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Caldwell County, NC  
WAYNE L RASH Register of Deeds

BK 1847 PG 1666-1669

Prepared by: Vanderbloemen & White, PA ✓✓

STATE OF NORTH CAROLINA

COUNTY OF CALDWELL

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

**TIMBER ROCK SUBDIVISION**

**THIS THIRD AMENDMENT** is made this 30<sup>th</sup> day of April, 2014 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 instruments recorded in Deed Book 1821 at Page 45 and Deed Book 1821 at Page 1335 of the Caldwell County Registry; and

**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 as follows:

Lot 25, containing 10.021 acres, being Parcel ID #1261A225 (herein Lot 25) and Lot 49 containing 10.021 acres, being Parcel ID #1261A249 (herein Lot 49) as shown on plat recorded in Plat Book 23 at Page 103, Caldwell County Registry are hereby released from the operation of the Declaration of Covenants, Conditions, Restrictions, Easements and Liens as recorded in Book 1617

at Page 1236, Caldwell County Registry. Access to Lots 25 and 49 as shown on Plat Book 23 at Page 103 across the 50 foot easement as shown on said plat is hereby terminated and no access to Lots 25 or 49 is hereafter granted according to said 50 foot easement or any other access through the property described in Plat Book 23 at Page 103. Access to Lots 25 and 49 (now known as Lots 106 and 107 of Curtis Mountain Property Owners Association) henceforth shall be through the Curtis Mountain Development across roads and rights of ways through said development and not through the Grandfather Vistas Community, now known as Timber Rock Subdivision. All further obligations of Lots 25 and 49 to the Declaration of Covenants, Conditions, Restrictions, Easements and Liens for the Grandfather Vistas Community is hereby terminated.

Phoenix Rising Development, LLC joins in the execution of this Third Amendment to Declaration of Covenants, Conditions, Restrictions, Easements and Liens for Grandfather Vistas Community (now known as) Timber Rock Subdivision for the purpose of consenting that Lot 25 and Lot 49 as shown on Plat Book 23 at Page 103 be released from the operation of the Declaration of Covenants, Conditions and Restrictions as set forth above and for the further purpose of acknowledging its consent that Lots 25 and 49 shall no longer have the benefit of access through the Grandfather Vistas Community now known as Timber Rock Subdivision and acknowledging that access for Lots 25 and 49 shall be through Curtis Mountain Development across roads and rights of way through said development and not through Grandfather Vistas Community, now known as Timber Rock Subdivision.

This 30<sup>th</sup> day of April, 2014.

WATERFRONT GROUP INVESTMENTS, LLC

By: William N. Adkins  
Its: Manager - William N. Adkins

PHOENIX RISING DEVELOPMENT, LLC

By: (see following pages)  
Virgle R. Short, Jr., Member/Manager

at Page 1236, Caldwell County Registry. Access to Lots 25 and 49 as shown on Plat Book 23 at Page 103 across the 50 foot easement as shown on said plat is hereby terminated and no access to Lots 25 or 49 is hereafter granted according to said 50 foot easement or any other access through the property described in Plat Book 23 at Page 103. Access to Lots 25 and 49 (now known as Lots 106 and 107 of Curtis Mountain Property Owners Association) henceforth shall be through the Curtis Mountain Development across roads and rights of ways through said development and not through the Grandfather Vistas Community, now known as Timber Rock Subdivision. All further obligations of Lots 25 and 49 to the Declaration of Covenants, Conditions, Restrictions, Easements and Liens for the Grandfather Vistas Community is hereby terminated.

Phoenix Rising Development, LLC joins in the execution of this Third Amendment to Declaration of Covenants, Conditions, Restrictions, Easements and Liens for Grandfather Vistas Community (now known as) Timber Rock Subdivision for the purpose of consenting that Lot 25 and Lot 49 as shown on Plat Book 23 at Page 103 be released from the operation of the Declaration of Covenants, Conditions and Restrictions as set forth above and for the further purpose of acknowledging its consent that Lots 25 and 49 shall no longer have the benefit of access through the Grandfather Vistas Community now known as Timber Rock Subdivision and acknowledging that access for Lots 25 and 49 shall be through Curtis Mountain Development across roads and rights of way through said development and not through Grandfather Vistas Community, now known as Timber Rock Subdivision.

This \_\_\_\_ day of \_\_\_\_\_, 2014.

WATERFRONT GROUP INVESTMENTS, LLC

By: \_\_\_\_\_ (see previous page)  
Its: Manager

PHOENIX RISING DEVELOPMENT, LLC

By: \_\_\_\_\_  
Virgle R. Short, Jr., Member/Manager

STATE OF NORTH CAROLINA, COUNTY OF Mecklenburg

I, a Notary Public in and for the above named State and County, do hereby certify that William N. Adkins personally appeared before me this day and acknowledged that she/he is the Manager of Waterfront Group Investments, LLC, a North Carolina limited liability company, and that by authority duly given and as the act of the company, signed the foregoing instrument in its name on its behalf as its act and deed.

Witness my hand and seal, this the 30<sup>th</sup> day of April, 2014.

My Commission Expires:

7/28/17



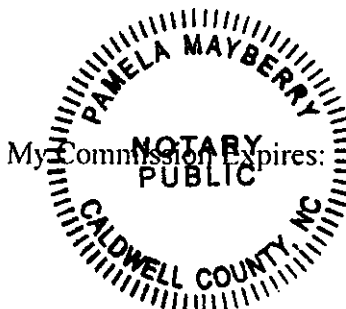
STATE OF NORTH CAROLINA, COUNTY OF CALDWELL

I, a Notary Public in and for the above named State and County, do hereby certify that Virgle R. Short, Jr. personally appeared before me this day and acknowledged that he is the Member/Manager of Phoenix Rising Development, LLC, a North Carolina limited liability company, and that by authority duly given and as the act of the company, signed the foregoing instrument in its name on its behalf as its act and deed.

Witness my hand and seal, this the 30 day of April, 2014.

My Commission Expires:

Mar 2, 2018



Pamela Mayberry  
Notary Public