

Book 0867 Page 0176

NORTH CAROLINA

AMENDMENT TO DECLARATION OF  
PROTECTIVE COVENANTS FOR  
BRASSFIELD WOODS SUBDIVISION

GRANVILLE COUNTY

THIS AGREEMENT, made on the date hereinafter set forth by MARATHON MANGEMENT, INC., a North Carolina corporation, hereinafter called "Owner";

WITNESSETH:

WHEREAS, Owner has previously recorded a Declaration of Protective Covenants for Brassfield Woods Subdivision, hereinafter called "Declaration", which Declaration is recorded in Book 787, Page 102, Granville County Registry;

WHEREAS, the Declaration provides that changes may be made to the Declaration at any time by the Owner so long as the Owner shall own one or more lots in the subdivision;

WHEREAS, Owner presently owns more than one lot in the subdivision; and

WHEREAS, Owner desires to amend the Declaration.

NOW, THEREFORE, Owner hereby amends the Declaration as follows:

1. The following paragraph shall be added to the Covenants:

The Owner of any building site containing an improved dwelling may erect an in-ground or above-ground swimming pool provided that said Owner first submits plans and site locations for such pool which shall include decorative fencing and/or landscaping to shield the view of the pool from the street and the adjoining property owners. The fencing around the pool shall be sturdy enough to prevent small children from entering the pool area when it is unattended. This safety measure will be for the benefit of the owner as well as for the community. These plans will contain any approvals necessary from any governing body that may have jurisdiction over any type of swimming pool. These plans will be submitted to the Architectural Committee, or to such persons designated by the Architectural Committee, or designated otherwise as set forth in the Protective Covenants. Such plans shall be approved, or shall be deemed to have been approved as provided in the Protective Covenants. Any liability associated with the swimming pool will be the sole responsible of the property owner.

2. Except as set forth herein, the Declaration shall remain in full force and effect as recorded.

mailed 9-5-01: Warren. Perry - Anthony, PO Box 1187, Wake Forest, NC 27588

IN WITNESS WHEREOF, the undersigned Owner has caused this document to be entered into by its appropriate officer, all by authority of its Board of Directors, this the 20 day of August, 2001.

*MARATHON MANAGEMENT, INC.*  
By: *[Signature]*  
John D. Lyon, President

NORTH CAROLINA - WAKE COUNTY

I, a Notary Public for the County and State aforesaid, certify that John D. Lyon personally appeared before me this day and acknowledged that he is President of *MARATHON MANAGEMENT, INC. a NC CORPORATION*, and that by authority duly given and as an act of the corporation, the foregoing instrument was signed in its name by its President, ~~sealed with its corporate seal.~~

Witness my hand and official stamp or seal, this 28 day of August, 2001.

*[Signature]*  
NOTARY PUBLIC:

10-2-2005  
COMMISSION EXPIRES:

JAMES S. WARREN  
NOTARY PUBLIC  
WAKE COUNTY, NC

STATE OF NORTH CAROLINA GRANVILLE COUNTY  
The foregoing certificate of James S. Warren a Notary Public is certified to be correct. This instrument was presented for registration and filed in this office in Book 867 Page 176. This 31st day of Aug. 2001 at 11:10 o'clock PM.  
Register of Deeds *[Signature]*  
by *[Signature]* Assistant Deputy