



2008011056

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

09-26-2008 03:55:26 PM

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

BK: RB 746

PG: 5-6

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

THIS SECOND 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":

W I T N E S S E T H:

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 IV, 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 contractor 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 sentence: The provisions of the Amendment to the Declaration of Covenants, Conditions, Restrictions, and Easements for Campbell Woods Subdivision dated May 12, 1997 and recorded May 22, 1997 in Book 459, Page 656, Haywood County Registry henceforth shall apply only to Lots 16, 17, 21, 22, 23 and the South ½ of Lot 15 of Campbell Woods Subdivision according to the plat of survey thereof recorded in Plat Cabinet C, Slot 347,

- Haywood County Registry.
- 2. Declarant hereby waives its right to amend the Declaration to make the amendment of record in Book 459, Page 656 Haywood County Registry applicable to any other lots except those hereinabove recited in paragraph 1.

IN WITNESS WHEREOF, the undersigned being the Successor Declarant has caused this instrument to be executed in its name this the 21st day of Sept., 2008.

SUCCESSOR DECLARANT:
GULF HIGHWAY LAND CORPORATION

BY *James N. Paxton*
James N. Paxton, as its President

STATE OF North Carolina, COUNTY OF Haywood

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 21st day of Sept. 2008.

My Commission Exp. JCK 7/07/13

John C. Kersten
Notary Public

