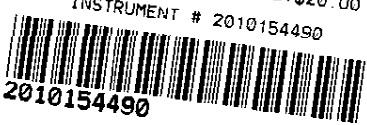


FOR REGISTRATION J. DAVID GRANBERRY
 REGISTER OF DEEDS
 MECKLENBURG COUNTY, NC
 2010 DEC 29 01:24:50 AM
 BK: 26183 PG: 97-100 FEE: \$20.00
 INSTRUMENT # 2010154490

 2010154490

Prepared by & Return to KENNEDY & WULFHORST, P.A. Denver, NC
 Return To: Kimbelly E. Fox Box 41

STATE OF NORTH CAROLINA

AMENDMENT TO RESTRICTIVE COVENANTS

COUNTY OF MECKLENBURG

KERNS MEADOW SUBDIVISION

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR KERNS MEADOW SUBDIVISION (the "Amendment") is made and entered into this 23rd day of December, 2010, by HECHT PROPERTIES, LLC, a North Carolina Limited Liability Company, ("Declarant") and the undersigned being a holding ~~being a majority of the then owners of~~ votes appurtenant to the lots in Kerns Meadow Subdivision.

The lot owners are:

<u>Name</u>	<u>Lot</u>	<u>Deed</u>
Hecht Properties, LLC	Lot 1	Book 19892, Page 671
Hecht Properties, LLC	Lot 2	Book 19892, Page 671
Hecht Properties, LLC	Lot 3	Book 19892, Page 671
Hecht Properties, LLC	Lot 4	Book 19892, Page 671
Mycroft, LLC 610	Lot 5	Book 26037, Page
Hecht Properties, LLC	Lot 6	Book 19892, Page 671
Hecht Properties, LLC	Lot 7	Book 19892, Page 671
Robert Murray Cox, Jr. and wife, Rebecca Mallory Cox	Lot 8	Book 22872, Page 131
Hecht Properties, LLC	Lot 9	Book 19892, Page 671
Brian M. Richards and wife, Kimberly A. H. Richards	Lot 10	Book 24995, Page 611
Hecht Properties, LLC	Lot 11	Book 19892, Page 671
Hecht Properties, LLC	Lot 12	Book 19892, Page 671

WHEREAS, Declarant is the Declarant under that certain Declaration of Covenants, Conditions and Restrictions - Kerns Meadow, dated June 13, 2007 and recorded in Book 22367, Page 186 and amended in Book 23012, Page 798 in the Office of Register of Deeds of Mecklenburg County (as amended and supplemented from time to time, the "Declaration"), Declarant subjected certain real property located in Mecklenburg County, North Carolina, to

the protective covenants, conditions and restrictions set forth in the Declaration; and

WHEREAS, Declarant pursuant to Article XIII, Section 3 of the Declaration, Declarant has the right to amend the Declaration with a majority of the then owners of the lots in Kerns Meadow Subdivision; and

WHEREAS, Declarant desires to amend the Declaration to clarify the definition of certain terms.

NOW, THEREFORE, in consideration of the premises and for the purposes aforesaid, the undersigned for themselves, their successors and assigns and the future Grantees and Lessees, do hereby declare that the Restrictions set out in that certain Declaration of Covenants, Conditions and Restrictions - Kerns Meadow recorded in Book 22367 at Page 186 and as amended thereafter from time to time, are hereby amended as follows:

AMENDMENT

Article IV of the Declaration is hereby amended as follows:

Section 3. Relinquishment of Control. Notwithstanding anything contained herein to the contrary, the Class B membership shall cease and be converted to the Class A membership upon the earliest to occur of (a) the date on which Declarant no longer owns any part of the Property (b) the date Declarant shall elect, in its sole discretion that the Class B membership shall cease and be converted to the Class A membership (which election may be made, if at all, upon Declarant giving written notice of the election to the Board); or (c) December 31, 2014. The earliest to occur of (a), (b) or (c) above shall herein be referred to as the "Turnover Date." After the Turnover Date and for so long as Declarant owns any part of the Property, Declarant shall be a Class A member.

Article VII of the Declaration is hereby amended as follows:

Section 2. Dwelling Size. The square footage requirement set forth below are for enclosed heated floor area and are exclusive of the areas in heated or unheated basements, vaulted ceiling areas and attics, unheated porches of any type, attached or detached garages, porte-cocheres and unheated storage areas, decks and patios.

Any Dwelling erected upon any Lot shall contain not less than the following heated floor areas:

	<u>Minimum Total Heated Area</u>	<u>Minimum Ground Floor Heated Area</u>
1 Story	2,200	2,200
1 ½ Story	2,400	1,300
Multi-Level	2,400	1,300

IN WITNESS WHEREOF the undersigned as lot owners in Kerns Meadow Subdivision, for the purpose of modifying and changing its restrictions have hereunto set their hands and seals this the 23rd day of December, 2010.

HECHT PROPERTIES, LLC

By: *Robert V. Hecht*
Robert V. Hecht, Member/Manager

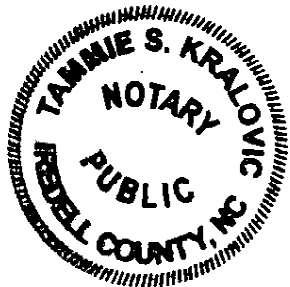
NORTH CAROLINA
LINCOLN COUNTY

I, the undersigned, a Notary Public for said ^{Fredell} County and State aforesaid, certify that Robert V. Hecht personally appeared before me this day and acknowledged that he is Member/Manager of HECHT PROPERTIES, LLC, ^{and that} the foregoing instrument was signed in its name by its Member/Manager on behalf of the company.

WITNESS my hand and official stamp or seal, this 23rd day of December, 2010.

My Commission
Expires: December 26, 2011

Tammie S. Kralovic
Notary Public *Tammie S. Kralovic*





J. DAVID GRANBERRY
REGISTER OF DEEDS, MECKLENBURG
COUNTY & COURTS OFFICE BUILDING
720 EAST FOURTH STREET
CHARLOTTE, NC 28202

PLEASE RETAIN YELLOW TRAILER PAGE

It is part of the recorded document, and must be submitted with original for re-recording
and/or cancellation.

Filed For Registration: 12/29/2010 01:24:50 PM

Book: RE 26183 Page: 97-100

Document No.: 2010154490

R/C 4 PGS \$20.00

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