



Doc ID: 005407540003 Type: AMEND  
Recorded: 11/09/2017 at 04:36:51 PM  
Fee Amt: \$26.00 Page 1 of 3  
Jackson County, NC  
Joe Hamilton Register of Deeds

BK **2200** PG **1861-1863**

THIS INSTRUMENT PREPARED WITHOUT  
BENEFIT OF TITLE EXAMINATION BY:  
J. K. Coward, Jr., a licensed North Carolina attorney  
Coward, Hicks & Siler, P.A. (2017J504)  
705 W. Main Street  
Sylva, NC 28779

**AMENDMENT TO  
DECLARATION OF RESTRICTIONS AND MAINTENANCE COVENANTS  
FOR CROSS CREEK ESTATES, A SUBDIVISION LOCATED IN  
CANEEY FORK TOWNSHIP, JACKSON COUNTY, NORTH CAROLINA**

This Amendment to Declaration of Restrictions and Maintenance Covenants for Cross Creek Estates, a Subdivision Located in Caney Fork Township, Jackson County, North Carolina is made this the 19<sup>th</sup> day of September, 2017 by CROSS CREEK ESTATES HOMEOWNER'S ASSOCIATION, INC. (hereinafter "Declarant").

WHEREAS, on the 23<sup>rd</sup> day of July, 1992, D.E. Williams, Jr. and Nancy Williams Anderson, the owners of all of the real property as set forth on plat of "Cross Creek Estates," prepare dy Moore's Land Surveying and recorded in Plat Cabinet 6 at Slide 253, of the Jackson County Public Registry, did, as the property owners of all land being affected, execute an instrument titled "Declaration of Restrictions and Maintenance Covenants for Cross Creek Estates, a Subdivision Located in Caney Fork Township, Jackson County, North Carolina" (hereinafter "1992 Declaration"). Said instrument was recorded in Book 809, Page 700, of the Jackson County Public Registry; and

WHEREAS, on the 16<sup>th</sup> day of December, 1994, the Jack Williams Company, as successor in interest to D.E. Williams, Jr. and Nancy Williams Anderson, the owner of all of the real property shown on plat of "Cross Creek Estates," prepared by Moore's Land Surveying and recorded in Plat Cabinet 6 at Slide 803, of the Jackson County Public Registry, did, as the property owner of all land being affected, execute an instrument titled "Declaration of Restrictions and Maintenance Covenants for Cross Creek Estates, a Subdivision Located in Caney Fork Township, Jackson County, North Carolina," (hereinafter 1994 Declaration). Said instrument was recorded in Book 876, Page 531, of the Jackson County Public Registry (hereinafter "Declaration:"); and

WHEREAS, the 1994 Declaration was an amendment and restatement of the 1992 Declaration; and

WHEREAS, Declarant is desirous of amending Declaration to reflect the current intent of the existing property owners, specifically by adding two provisions; and

WHEREAS, on the 29<sup>th</sup> day of July, 2017, Declarant held a properly noticed special meeting for its members to consider amending the Declaration, at which meeting a majority of the members approved the contemplated amendment; and

WHEREAS, Declarant certifies that the required written approval has been obtained and filed with the records of the Association.


NOW THEREFORE, the Declaration is amended to include the following articles:

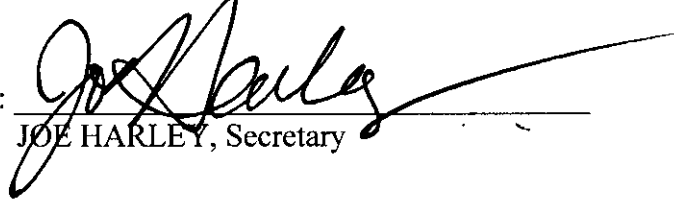
VII (o) Trees having a diameter of ten (10) inches or larger, one (1) foot above ground level, may not be cut without prior written consent of the Board unless such trees are diseased or are a potential danger. For the initial construction or post-construction of structured improvements upon a Lot, all Trees within fifty (50) feet of the foundation of any permanent structure can be removed without first obtaining the consent of the Board. When and if tree cutting occurs, the lot owner is liable for any damages to the road, bridge or another lot owner's property. Damage fees will be paid by the lot owner to the Association, the amount of which is to be determined by the Board. Neither logging nor clear-cutting nor tree harvesting is permitted under any circumstances in Cross Creek Estates. Anyone who logs or clear-cuts or harvests trees will be subject to a fine of \$10,000 per offense.

VII (p) In order to provide safety for the residents of Cross Creek Estates and in the interest of preserving wildlife, no trespassing or hunting of any type is permitted in Cross Creek Estates at any time for any reason. Violators will be prosecuted to the fullest extent of the law.

IN WITNESS WHEREOF, Declarant has executed this Amendment on the 19<sup>th</sup> day of September, 2017.

CROSS CREEK ESTATES  
HOMEOWNER'S ASSOCIATION, INC.

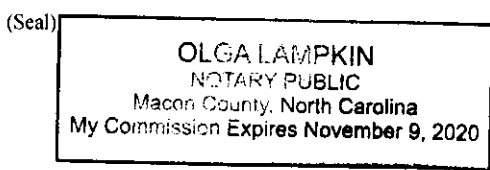
By:   
VIOLETTA OHLIGER, President

Attest:   
JOE HARLEY, Secretary

NORTH CAROLINA  
JACKSON COUNTY

I, Olga Lampkin, Notary Public, do hereby certify that VIOLETTA OHLIGER personally appeared before me this day and acknowledged that she is President of CROSS CREEK ESTATES HOMEOWNER'S ASSOCIATION, INC., a corporation, and that she, as President, being authorized to do so, executed the foregoing on behalf of the corporation.

WITNESS my hand and Notarial Seal this the 19th day of September, 2017.

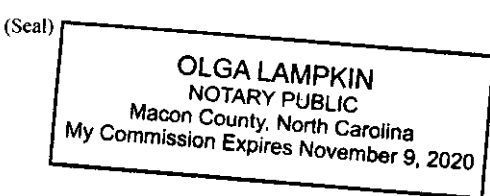


Olga Lampkin  
Signature of Notary Public

NORTH CAROLINA  
JACKSON COUNTY

I, Olga Lampkin, Notary Public, do hereby certify that JOE HARLEY personally appeared before me this day and acknowledged that he is Secretary of CROSS CREEK ESTATES HOMEOWNER'S ASSOCIATION, INC., a corporation, and that he, as Secretary, being authorized to do so, executed the foregoing on behalf of the corporation.

WITNESS my hand and Notarial Seal this the 9th day of ~~September~~ November, 2017.



Olga Lampkin  
Signature of Notary Public  
My commission expires: NOV - 9, 2020