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NORTH CAROLINA
FORSYTH COUNTY

Modification of Restrictive
Covenants of Brookfield Ridge
Subdivision - Plat Book 35,
Page 135

This Modification of Restrictive Covenants of Brookfield Ridge Subdivision is given this 19th day of January, 1994 by Hubbard Realty of Winston-Salem, Inc., a North Carolina corporation with an office in Winston-Salem, Forsyth County, NC and C. J. Ramey and wife Dian B. Ramey, both citizens of Winston-Salem, Forsyth County, NC (hereinafter Developers); and Martin Builders, Inc., a North Carolina corporation of Forsyth County, NC (hereinafter Builder);

WHEREAS, Developers are the original developers of Brookfield Ridge, a subdivision in Forsyth County, NC, recorded in Plat Book 35, Page 135, Forsyth County Registry; and

WHEREAS, Developers established a Declaration of Restrictive Covenants affecting said Brookfield Ridge and recorded same in Deed Book 1738, Page 190, Forsyth County Registry; and

WHEREAS, according to Paragraph 4 of said Restrictions, all lots are subject to front set-back lines of 40 feet; and

WHEREAS, Builder purchased lot 22 of Brookfield Ridge from Grantor on or about May 01, 1992 and thereafter constructed a house on same; and

WHEREAS, Builder inadvertently constructed the southwestern corner of said house 9.54 feet too close to the street right-of-way and thus violating the 40 foot set back with a set back on that corner of 30.46 feet; and

WHEREAS, Developers, pursuant to Paragraph 19 of the Restrictions, in their sole discretion, may modify the Restrictive Covenants for Brookfield Ridge when they deem it best for the general plan or scheme of development, which they do in this case of inadvertant violation of the set-back requirements on Lot 22;

NOW THEREFORE, for good and sufficient reasons satisfactory to themselves as set out hereinbefore, the Developers do modify Paragraph 4 of the Declaration of Restrictive Covenants of Brookfield Ridge Subdivision (Book 1738, Page 190), by striking in its entirety the present Paragraph 4 and in its place substituting the following:

4. SET BACK RESTRICTIONS. As to each yard there shall be total minimum side yards not more than 25 feet in width, no one of which shall be less 10 feet in width. Except for Lot 22, no building or part of a building other than steps, open porches, overhanging eaves, or cornices shall extend nearer the front property line than 40 feet. Lot 22 may be as close as 30 feet to the front property line. In the case of a corner lot, no building or part of a building, other than steps, overhanging eaves, or cornices shall extend nearer the side property line adjacent to the street than as shown on the recorded plat or 20 feet, whichever is greater.

This is the only paragraph of the Restrictions affected by this modification and the rest and remainder of the Declaration remains in full force and effect and is affirmed herein.

In witness whereof, Hubbard Realty of Winston-Salem, Inc. and C.J. Ramey and wife Dian B. Ramey have executed this document on the date first above written.

ATTEST

Hubbard Realty of Winston-Salem, Inc.

Emma B. Hubbard
Secretary
(Corporate Seal)

by *Lewis E. Hubbard*
President

C. J. Ramey (SEAL)
C. J. Ramey

Dian B. Ramey (SEAL)
Dian B. Ramey

STATE OF NORTH CAROLINA - COUNTY OF FORSYTH

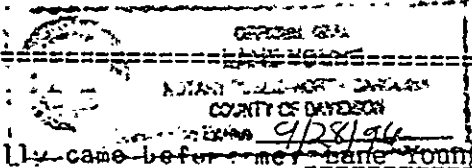
This 20th day of January, 1994, personally came before me, *James W. Armentrout*, a notary public, *Emma B. Hubbard* who, being made by me duly sworn, says that he knows the Common Seal of Hubbard Realty of Winston-Salem, Inc. and is acquainted with *Lewis E. Hubbard* who is the President of said Corporation, and that he, the said *Emma B. Hubbard* is the Secretary of the said Corporation, and saw the said President sign the foregoing instrument, and saw the Common Seal of said Corporation affixed to said instrument by said President, and that he, the said *Emma B. Hubbard* signed his name in attestation of the execution of said instrument in the presence of said President of said Corporation.

Witness my hand and notarial seal or stamp this the 20th day of January, 1994.

(Notarial Seal or Stamp)

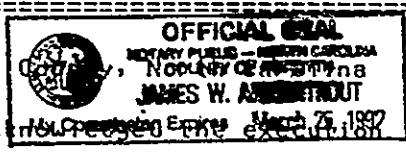
My commission expires: 9/28/96

James W. Armentrout
Notary Public



STATE OF NORTH CAROLINA - COUNTY OF FORSYTH

I, *James W. Armentrout*, a Notary Public of Forsyth County, do hereby certify that C.J. Ramey and wife Dian B. Ramey grantor(s), each personally appeared before me this day and acknowledged the foregoing deed of conveyance.



Witness my hand and notarial seal or stamp this the 19th day of January, 1994.

(Notarial Seal or Stamp)

My commission expires: 3/27/97

James W. Armentrout
Notary Public

NORTH CAROLINA - FORSYTH COUNTY

AND The foregoing (or annexed) certificate(s) of *James W. Armentrout, N.P., Forsyth Co., NC* is (are) certified to be correct. This the 20 day of *January*, 1994.

Probate and filing fee \$ paid.

and one filing fee, N.P., Davidson Co., NC

L.E. SPEAR
REGISTER OF DEEDS
FORSYTH CO., N.C.

Register of Deeds, Forsyth County

by *Deborah Ridd*, Deputy

Deborah Ridd