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Joyce H. Pearson  
Register of Deeds,  
Orange County, N. C.

FIRST AMENDMENT TO  
DECLARATION  
OF COVENANTS, CONDITIONS AND  
RESTRICTIONS FOR  
ROSEMARY PLACE TOWNHOMES

Prepared by and return to: David Rooks, Northen Blue, LLP, P.O. Box 2208, Chapel Hill, NC 27515  
PIN: 9798-65-9036

*9798-65-6122*

*9798-64-4974 MAB*

This Declaration is made on the 7 day of November 2002 by Rosemary Place Homeowners Association, Inc. ("Declarant")

WITNESSETH

WHEREAS, Article XI, Section 7 of the Declaration recorded at Book 2580, Page 506, Orange County Registry allows the Declarant to amend the Declaration upon approval of 75% of the Members of the Association; and,

WHEREAS, 100% of the members of the Association have approved the following amendment;

NOW, THEREFORE, Declarant amends the Declaration as follows:

1. Article XI, Section 2 is amended to read:

Section 2. Prohibited Activities. No noxious or offensive trade or activity will be carried on upon or in any Lot or Living Unit, nor will anything be done thereon or therein which may be or become an annoyance or nuisance to the neighborhood. Home occupations or business that are not discernable outside the Lot or Living Unit are permitted. A home occupation or business is discernable outside of the Lot or Living Unit, if it has any noticeable impact on any other Living Unit or on the Common Areas. Impacts would include, but not be

limited to, noise, odors, automobile traffic and additional demands on parking in the common areas. Notwithstanding the foregoing limitation, a home business or occupation which has discernable impacts, as determined by the Association's Board of Directors, may be permitted with the approval of a majority of the Class A members of the Association in attendance at a regular or special meeting of the members of the Association where all members have been given fifteen days prior notice that the issue will be put to a vote.

2. Except as modified by this amendment, Declarant ratifies and confirms the Declaration.

IN WITNESS WHEREOF, the undersigned has executed this Amendment the day and year first above written.

Rosemary Place Homeowners' Association, Inc.

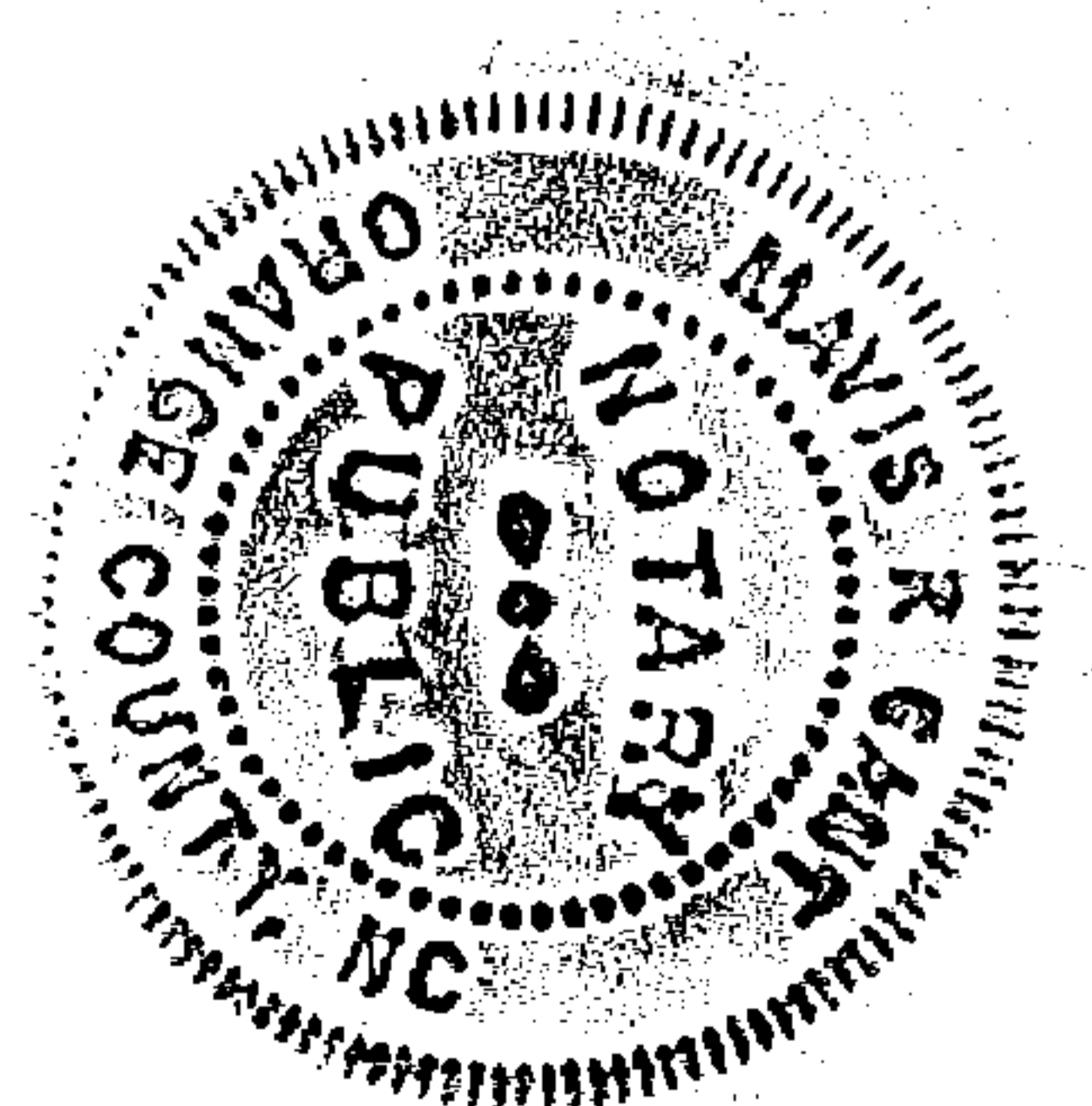
By: Robert Dowling  
President

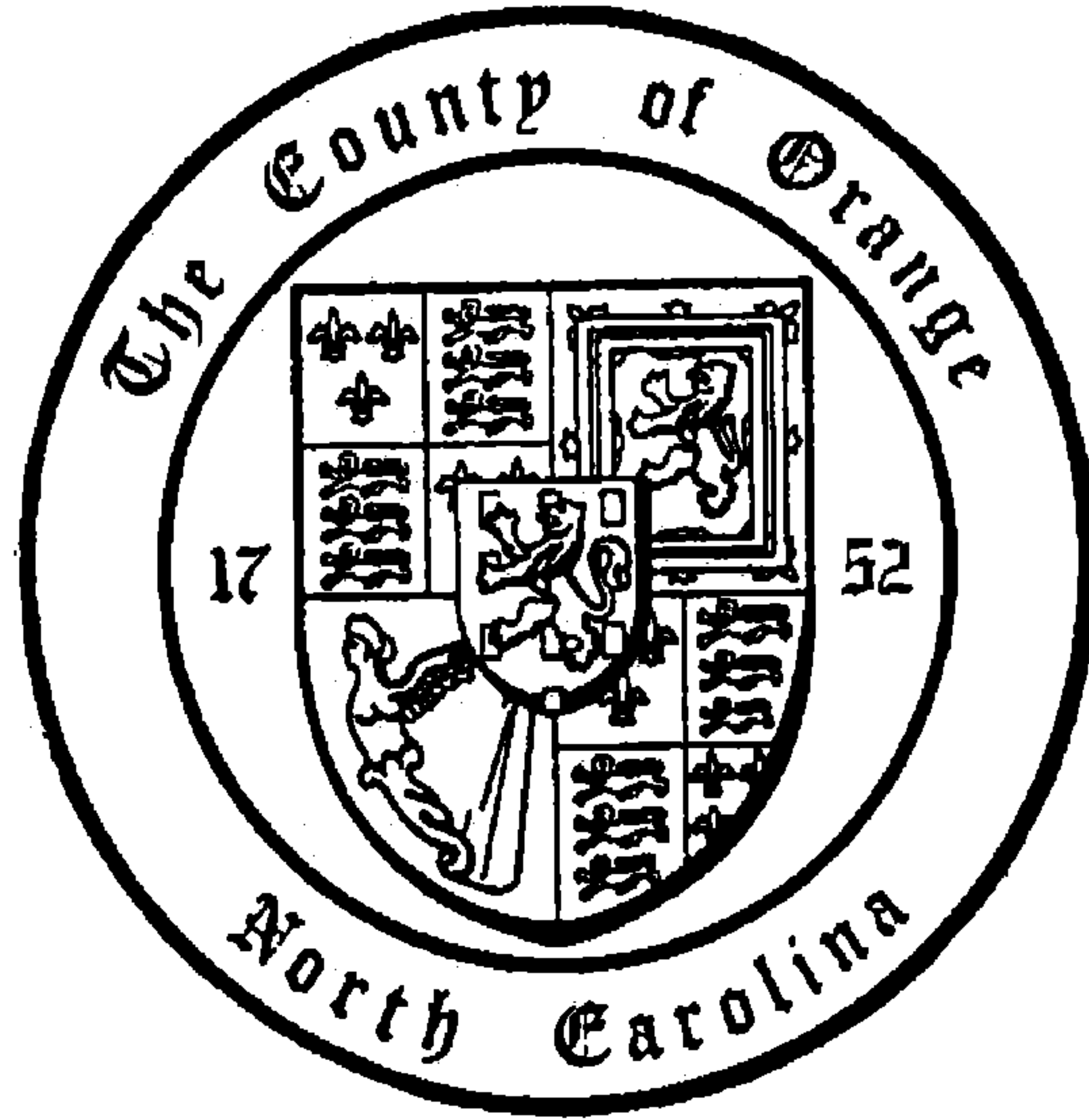
NORTH CAROLINA  
Orange COUNTY

I, Mavis R Gant, a Notary Public of the State and County aforesaid, certify that Robert Dowling personally appeared before me this day and acknowledged that he/she is President of Rosemary Place Homeowners' Association, Inc., a corporation, and that he/she as President, being authorized to do so, executed the foregoing on behalf of the corporation.

Witness my hand and seal this the 7<sup>th</sup> day of November, 2002.

Mavis R Gant  
Notary Public  
My Commission Expires: 02/25/06





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Register of Deeds  
Orange County  
North Carolina

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State of North Carolina, County of Orange

The foregoing certificate/s of Mavis R. Gant, Notary/Notaries Public for the Designated Governmental units is/are certified to be correct. See filing certificate herein.

This day November 12, 2002

JOYCE H. PEARSON, REGISTER OF DEEDS By:

A handwritten signature in cursive script, appearing to read "Deborah B. Brook", is written over a horizontal line.

Deputy/Assistant Register of Deeds