

Prepared By: Staunton Norris, Attorney, P. O. Box 548, Burnsville, N. C. 28714

STATE OF NORTH CAROLINA

AMENDMENT TO
RESTRICTIVE COVENANTS

COUNTIES OF YANCEY
AND MADISON

DATE: _____, 2006

THIS AMENDMENT made and entered into this the 15th day of October, 2006 between BALD MOUNTAIN DEVELOPMENT CORPORATION, hereinafter referred to as "the Corporation", and the Developer of certain properties in Wolf Laurel Resort, located in Yancey and Madison Counties, North Carolina, thus:

WITNESSETH:

WHEREAS, the original Declaration of Protective Covenants, Restrictions, and Reservations was filed of public record on 31 October, 1966, which Declaration appears in Book 97, Page 344 et seq., Madison County Registry, and Book 139, Page 120 et seq., Yancey County Registry; and the First Amendment was filed of public record on 10 January, 1991, which Declaration of Amendment appears of record at Book 228, Page 48 of the Yancey County Registry, and Book 190, Page 393 of the Madison County Registry; and

WHEREAS, the Second Amendment was filed of public record on 26 July, 2002 in the Yancey County Deed Registry at Deed Book 404, Pages 62-83 and in the Madison County Deed Registry at Book _____, Pages _____ - _____; and

WHEREAS, the Corporation has determined that the existence of manufactured housing within the confines of the Wolf Laurel Resort and specifically the transportation of said housing to and from building sites over and upon roadways in the resort which were not built to accommodate such transportation has created by the blockage of said roads, a threat to the health, safety, property and welfare of the residents of the resort as well as the general deterioration of said roads;

NOW, THEREFORE, in consideration of the premises, Paragraph G of Article V of the Amended and Restated Declaration of Protective Covenants, Restrictions and Reservations of record in the Yancey County Deed Registry at Deed Book 404, Page 562 and the Madison County Deed Registry at Deed Book _____, Page _____, is hereby amended and modified to provide as follows:

G. Structures. No structure of a temporary character, trailer, mobile home, doublewide mobile home, park home, manufactured or modular housing shall be erected upon any lot within the subdivision for any purpose. In addition, tents, shacks, garages, barns, and other outbuildings shall not be used at any time as either a temporary or permanent residence on any lot within the subdivision.

EXCEPT AS HEREIN MODIFIED AND AMENDED, the aforesaid Restrictive Covenants shall remain in full force and effect.

IN WITNESS WHEREOF, the Developer has caused this instrument to be signed in its corporate name by its duly authorized officers, and its seal to be hereunto affixed by authority of its Board of Directors on this the 18th day of October, 2006.

BALD MOUNTAIN DEVELOPMENT
CORPORATION, INC.

BY:

Willis W. Williams
WILLIS W. WILLIAMS, PRESIDENT

ATTEST:

Judy C. Berkley
SECRETARY

CORPORATE SEAL

STATE OF NORTH CAROLINA
COUNTY OF BENJAMIN

I, Willis W. Williams, Notary Public, do hereby certify that JUDY C. BERKLEY who is the Secretary of BALD MOUNTAIN DEVELOPMENT CORPORATION, INC., personally appeared before me this day and acknowledged that she is the Secretary of said corporation, and that by authority duly given and as the act and deed of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal, and attested by herself as its Secretary.

WITNESS my hand and Notarial Seal this the 21 day of October, 2006.

Willis W. Williams
NOTARY PUBLIC

My Commission Expires 4-12-07