

NORTH CAROLINA
JACKSON COUNTY

THE CERTIFICATE OF:
Natasha Kiker

IS CERTIFIED TO BE CORRECT:
Joe Hamilton
REGISTER OF DEEDS

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Jackson County, NC
Joe Hamilton Register of Deeds
BK 1463 PG 81-82

STATE OF NORTH CAROLINA
COUNTY OF JACKSON

AMENDMENT TO
RESIDENTIAL COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS,
GOVERNING COLE MOUNTAIN

This Amendment of the Declaration, made this the 15th day of November, 2004 by
COLE MOUNTAIN LAND CO., INC., a North Carolina Corporation, Developer, ("Declarant").

Declarant is the owner and Developer of the real property in Jackson County, North Carolina, known as "COLE MOUNTAIN" ("the Development"), as described in Deed Book 1455, page 131, Jackson County Public Registry, and has caused the "Residential Covenants, Conditions, Restrictions, and Easements" to be place upon the property as referenced in an instrument recorded in Deed Book 1455, page 131, Jackson County Registry.

Whereas, the Declarant has the right to amend and modify those Covenants according to Article IV of the Restrictive Covenants; and

Whereas it is the desire of the Declarant by and through the execution of this agreement to make certain revisions in the above mentioned restrictions which are deemed to make the subdivision more desirable and to be for the benefit of all lot owners.

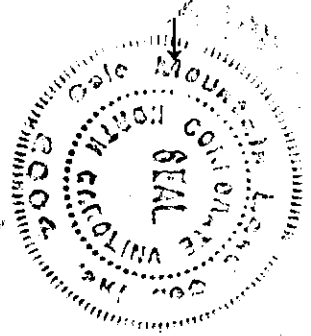
Now Therefore, the Declarant agrees that Paragraph 2 , Article I, of the restrictive covenants is deleted, amended and now shall read as follows:

"2. Portable Structures Prohibited. No trailers, mobile homes, double-wide, manufactured homes, may be moved onto any lot for any purpose. No motor home, recreational vehicle or camper, fifth-wheel or similar vehicle may be occupied as a dwelling on any lot at any time. However, a construction shed or camper may be placed on a lot and remain there temporarily during the course of active construction of a residence not to exceed one year after the footers being dug or issue date of constructions permit (whichever occurs first), otherwise no portable or temporary buildings, mobile homes or trailers may be placed on a lot. A modular home may be placed upon the property with the prior written approval of the Declarant/Developer, its assigns, and must be located on permanent masonry foundation, with no exposed block. All homes must have a covered front porch and may have a rear deck or patio."

It is understood and agreed that all other terms and conditions listed contained in the original Residential Covenants, Easements, Reservations, Affirmative Obligations and Conditions Governing Cole Mountain recorded in Deed Book 1455, Page 131, Jackson County Public Registry shall remain the same and are incorporated herein by reference.

IN WITNESS WHEREOF, Declarant has executed this amendment on the day and year first written above written.

Place Corporate Seal Below



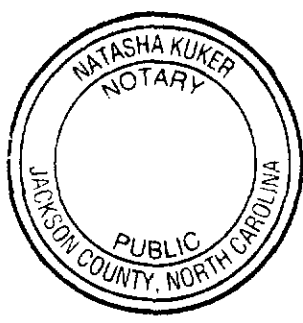
For: Cole Mountain Land Co., Inc.
Jack A. Deitz (Seal)
Jack A. Deitz, President

Sue C. Deitz (Seal)
Sue C. Deitz, Secretary

STATE OF NORTH CAROLINA
COUNTY OF JACKSON

I, Natasha Kuker, a Notary Public of the County and State aforesaid, certify that Sue C. Deitz personally appeared before me this day and acknowledged that she is Secretary of Cole Mountain Land Co., Inc. and that by authority 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 her as its Secretary.

Witness my hand and official stamp or seal, this 15th day of November, 2004.
(Place Notary Seal Below)



Natasha Kuker
Notary Public

My Commission Expires: 5/29/2008

Prepared by: David H. Bryson, Jr., Attorney at Law, 10 E. Main St., Sylva, NC 28779