



Doc ID: 009219660002 Type: CRP
Recorded: 09/06/2013 at 10:40:27 AM
Fee Amt: \$26.00 Page 1 of 2
Workflow# 0000061959-0002
Caldwell County, NC
WAYNE L RASH Register of Deeds
BK 1832 PG 1371-1372

STATE OF NORTH CAROLINA
CALDWELL COUNTY

THIRD AMENDMENT TO THE DECLARATION OF COVENANTS CONDITIONS,
RESTRICTIONS, EASEMENTS, AND LIENS FOR

TIMBER ROCK SUBDIVISION

THIS AMENDMENT is made and entered into on this 2nd day of September, 2013 by Waterfront Group Investments, LLC a North Carolina limited liability company (hereinafter "Declarant").

WHEREAS, Blue River Ridge at Blowing Rock, LLC (hereinafter the "Original Declarant") caused to be executed and recorded that certain Declaration dated 30 October, 2006 and recorded in Book 1617 at Page 1236 of the Caldwell County Registry with respect to certain real estate described therein (hereinafter the "Original Grandfather Vistas Declaration"), and Declarant herein has amended the same by instrument recorded in Deed book 1821 at page 45, and Deed book 1821, Page 1335, both of the Caldwell County Registry (collectively, the "Declaration"), and;

NOW THEREFORE, in accordance with the terms of the Declaration as amended Waterfront Group Investments, LLC hereby amends the Declaration recorded in Book 1617 at Page 1236, as amended to modify Exhibit A attached thereto.

1. Exhibit A is hereby amended by addition of a Tract 3 and Tract 4 as follows:

TRACT THREE

Lying in Patterson Township, Caldwell County North Carolina and being the same property as conveyed to Mid Atlantic Custom Builders, Inc. in Deed Book 1536 at Page 978, Deed Book 1476 at Page 1938, Deed Book 1399 at Page 861, Deed Book 1476 at Page 1943 and Deed Book 1541 at Page 406, Caldwell County Registry and being more particularly described on plat recorded at Plat Book 23 at Page 203, Caldwell County Registry.

TRACT FOUR

Lying in Patterson Township, Caldwell County North Carolina and being the land described in and conveyed by Deed recorded in Book 1792 at Page 2012 Caldwell County Registry, and being lot 82 as shown and described on Plat Book 23 at Page 103, Caldwell County Registry.

2. Exhibit A is hereby amended by addition of the following exception.

LESS AND EXCEPT

Lying in Patterson Township, Caldwell County, North Carolina, and being all that certain 101.80 acre tract shown and described on Plat recorded in Plat Book 29 at Page 110, Caldwell County Registry, the same being incorporated herein by reference..

3. As to the property described in (2) above excepted from Exhibit A (the "Exempt Tract"), Waterfront Group Investments, LLC, Declarant under the Declaration referenced above hereby releases and relinquishes the Exempt Tract from the encumbrance of the referenced Declaration, and declares the Exempt Tract can be conveyed free and clear of such covenants and restrictions; provided, however, there is reserved from such exemption and exception a nonexclusive, perpetual easement appurtenant to the Exempt Tract over, across and through all private roads shown on the plats of Timber Rock for the purposes of access to and from public rights of way and for purposes of the installation, operation, maintenance, repair and replacement of utilities of a scope necessary to support any legal development of the Exempt Tract, it being the intent of the Declarant that any owner of the Exempt Tract and his heirs successors and assigns, may develop the Exempt Tract, and that any such legal development of the Exempt Tract shall be served by such subdivision roadways and utility easements. Any owner of the Exempt Tract or any portion thereof shall pay to the Timber Rock Property Owners Association, Inc. an amount equal to the current Regular Assessment (as defined in the Declaration, and currently set at \$500 per year) to recompense such Association for the use of subdivision roadways by such owner.

This the day and year first above written.

WATERFRONT GROUP INVESTMENTS, LLC

By: *William N. Adkins*
William N. Adkins, Manager

STATE OF NORTH CAROLINA
MECKLENBURG COUNTY

I, Ann Marie Wilson, a Notary Public of said County and State do hereby certify that William N. Adkins, being personally known to me, came before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and official seal, this 30th day of August, 2013.

My Commission Expires: 7/28/17 (SEAL)

