

FILED	
CHATHAM COUNTY NC	
LUNDAY A. RIGGSBEE	
REGISTER OF DEEDS	
FILED	Apr 27, 2023
AT	02:09:17 pm
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START PAGE	0065
END PAGE	0080
INSTRUMENT #	03568
EXCISE TAX	(None)

AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS AND ROAD MAINTENANCE AGREEMENT

Prepared by: William D. Bernard
Mail after recording to: Elizabeth Bromberg, 550 Old Stonehouse Road, Chapel Hill, NC 27516

THIS AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS AND ROAD MAINTENANCE AGREEMENT ("Amendment") is made and executed effective as of the Date of Amendment (as hereinafter defined) by **ALICIA ASHE; WILLIAM D. BERNARD** and spouse, **DEBRA S. BERNARD** (the "Bernards"); **ELIZABETH BROMBERG** and spouse, **SCOTT KOHN; RANDALL COTHREN** and spouse, **INDIA COTHREN**, and **BEN COTHREN; JOE GUARINO** and spouse, **JANICE GUARINO; NICHOLAS SICA KRENITSKY** and **LUCAS SICA KRENITSKY; DANNY LONG** and spouse, **SHELLY SKALICKY; MATT MCPEAK** and spouse, **SUZI WILSON; LARRY MICHELS; NANCY L. EARL** and **BILLY W. ROYAL; ROY TRIPP;** and **WENZEL PITELKA** and spouse, **LINDA PITELKA;** and **MICHAEL ZARZAR** and spouse, **KRISTA ZARZAR** (collectively the "Owners"); and **COLLINS MOUNTAIN LANDOWNERS' ASSOCIATION, INC.**, a North Carolina nonprofit corporation (the "Association").

Recitals

The Bernards and others made and entered into that certain Declaration of Restrictive Covenants and Road Maintenance agreement dated December 10, 1984, and recorded in Book 477, Page 39, Chatham County Registry (the "Declaration"). Each term defined in the Declaration shall have the same meaning in this Amendment as is ascribed to it in the Declaration unless otherwise expressly defined herein.

The Declaration shall expire on January 1, 2025, unless (a) by a vote of not less than two-thirds (2/3) of all voting shares of the Association the Association agrees to change the Declaration, in whole or in part, and (b) a properly acknowledged document accomplishing any such change is recorded in the Chatham County Registry.

The Owners are current Resident Owners and/or Non-Resident Owners as defined in the Declaration. Each of the Owners holds record title to a Lot that is subject to the provisions of the Declaration and is a member of the Association. The Owners collectively hold not less than two-thirds (2/3) of all voting shares of the Association as provided in the Declaration.

The Association is a duly organized and existing landowners' association having the rights, duties and obligations specified in the Declaration and by applicable law.

By their execution of this Amendment, the Owners and the Association confirm that the Owners have voted in favor of and approve each of the amendments and/or modifications to the Declaration set forth below.

NOW, THEREFORE, the Owners and the Association hereby amend and/or modify the Declaration as provided below and declare that each Lot and the Road shall be hereafter owned, held, occupied, improved, used, subdivided, mortgaged, transferred, sold, leased, rented and/or conveyed subject to and in accordance with any and all covenants, conditions, restrictions, easements, liens, charges, assessments, and equitable servitudes set forth in the Declaration, as amended and/or modified below, to the extent not inconsistent with the provisions of any applicable law. The purpose of the Declaration, as amended and/or modified below, shall be to enhance and protect the value, use, enjoyment and desirability of each Lot and the Road. The Declaration, as amended and/or modified below, and any and all of the covenants, conditions, restrictions, easements, liens, charges, assessments and equitable servitudes set forth in the Declaration, as amended and/or modified below, shall run with each Lot, and shall be binding upon and inure to the use, benefit and enjoyment of each Lot, each person having any right, title and/or interest in or to any Lot, or in any part, parcel or subdivision of any Lot, the Association, and their respective heirs, successors and/or assigns.

1. The term of the Declaration, including each of the covenants, conditions, restrictions, easements, liens, charges, assessments, and equitable servitudes set forth therein, is hereby renewed and extended up to, through and including December 31, 2045. Unless and until the owners of Lots collectively holding not less than two-thirds (2/3) of all voting shares of the Association, as provided in the Declaration, shall execute and record in the Chatham County Registry a document terminating the Declaration, the Declaration shall thereafter automatically renew and extend for consecutive periods of ten (10) calendar years each on January 1, beginning on January 1, 2046.

2. The Declaration may be amended and/or modified, in whole or in part, at any time, upon the recording of a document in the Chatham County Registry executed by the owners of Lots collectively holding not less than two-thirds (2/3) of all voting shares of the Association, as provided in the Declaration.

3. When and as used in this Amendment, the term "Date of Amendment" shall mean the latest date on which each of the parties hereto shall have executed this Amendment as indicated by the respective notary acknowledgements below.

4. The provisions of this Amendment shall be effective as of the date and time this Amendment is recorded in the Chatham County Registry.

5. Except to the limited extent expressly amended and/or modified herein, all of the covenants, conditions, restrictions, easements, liens, charges, assessments, and equitable servitudes set forth in the Declaration shall remain in full force and legal effect.

IN WITNESS WHEREOF, the Association and the Owners have each caused this Amendment to be executed on the day and year indicated below.

[Signatures begin on next page.]

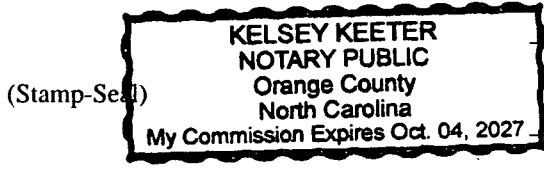
COLLINS MOUNTAIN LANDOWNERS' ASSOCIATION, INC., a North Carolina nonprofit corporation

By: *Daniel N. Long* (Seal)
DANIEL N. LONG, President

STATE OF NORTH CAROLINA
COUNTY OF Orange

I, the undersigned Notary Public of the State and County aforesaid, do hereby certify that Daniel N. Long personally appeared before me this day and acknowledged that he/she is the President of **COLLINS MOUNTAIN LANDOWNERS' ASSOCIATION, INC.**, a North Carolina nonprofit corporation; and that, by authority duly given, he/she voluntarily signed the foregoing instrument for and on behalf of the corporation in his/her capacity as President.

Witness my hand and official stamp or seal, this the 9th day of January, 2023.



Kelsey Keeter
Signature of Notary Public

Kelsey Keeter
Printed or Typed Name of Notary Public

My Commission Expires: October 4, 2027

[Signatures continue on next page.]

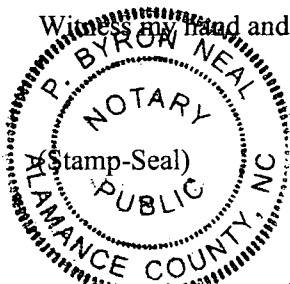
Alicia Ashe (Seal)
Alicia Ashe

Lot Address: 834 Old Stonehouse Road
Resident: X Non-Resident:

STATE OF NORTH CAROLINA
COUNTY OF Orange

I, the undersigned Notary Public of the State and County aforesaid, do hereby certify that Alicia Ashe personally appeared before me this day and acknowledged that she voluntarily signed the foregoing instrument for the purposes therein stated.

Witness my hand and official stamp or seal, this the 13 day of Feb., 2023



P. Byron Neal
Signature of Notary Public

P. Byron Neal
Printed or Typed Name of Notary Public

My Commission Expires: 3-3-2023

[Signatures continue on next page.]

[Signature] (Seal)
William D. Bernard

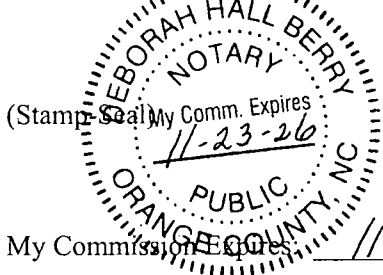
[Signature] (Seal)
Debra S. Bernard

Lot Address: 643 Old Stonehouse Road
Resident: X Non-Resident:

STATE OF NORTH CAROLINA
COUNTY OF Orange

I, the undersigned Notary Public of the State and County aforesaid, do hereby certify that **WILLIAM D. BERNARD** and spouse, **DEBRA S. BERNARD**, each personally appeared before me this day and acknowledged that he/she voluntarily signed the foregoing instrument for the purposes therein stated.

Witness my hand and official stamp or seal, this the 29th day of December, 2027.



[Signature]
Signature of Notary Public

Deborah Hall Berry
Printed or Typed Name of Notary Public

[Signatures continue on next page.]

Elizabeth Bromberg (Seal)
Elizabeth Bromberg

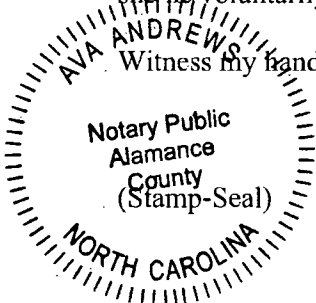
Scott Kohn (Seal)
Scott Kohn

Lot Address: 550 Old Stonehouse Road
Resident: X Non-Resident:

STATE OF NORTH CAROLINA
COUNTY OF Orange

I, the undersigned Notary Public of the State and County aforesaid, do hereby certify that Elizabeth Bromberg and spouse, Scott Kohn, each personally appeared before me this day and acknowledged that she/he voluntarily signed the foregoing instrument for the purposes therein stated.

Witness my hand and official stamp or seal, this the 22nd day of Feb., 2023.



Ava Andrews
Signature of Notary Public

Ava Andrews
Printed or Typed Name of Notary Public

My Commission Expires: Jan 18, 2025

[Signatures continue on next page.]

Randall Cothren (Seal)
Randall Cothren

India B Cothren (Seal)
India Cothren

Ben Cothren (Seal)
Ben Cothren

Lot Address: 889 Old Stonehouse Road

Resident: Non-Resident: X

Missouri
STATE OF ~~NORTH CAROLINA~~
COUNTY OF Putnam

I, the undersigned Notary Public of the State and County aforesaid, do hereby certify that Randall Cothren and spouse, India Cothren, each personally appeared before me this day and acknowledged that he/she voluntarily signed the foregoing instrument for the purposes therein stated.

Witness my hand and official stamp or seal, this the 30th day of March, 2023.

(Stamp-Seal)
JENNIFER L. HEIDENWITH
Notary Public - Notary Seal
STATE OF MISSOURI
Putnam County
My Commission Expires: September 11, 2025
Commission #: 13523753

Jennifer L Heidenwith
Signature of Notary Public
Jennifer L Heidenwith
Printed or Typed Name of Notary Public

My Commission Expires: _____

STATE OF NORTH CAROLINA
COUNTY OF Durham

I, the undersigned Notary Public of the State and County aforesaid, do hereby certify that Ben Cothren personally appeared before me this day and acknowledged that he voluntarily signed the foregoing instrument for the purposes therein stated.

Witness my hand and official stamp or seal, this the 13th day of April, 2023.

(Stamp-Seal)
DENISE STINNETT MILES
Notary Public
Durham County
North Carolina
My Commission Expires Apr 3, 2026

Denise Stinnett Miles
Signature of Notary Public
Denise Stinnett Miles
Printed or Typed Name of Notary Public

My Commission Expires: 04/03/2026 (psm)

[Signatures continue on next page.]

Joe Guarino (Seal)
Joe Guarino
Janice Guarino (Seal)
Janice Guarino

Lot Address: 552 Old Stonehouse Road
Resident: X Non-Resident:

STATE OF NORTH CAROLINA
COUNTY OF Durham

I, the undersigned Notary Public of the State and County aforesaid, do hereby certify that Joe Guarino and spouse, Janice Guarino, each personally appeared before me this day and acknowledged that he/she voluntarily signed the foregoing instrument for the purposes therein stated.

Witness my hand and official stamp or seal, this the 9th day of January, 2023

[Signature]
Signature of Notary Public

(Stamp-Seal)

Maria C Cross Notary Public Chatham County, NC My Commission Expires <u>8/27</u>

Maria Cross
Printed or Typed Name of Notary Public

My Commission Expires: 8/27

[Signatures continue on next page.]

Nick Krenitsky (Seal)
Nicholas Sica Krenitsky

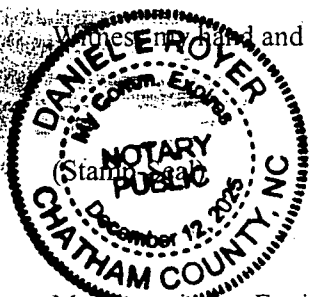
Lucas Sica Krenitsky (Seal)
Lucas Sica Krenitsky

Lot Address: 707 White Cross Road
Resident: X Non-Resident:

STATE OF NORTH CAROLINA
COUNTY OF CHATHAM

I, the undersigned Notary Public of the State and County aforesaid, do hereby certify that Nicholas Sica Krenitsky personally appeared before me this day and acknowledged that he voluntarily signed the foregoing instrument for the purposes therein stated.

Witness my hand and official stamp or seal, this the 30 day of MARCH, 2023.



Daniel E Royer
Signature of Notary Public

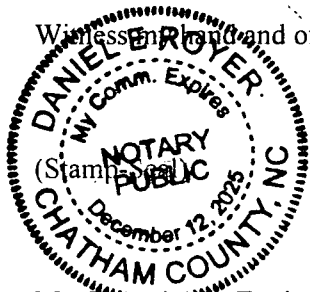
DANIEL E ROYER
Printed or Typed Name of Notary Public

My Commission Expires: _____

STATE OF NORTH CAROLINA
COUNTY OF CHATHAM

I, the undersigned Notary Public of the State and County aforesaid, do hereby certify that Lucas Sica Krenitsky personally appeared before me this day and acknowledged that he voluntarily signed the foregoing instrument for the purposes therein stated.

Witness my hand and official stamp or seal, this the 30 day of MARCH, 2023.



Daniel E Royer
Signature of Notary Public

DANIEL E ROYER
Printed or Typed Name of Notary Public

My Commission Expires: _____

[Signatures continue on next page.]

Danny Long (Seal)
Danny Long

Shelly Skalicky (Seal)
Shelly Skalicky

Lot Address: 312 Old Stonehouse Road
Resident: X Non-Resident:

STATE OF NORTH CAROLINA
COUNTY OF Orange

I, the undersigned Notary Public of the State and County aforesaid, do hereby certify that Danny Long and spouse, Shelly Skalicky, each personally appeared before me this day and acknowledged that he/she voluntarily signed the foregoing instrument for the purposes therein stated.

Witness my hand and official stamp or seal, this the 9th day of January, 2023.

(Stamp-Seal)
**KELSEY KEETER
NOTARY PUBLIC
Orange County
North Carolina
My Commission Expires Oct. 04, 2027**

Kelsey Keeter
Signature of Notary Public

Kelsey Keeter
Printed or Typed Name of Notary Public

My Commission Expires: October 4, 2027

[Signatures continue on next page.]

M. R. McPeak (Seal)
Matt McPeak

[Signature] (Seal)
Suzi Wilson

Lot Address: 887 Old Stonehouse Road
Resident: X Non-Resident:

STATE OF NORTH CAROLINA
COUNTY OF Orange

I, the undersigned Notary Public of the State and County aforesaid, do hereby certify that Matt McPeak and spouse, Suzi Wilson, each personally appeared before me this day and acknowledged that he/she voluntarily signed the foregoing instrument for the purposes therein stated.

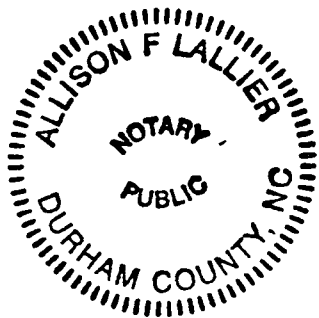
Witness my hand and official stamp or seal, this the 22nd day of February, 2023.

(Stamp-Seal)

Allison F. Lallier
Signature of Notary Public

Allison F. Lallier
Printed or Typed Name of Notary Public

My Commission Expires: March 31, 2024

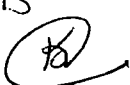


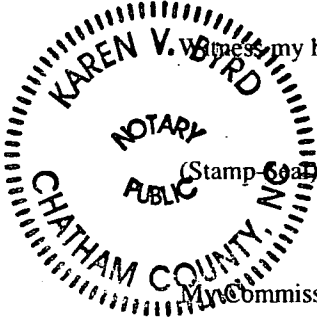
[Signatures continue on next page.]

Larry S. Michels (Seal)
~~Larry Michels~~ LARRY MICHELS
LSM

Lot Address: 892 Old Stonehouse Road
Resident: X Non-Resident:

STATE OF NORTH CAROLINA
COUNTY OF Chatham

I, the undersigned Notary Public of the State and County aforesaid, do hereby certify that Larry ^{Michels} ~~Michels~~ personally appeared before me this day and acknowledged that he voluntarily signed the foregoing instrument for the purposes therein stated. 



Witness my hand and official stamp or seal, this the 3 day of January, 2023.

Karen V. Byrd
Signature of Notary Public

Karen V. Byrd
Printed or Typed Name of Notary Public

My Commission Expires: 5-4-2027

[Signatures continue on next page.]

Nancy L. Earl (Seal)

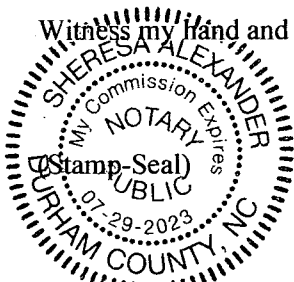
Billy W. Royal (Seal)
Billy W. Royal

Lot Address: 894 Old Stonehouse Road
Resident: X Non-Resident:

STATE OF NORTH CAROLINA
COUNTY OF Orange

I, the undersigned Notary Public of the State and County aforesaid, do hereby certify that Nancy L. Earl and Billy Royal each personally appeared before me this day and acknowledged that he/she voluntarily signed the foregoing instrument for the purposes therein stated.

Witness my hand and official stamp or seal, this the 23 day of January, 2023.



Sheresa Alexander
Signature of Notary Public

Sheresa Alexander
Printed or Typed Name of Notary Public

My Commission Expires: 7/29/2023

[Signatures continue on next page.]

ROY TRIPP (Seal)
Roy Tripp

Lot Address: 896 Old Stonehouse Road
Resident: X Non-Resident:

STATE OF NORTH CAROLINA
COUNTY OF NC

I, the undersigned Notary Public of the State and County aforesaid, do hereby certify that Roy Tripp personally appeared before me this day and acknowledged that he voluntarily signed the foregoing instrument for the purposes therein stated.



Witness my hand and official stamp or seal, this the 30th day of March, 2023.

Chase A. Hester
Signature of Notary Public

Chase A. Hester
Printed or Typed Name of Notary Public

My Commission Expires: 03/14/2026

[Signatures continue on next page.]

[Signature] (Seal)
Wenzel Pitelka

[Signature] (Seal)
Linda Pitelka

Lot Address: 714 Old Stonehouse Road
Resident: X Non-Resident:

STATE OF NORTH CAROLINA
COUNTY OF Orange

I, the undersigned Notary Public of the State and County aforesaid, do hereby certify that Wenzel Pitelka and spouse, Linda Pitelka, each personally appeared before me this day and acknowledged that he/she voluntarily signed the foregoing instrument for the purposes therein stated.

Witness my hand and official stamp or seal, this the 10 day of March, 2023.

(Stamp-Seal)

CAROL SMALL
NOTARY PUBLIC
Orange County
North Carolina
My Commission Expires October 24, 2027

[Signature]
Signature of Notary Public
Carol Small
Printed or Typed Name of Notary Public

My Commission Expires: 10/24/2027

[Signature pages conclude.]

Michael Zarzar (Seal)
Michael Zarzar

Krista R. Zarzar (Seal)
Krista Zarzar

Lot Address: 105 Old Stonehouse Road
Resident: X Non-Resident:

STATE OF NORTH CAROLINA
COUNTY OF Wake

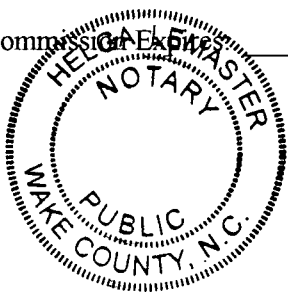
I, the undersigned Notary Public of the State and County aforesaid, do hereby certify that Michael Zarzar and spouse, Krista Zarzar, each personally appeared before me this day and acknowledged that he/she voluntarily signed the foregoing instrument for the purposes therein stated.

Witness my hand and official stamp or seal, this the 1 day of March, 2023.

(Stamp-Seal)

Helga Lemaster
Signature of Notary Public
Helga Lemaster
Printed or Typed Name of Notary Public

My Commission Expires 10/14/23



[Signature pages conclude.]