



2008000674

HAYWOOD CO, NC FEE \$17.00
PRESENTED & RECORDED:

01-22-2008 11:35:48 AM

AMY R. MURRAY
REGISTER OF DEEDS
BY: DEB SCHAEFER
DEPUTY

BK: RB 726

PG: 1683-1684

**AMENDMENT TO DECLARATION
OF
COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS
FOR
CAMPBELL WOODS SUBDIVISION**

THIS AMENDMENT TO DECLARATION, made as of the date hereinafter set forth by Gulf Highway Land Corporation, a Florida Corporation, hereinafter referred to as "Successor Declarant":

WITNESSETH:

WHEREAS, Successor Declarant is the owner of the remainder of certain "properties" in Haywood County, North Carolina, which were originally described in that certain Declaration of Covenants, Conditions, Restrictions and Easements for Campbell Woods Subdivision (hereinafter "Declaration") recorded in Deed Book 403, Page 982, Haywood County Registry, several properties having been previously sold and conveyed and the remainder of which having been conveyed to Gulf Highway Land Corporation by deed of record in Deed Book 449, Page 1430, Haywood County Registry; and

WHEREAS, Article VI, TERM AND AMENDMENT, Paragraph B of said Declaration provides that the same may be amended by the DECLARANT until ninety percent (90%) of the lots have been conveyed or contracted for conveyance; and

WHEREAS, fewer than said ninety percent (90%) of such lots have been conveyed or contracted for conveyance; and

WHEREAS, by virtue of property interest and powers acquired pursuant to that deed of record in Deed Book 449, Page 1430, Haywood County Registry, Gulf Highway Land Corporation became the "Successor Declarant" to the original Declarant, Dingus Properties, Inc., as defined in Article I, Paragraph C of said Declaration; and

WHEREAS, said Successor Declarant desires to amend said Declaration;

NOW THEREFORE, Successor Declarant hereby amends said Declaration as follows:

1. Paragraph 4 of the original Declaration shall be amended by the addition of the following language:

"If and in the event Lots 1, 13, 14 and 15 of Campbell Woods Subdivision according to the plat of survey thereof recorded in Plat Cabinet C, Slot 347, Haywood County Registry, are rezoned from R-1 to C-1 by the Town of Maggie Valley, North Carolina, the back or southern

portion of said lots consisting of a strip thirty-five feet in width parallel to the said southern boundary of said lots shall be utilized only as a Buffer Area (or in the case of Lot 15, the portion remaining zoned C-1 after a portion of said Lot 15 may be recombined as residential property with Lots 16 and 17). Said Buffer Area must be left undisturbed, except for possible installation of underground utilities, and any vegetation removed for such utilities shall be replaced with vegetation of the same or similar nature. This Buffer Atrip may be augmented by additional vegetation.

Those owners of residential properties lying adjacent to such rezoned property may thin, trim and prune the vegetation within the Buffer Area to improve their views if desired.

IN WITNESS WHEREOF, the undersigned being the Successor Declarant has caused this instrument to be executed in its name this the 17th day of January, 2008.

SUCCESSOR DECLARANT
GULF HIGHWAY LAND CORPORATION

BY [Signature]
James N. Paxton, as its President

STATE OF Florida, COUNTY OF Hillsborough

I, a Notary Public of the County and State aforesaid, certify that JAMES N. PAXTON personally appeared before me this day and acknowledged that he is the President of GULF HIGHWAY LAND CORPORATION, a Florida Corporation, and that he as President, being authorized to do so, executed the foregoing instrument on behalf of the corporation. Witness my hand and official stamp or seal, this the 17th day of January 2008.

My Commission Exp.

[Signature]
Notary Public

