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WAYNE L RASH Register of Deeds

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STATE OF NORTH CAROLINA
CALDWELL COUNTY

AMENDMENT TO THE DECLARATION OF COVENANTS CONDITIONS, RESTRICTIONS,
EASEMENTS, AND LIENS FOR THE GRANDFATHER VISTAS COMMUNITY
(NOW KNOWN AS)

TIMBER ROCK SUBDIVISION

THIS AMENDMENT is made and entered into on this 1st day of May, 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;

WHEREAS, Grandfather Vistas Community was created out of two tracts of land, portions of which had been formerly developed as Saddle Creek Estates, and which was re-developed into a new Subdivision and a new Property Owners Association under the terms of the Original Grandfather Vistas Declaration. The Original Declarant caused various plats to be recorded subdividing portions of the real estate described in the Grandfather Vistas Declaration, and sold lots to individual lot purchasers, and;

WHEREAS, each of the lots purchased were to be automatically made members of the Grandfather Vistas Property Owners Association, Inc. in accordance with the Original Declaration and the North Carolina Planned Community Act, however the non-profit corporation presumably set up for that purpose by the Original Developer never became active, and the same has been suspended by the NC Secretary of State, and;

WHEREAS, by mesne conveyances and judicial transfers from the Original Declarant to the present ownership, Waterfront Group Investments, LLC has become the owner of all or substantially all of the unsold lots and land covered by the Grandfather Vistas Declaration, such conveyances included by specific reference, conveyance of all of the reserved Declarant Rights owned by the Original Declarant and as created in the NC Planned Community Act.

NOW THEREFORE, in accordance with Article XII Section 6 of the referenced Declaration by the Original Declarant, Waterfront Group Investments, LLC hereby amends the Declaration recorded in Book 1617 at Page 1236 to change the name of the Development to Timber Rock Subdivision, and the name of the Association to Timber Rock Property Owners Association, Inc. Declarant further amends the Declaration as follows:

1. Article I Section 1(A), Section 1(R), Section 1(Z) and Section 1(AA) are deleted.
2. In Article II Section 4 the following is added to the end of the paragraph:

"Notwithstanding the above, on lots of more than 2 acres, horses, mules, donkeys or ponies may be maintained so long as at least ¾ acre of fenced pasture is maintained in good condition for each such equine. "

3. Article II Section 21 is deleted.
4. Article II Section 22 is deleted, and the following language is substituted in lieu thereof:
"Each home built within Timber Rock shall have finished and heated square footage of no less than 1200 square feet. "
5. A new Article II Section 25 is added to read as follows:
"Section 25 CAMPING Nothing in this Article shall prevent lot owners and their immediate family from camping on their lot in professionally manufactured equipment for up to 7 nights in any 30 night period so long as such campsites do not become a nuisance or a danger on account of excessive noise, uncontrolled fires or the like. "
6. Throughout the Declaration, wherever the following language appears: "*Until one hundred (100%) percent of the Dwellings permitted by the Master Plan have certificates of occupancy issued thereon and have been conveyed...*" the following language shall be substituted: "*Until one hundred (100%) percent of the Lots have been conveyed by the Declarant....*".
7. Article VI Section 2(d). Section 2(e) and Section 2(f) are deleted in their entirety and are replaced with the following new Section(d):
"Section (d) Assessments for the year 2013 are hereby set at Five Hundred (\$500.00) Dollars per lot owned by any Class A member. For any existing lots owned by individual members at the execution of this amendment, dues shall be first payable for the year 2014 and are due and payable on January 1, 2014."
5. Article VI Section 7 is deleted.
6. Article VI Section 9 is amended by the addition of subparagraph (c) at the end of the first sentence to read as follows:
"(c) any lot owned by Declarant."
7. Article XII Section 14 is amended by substituting "North Carolina" for "Kentucky".
8. Exhibit A is amended by the substituting in lieu thereof the attached Exhibit A.

Except as specifically modified herein, the Original Declaration shall remain in full force and effect.

This the day and year first above written.

WATERFRONT GROUP INVESTMENTS, LLC

By: 
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 15th day of May, 2013.

My Commission Expires: 7/28/17




Notary Public Signature

EXHIBIT A

Being all of the property described in and conveyed by deeds recorded in the Caldwell County Registry at Book 1411 at Page 1091 and Book 1411 at Page 1097, provided however that any portion of such land not platted on a recorded plat as being a part of Grandfather Vistas Community, Saddle Creek Estates or Timber Rock Subdivision shall be excluded.