992, of record in Deed Book 423, Page 698, Haywood County Registry, Piedmont Golf Development Corporation became the "Successor Declarant" to Laurel Ridge Limited Partnership, a North Carolina Limited Partnership; and

WHEREAS, Laurel Ridge Limited Partnership, Declarant, set forth in paragraph 3 and 4 of the "Recitals" and as set forth in Article V, Sections C and D of said Declaration as "Declarant", reserved the right to amend the Declaration until ninety percent (90%) of the lots platted and recorded from the Development or Properties, both now and in the future, have been conveyed or contracted for conveyance, by subsequent recordation of an amendment to the Declaration; and

WHEREAS, various plats have been recorded by Declarant and Successor Declarant, all pursuant to the aforesaid Declaration, as amended from time to time, and such plats have described

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separate lots which were restricted to use for "single family dwellings", of which number fewer than ninety percent (90%) of the lots platted and recorded from the properties have been conveyed or contracted for conveyance; and

WHEREAS, the Successor Declarant desires to amend said Declaration as follows:

1. Article V, ADDITIONAL COVENANTS shall be amended by the addition of the following language after the last sentence of said paragraph B: "However, when more than one person holds an interest in any lot, although all such persons shall be members, the vote for such lot shall be exercised as they among themselves determine, but in no event shall more than one vote be cast with respect to any lot. The vote for each lot must be cast as a unit, and fractional votes shall not be allowed. In the event that joint owners are unable to agree among themselves as to how their vote or votes shall be cast, they shall lose their right to vote on the matter in question. If any Owner or Owners cast a vote representing a certain Lot, it will thereafter be conclusively presumed for all purposes that he or they were acting with the authority and consent of all other Owners of the same Lot. In the event more than one vote is cast for a particular Lot, none of said votes shall be counted as said vote shall be deemed void."

2. Article V, ADDITIONAL COVENANTS, paragraph C shall be amended by the deletion of the first sentence of said paragraph and the insertion in its stead of the following sentence: "The provisions of this Declaration shall affect and run with the land and shall exist and be binding upon all parties claiming an interest in the Development until January 1, 2006, A.D., after which time the same shall be extended automatically for successive periods of ten years each unless upon the affirmative vote of a majority of lots subject to this Declaration, these said restrictions shall be terminated."

3. Article IV, THE ENVIRONMENTAL CONTROL COMMITTEE shall be amended by the deletion of the first sentence of paragraph (3) and the insertion in its stead of the following sentence: "No trees, shrubs or other vegetation may be removed without the written approval of the Environmental Control Committee."

4. Article IV, THE ENVIRONMENTAL CONTROL COMMITTEE shall be amended by the deletion of the word "topping" as the same appears in paragraph (4) and the insertion in its stead of the phrase, "pruning, thinning or deep crotch pruning".

5. Article IV, THE ENVIRONMENTAL CONTROL COMMITTEE paragraph B Committee Membership shall be amended by the deletion of the words in the first sentence "three (3) members" and the insertion in its stead of the phrase, "three (3) or more members".

6. Article II, RESIDENTIAL RESTRICTIONS paragraph J shall be amended by the addition to the first sentence of paragraph J of the following language: "including control of invasive plants (such as but not limited to Kudzu or multi-flora rose)."

7. Article V, ADDITIONAL COVENANTS shall be amended by the addition of a new paragraph as follows: "Lots, the owners of which are members of the Association, shall be subject to an annual assessment not to exceed \$30.00 per year for operating expenses of the Association."

8. Article III, LAND USE RESTRICTIONS shall be amended by the addition to paragraph C Television, Radio or Other Antenna of the following phrase, "except television satellite dishes of not more than thirty-six inches in diameter."

9. Article II, RESIDENTIAL RESTRICTIONS paragraph Q shall be amended by adding the following language at the end of the sentence, "except that prior to construction, normal debris caused by lot clearing may be burned pursuant to all applicable state and local laws and ordinances."

Except as herein set forth, the terms and provisions of the aforesaid Declaration are hereby ratified and approved.

IN WITNESS WHEREOF, the undersigned **PIEDMONT GOLF DEVELOPMENT CORPORATION**, a North Carolina corporation, being the Successor Declarant herein, has executed this instrument this the day and year first above written.

PIEDMONT GOLF DEVELOPMENT CORPORATION

By: David L. Pope
David L. Pope, Vice President

STATE OF NORTH CAROLINA
COUNTY OF HAYWOOD

I, Mary Jo Alford, a Notary Public for said County and State, certify that David L. Pope personally came before me this day and acknowledged that he is Vice President of **PIEDMONT GOLF DEVELOPMENT CORPORATION**, a North Carolina corporation, and that he, as Vice President, being authorized to do so, executed the foregoing on behalf of the corporation.

Witness my hand and official seal, this the 28th day of December, 2000.

My Commission Expires:

2/10/2002

Mary Jo Alford
Notary Public

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STATE OF NORTH CAROLINA, HAYWOOD COUNTY

The foregoing certificate of Mary Jo Alford is certified to be correct.
This 28 day of December 2000
3 Amy R Murray
Register of Deeds
AMY R. MURRAY



By: Ashley Rogers

Prepared by and return to: John C. Kersten, Esq., P.O. Drawer 1260, Waynesville, NC 28786

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FILED
HAYWOOD COUNTY NC
12/28/2000 4:20 PM
AMY R. MURRAY
Register Of Deeds

NORTH CAROLINA
HAYWOOD COUNTY

INDENTURE

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WHEREAS, Piedmont Golf Development Corporation is the Successor Declarant in that certain Declaration of Protective Covenants, Conditions, Restrictions and Easements for Laurel Ridge Country Club of record in Deed Book 370, Page 627; and

WHEREAS, an Association has been incorporated, said Association of homeowners being known as Laurel Ridge Country Club Homeowners Association, Inc.; and

WHEREAS, Declarant desires to assign to said Association all its rights as Declarant pursuant to said Declaration, as amended;

NOW, THEREFORE, by these presents, Piedmont Golf Development Corporation does herein hereby assign to Laurel Ridge Country Club Homeowners Association, Inc. any and all rights and duties whatsoever contemplated by or arising out of Piedmont Golf Development Corporation, Inc. status as Declarant or Successor Declarant of that hereinabove recited Declaration.

By execution of this document Laurel Ridge Country Club Homeowners Association, Inc. does hereby accept such assignment.

The parties hereto shall cause this document to be placed of record for the purposes herein stated.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals this 28th day of December, 2000.

PIEDMONT GOLF DEVELOPMENT CORPORATION

LAUREL RIDGE COUNTRY CLUB HOMEOWNERS ASSOCIATION, INC.

By: David L. Pope
David L. Pope, Vice President

By: Jeffrey B. Kuhlman
Jeffrey B. Kuhlman, President

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STATE OF NORTH CAROLINA
COUNTY OF HAYWOOD

I, Amy R. Murray, a Notary Public for said County and State, certify that DAVID L. POPE personally came before me this day and acknowledged that he is Vice President of PIEDMONT GOLF DEVELOPMENT CORPORATION, a North Carolina corporation, and that he, as Vice President, being authorized to do so, executed the foregoing on

behalf of the corporation.

Witness my hand and official seal, this the 28th day of December, 2000.

My Commission Expires:

2/10/2002

Mary Jo Alford
Notary Public

STATE OF NORTH CAROLINA
COUNTY OF HAYWOOD

I, Mary Jo Alford, a Notary Public for said County and State, certify that JEFFREY B. KUHLMAN personally came before me this day and acknowledged that he is President of LAUREL RIDGE COUNTRY CLUB HOMEOWNERS ASSOCIATION, INC., a North Carolina corporation, and that he, as President, being authorized to do so, executed the foregoing on behalf of the corporation.

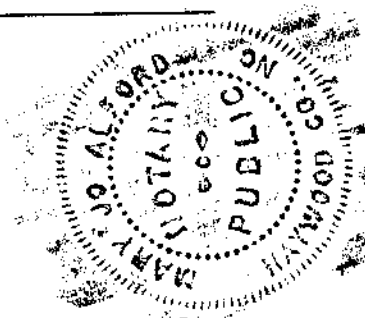
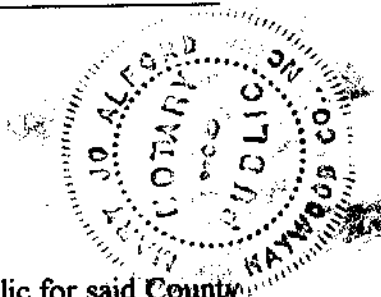
Witness my hand and official seal, this the 28th day of December, 2000.

My Commission Expires:

2/10/2002

Mary Jo Alford
Notary Public

MJA:REAL\laurel ridge indenture.wpd



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STATE OF NORTH CAROLINA, HAYWOOD COUNTY

The foregoing certificate of Mary Jo Alford

is certified to be correct.

This 28 day of December 2000

Amy R Murray
Register of Deeds
AMY R. MURRAY

By: Shawn C Rogers Asst