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TRANSYLVANIA CO, NC FEE \$26.00
PRESENTED & RECORDED:

07-09-2014 02:57:53 PM

CINDY M OWNBEY
REGISTER OF DEEDS
BY: BEVERLY MCJUNKIN
DEPUTY REGISTER OF DEEDS

BK: DOC 696

PG: 688-700

Prepared by: Gayle E. Ramsey

STATE OF NORTH CAROLINA,

COUNTY OF TRANSYLVANIA.

**AMENDMENT TO DECLARATION OF
RESTRICTIVE COVENANTS OF
BIG HILL ACREAGE HOMESTEADS
PHASE II
GREEN HOLLOW SUBDIVISION**

This amendment to the Declaration of Restrictive Covenants of Big Hill Acreage Homesteads Phase II Green Hollow Subdivision is made and entered into by the undersigned owners of lots located in the development known as Big Hill Acreage Homesteads Phase II Green Hollow Subdivision whose lots are subject to the terms of the Declaration of Restrictive Covenants of Big Hill Acreage Homesteads Phase II Green Hollow Subdivision dated May 22, 2006, and recorded in the office of the Register of Deeds for Transylvania County in Document Book 350, page 328.

WITNESSETH:

THAT WHEREAS, Robin Hood, Inc. (sometimes hereinafter referred to as the "Developer"), the Developer of Big Hill Acreage Homesteads Phase II Green Hollow Subdivision, has recorded in the office of the Register of Deeds for Transylvania County in Document Book 350, page 328, a certain Declaration of Restrictive Covenants (sometimes hereinafter referred to as the "Declaration") for the Development known as Big Hill Acreage Homesteads Phase II Green Hollow Subdivision; and

WHEREAS, the Declaration was subsequently amended in Amendments thereto recorded in the office of the Register of Deeds for Transylvania County in Document Book 398, page 657, and Document Book 688, page 489; and

WHEREAS, the undersigned lot owners who constitute the owners of more than sixty-seven percent (67%) of the lots in the Development now desire to amend the Declaration in the manner herein set forth.

NOW, THEREFORE, the undersigned lot owners do hereby amend the Declaration as follows:

By deleting all of Section A of Article II thereof and substituting in lieu thereof a new Section A of Article II which shall read as follows:

A. Activities either Prohibited or Requiring Developer's Approval.

1. No single-family dwelling, porch, terrace, private garage, carport or other structure authorized under the provisions of this Declaration or any Amendment or Supplemental Declaration thereto shall be constructed, erected, situated or altered on any lot until the following is completed and approved by the Developer:

(a) A site plan having dimensions of not less than 11" x 17" nor greater than 18" x 24" shall be prepared by a licensed surveyor, showing the proposed structure's location on the lot within the building setback areas specified by these covenants, and the proposed location of such structure and the building setback lines must be staked on the lot. The site plan must show the erosion control measures to be followed before, during and after the completion of the construction. No site work may commence prior to Developer's approval of the site plan. Two sets of the site plan are to be submitted to Developer.

(b) Two sets of building floor and elevations plans having dimensions of not less than 11" x 17" nor greater than 18" x 24" must be submitted to Developer which must show at a minimum the type of foundation, siding and roofing material. Exposed foundations may be concrete or block, if stone or brick veneered, or stucco if paint is applied. No metal siding is permitted. Only earth tones are permitted for exterior paint and composition shingles. No blue metal roofing is permitted.

(c) A reasonable review fee of not less than \$50.00 shall be paid to Developer at the time the site plan and building floor and elevations plan hereinabove provided for are submitted to Developer. Developer reserves the right to adjust said fee upward on the first day of each calendar year commencing on the first day of January, 2007, and continuing on the first day of each calendar year thereafter.

2. Natural drainage or road culvert drainage shall not be changed without the approval of Developer. Developer shall not be responsible for any drainage problems affecting any lot.

3. With the exception of a chicken run which has been constructed and located on a lot in conformance with the requirements of Article VI of this Declaration, no fence may be constructed on any lot which is visible from any point in the development which is located outside of the boundaries of such lot.

4. If geothermal heating and cooling is desired, only a closed loop system is permitted.

5. Other than required for the driveway, septic system and house footprint location, no brush or shrubs, including but not limited to mountain laurel, wild azaleas, rhododendrons, or trees greater than eight inches in diameter as measured approximately four feet above the ground, shall be cut, trimmed, or removed from any lot or portion of any other land subject to this Declaration prior to approval by Developer unless located within twenty feet of an authorized structure. Denial or approval by Developer of such trimming or removal for purposes such as felling trees to create a view or to resolve safety issues may be based upon any reasonable grounds, including purely aesthetic considerations. No open burning of any kind shall be permitted. As it is the Developer's intention that insofar as is feasible, lots will be left in their natural state with natural vegetation located thereon, no grass lawn shall be planted or maintained on any lot. Reasonable clearing outside the home site area for additional vegetation is permitted with the approval of the Developer, which permission shall not be unreasonably withheld, as it is the intention of this section of these covenants to maintain the grandeur of the natural habitat and environment and to grant flexibility of safe use and enjoyment by the lot owners.

The approval of a lot owner's Firewise Landscaping Plan as provided by the North Carolina Division of Forest Resources shall not be denied so long as such plan does not include planting or maintaining a grass lawn on such owner's lot.

The Developer's approval shall not be required for the following:

- a. The removal of dead trees, bushes or branches thereof;
- b. The judicious removal of tree branches or trimming bushes to improve air circulation, sunlight or a view;
- c. The removal of any tree located more than twenty feet from an authorized structure which is in danger of falling and causing damage or harm to such structure;
- d. The seeding of septic fields and exposed graded banks to stabilize the soil
- e. The outdoor use of a cooking grill, fire pit with lid or a Chiminea

IN WITNESS WHEREOF, Robin Hood, Inc., the Developer, and the owners of the other lots hereinafter designated whose signatures appear on the 9 signature pages which are attached hereto and incorporated herein by reference, who collectively constitute the owners of more than sixty-seven percent (67%) of the lots in the Development, have executed this amendment to the Declaration of Restrictive Covenants of Big Hill Acreage Homesteads Phase II Green Hollow Subdivision which shall become effective upon its recordation in the office of the Register of Deeds for Transylvania County.

Developer:

Lots owned by
Developer:

ROBIN HOOD, INC.

Lots Nos. 103, 105, 106, 107
115, 116, 117, 120, 121, 122,
124, 126, 128, 129, 130, 131

By: Arthur M. Dehon, Jr. (SEAL)
Arthur M. Dehon, Jr., President

STATE OF NORTH CAROLINA,
COUNTY OF TRANSYLVANIA.

I, the undersigned Notary Public of the County and State aforesaid, certify that Arthur M. Dehon, Jr., personally appeared before me this day and acknowledged that he is the President of ROBIN HOOD, INC., a North Carolina corporation, and that by authority duly given and as the act of such entity, he signed the foregoing instrument in its name on its behalf as its act and deed.

Witness my hand and Notarial stamp or seal, this 9th day of July, 2014.

Mary M Rose
Signature of Notary Public

My commission expires: 6/30/2017
Mary M Rose
Printed or typed name of Notary Public



PAGE 1 OF OWNERS' SIGNATURE PAGES TO AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS OF BIG HILL ACREAGE HOMESTEADS PHASE II GREEN HOLLOW SUBDIVISION

The undersigned owner(s) of the lot or lots hereinafter designated hereby consent to amending the Declaration of Restrictive Covenants recorded in the office of the Register of Deeds for Transylvania County in Document Book 350, page 328, in the manner set forth in the amendment thereto to which this signature page is attached and in which it is incorporated by reference and agree to be bound by the terms of said amendment.

Individual Owner(s) of Lot(s):

Lot No. 101

Kenneth Carlson (SEAL)
Lot Owner's Signature

Kenneth Carlson
Lot Owner's Printed Name

Laura B Carlson (SEAL)
Co-Owner's (or spouse's) Signature

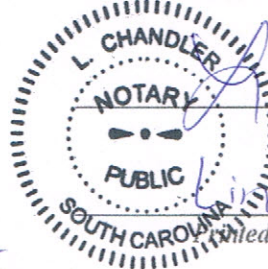
LAURA B CARLSON
Co-Owner's (or spouse's) Printed Name

STATE OF SC,
COUNTY OF Greenville.

I, a Notary Public of said State and County, do hereby certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Kenneth + Laura Carlson
Names of individuals whose signatures are being notarized

WITNESS my hand and Notarial Seal, this the 21 day of June, 2014.



L. Chandler
Signature of Notary Public

Lindsay Chandler
Printed or Typed Name of Notary Public

My commission expires: 2-10-15.

PAGE 2 OF OWNERS' SIGNATURE PAGES TO AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS OF BIG HILL ACREAGE HOMESTEADS PHASE II GREEN HOLLOW SUBDIVISION

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Individual Owner(s) of Lot(s):

Lot No. 108 & 109

Thomas Ray Stewart (SEAL)
Lot Owner's Signature

THOMAS RAY STEWART
Lot Owner's Printed Name

Susanne J. Stewart (SEAL)
Co-Owner's (or spouse's) Signature

Susanne J. Stewart
Co-Owner's (or spouse's) Printed Name

STATE OF NC
COUNTY OF Dalton

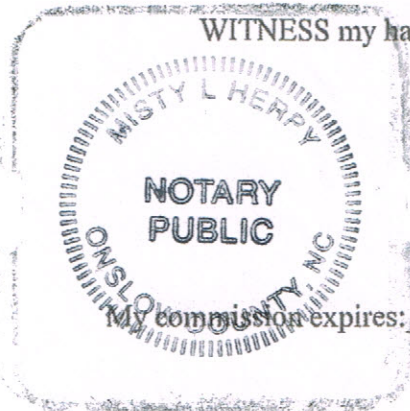
I, a Notary Public of said State and County, do hereby certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Thomas Ray Stewart Susanne J Stewart
Names of individuals whose signatures are being notarized

WITNESS my hand and Notarial Seal, this the 28 day of June, 2014.

Misty L Herpy
Signature of Notary Public

Misty L Herpy
Printed or Typed Name of Notary Public



PAGE 3 OF OWNERS' SIGNATURE PAGES TO AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS OF BIG HILL ACREAGE HOMESTEADS PHASE II GREEN HOLLOW SUBDIVISION

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Lot No. 110

Individual Owner(s) of Lot(s):

[Signature] (SEAL)
Lot Owner's Signature

John W Harris III
Lot Owner's Printed Name

Elinor M. Harris (SEAL)
Co-Owner's (or spouse's) Signature

Elinor M. Harris
Co-Owner's (or spouse's) Printed Name

STATE OF South Carolina
COUNTY OF Lexington

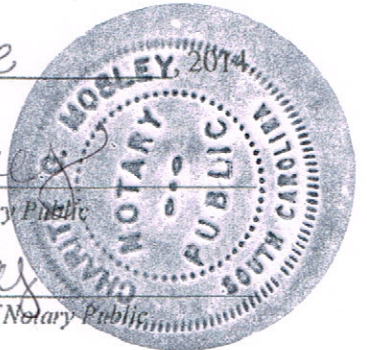
I, a Notary Public of said State and County, do hereby certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

John W. Harris III Elinor M. Harris
Names of individuals whose signatures are being notarized

WITNESS my hand and Notarial Seal, this the 18 day of June

Charity Mosley
Signature of Notary Public

Charity Mosley
Printed or Typed Name of Notary Public



My commission expires: June 2, 2015

PAGE 4 OF OWNERS' SIGNATURE PAGES TO AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS OF BIG HILL ACREAGE HOMESTEADS PHASE II GREEN HOLLOW SUBDIVISION

The undersigned owner(s) of the lot or lots hereinafter designated hereby consent to amending the Declaration of Restrictive Covenants recorded in the office of the Register of Deeds for Transylvania County in Document Book 350, page 328, in the manner set forth in the amendment thereto to which this signature page is attached and in which it is incorporated by reference and agree to be bound by the terms of said amendment.

Lot No. 111

Individual Owner(s) of Lot(s):

Smyth F. McCrady (SEAL)
Lot Owner's Signature

Smyth F. McCrady
Lot Owner's Printed Name

Rahn P. McCrady (SEAL)
Co-Owner's (or spouse's) Signature

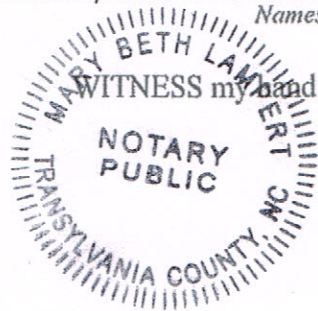
Rahn P. McCrady
Co-Owner's (or spouse's) Printed Name

STATE OF North Carolina,
COUNTY OF Transylvania.

I, a Notary Public of said State and County, do hereby certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Smyth M^c Crady Rahn M^c Crady
Names of individuals whose signatures are being notarized

WITNESS my hand and Notarial Seal, this the 13 day of June, 2014.



Mary Beth Lampert
Signature of Notary Public

MARY BETH LAMPERT
Printed or Typed Name of Notary Public

My commission expires: 11/1/14.

PAGE 5 OF OWNERS' SIGNATURE PAGES TO AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS OF BIG HILL ACREAGE HOMESTEADS PHASE II GREEN HOLLOW SUBDIVISION

The undersigned owner(s) of the lot or lots hereinafter designated hereby consent to amending the Declaration of Restrictive Covenants recorded in the office of the Register of Deeds for Transylvania County in Document Book 350, page 328, in the manner set forth in the amendment thereto to which this signature page is attached and in which it is incorporated by reference and agree to be bound by the terms of said amendment.

Lot No. 114

Individual Owner(s) of Lot(s):

Ralph N. Mendenhall (SEAL)
Lot Owner's Signature

RALPH N. MENDENHALL
Lot Owner's Printed Name

Virginia A. Mendenhall (SEAL)
Co-Owner's (or spouse's) Signature

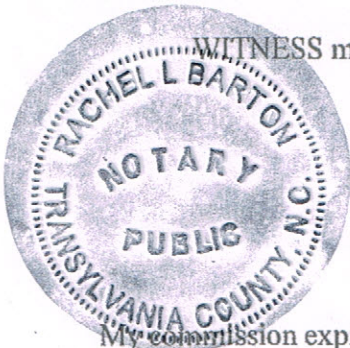
VIRGINIA A. MENDENHALL
Co-Owner's (or spouse's) Printed Name

STATE OF North Carolina
COUNTY OF Transylvania

I, a Notary Public of said State and County, do hereby certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Ralph N. Mendenhall and Virginia A. Mendenhall
Names of individuals whose signatures are being notarized

WITNESS my hand and Notarial Seal, this the 27th day of June, 2014.



Rachel L. Barton
Signature of Notary Public

Rachel L. Barton
Printed or Typed Name of Notary Public

My commission expires: 1/14/2014

PAGE 6 OF OWNERS' SIGNATURE PAGES TO AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS OF BIG HILL ACREAGE HOMESTEADS PHASE II GREEN HOLLOW SUBDIVISION

The undersigned owner(s) of the lot or lots hereinafter designated hereby consent to amending the Declaration of Restrictive Covenants recorded in the office of the Register of Deeds for Transylvania County in Document Book 350, page 328, in the manner set forth in the amendment thereto to which this signature page is attached and in which it is incorporated by reference and agree to be bound by the terms of said amendment.

Lot No. 123

Individual Owner(s) of Lot(s):

Ronald Wingard (SEAL)
Lot Owner's Signature

RONALD WINGARD
Lot Owner's Printed Name

Leslie Wingard (SEAL)
Co-Owner's (or spouse's) Signature

Leslie Wingard
Co-Owner's (or spouse's) Printed Name

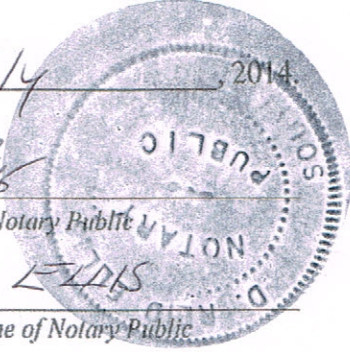
STATE OF SOUTH CAROLINA,
COUNTY OF RICHLAND.

I, a Notary Public of said State and County, do hereby certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

RONALD WINGARD LESLIE WINGARD
Names of individuals whose signatures are being notarized

WITNESS my hand and Notarial Seal, this the 1st day of July, 2014.

D. Reid Ellis
Signature of Notary Public
D. REID ELLIS
Printed or Typed Name of Notary Public



My commission expires: January 21, 2015

PAGE 7 OF OWNERS' SIGNATURE PAGES TO AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS OF BIG HILL ACREAGE HOMESTEADS PHASE II GREEN HOLLOW SUBDIVISION

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Lot No. 127

Individual Owner(s) of Lot(s):

[Signature] (SEAL)
Lot Owner's Signature

Randall D Aumen
Lot Owner's Printed Name

[Signature] (SEAL)
Co-Owner's (or spouse's) Signature

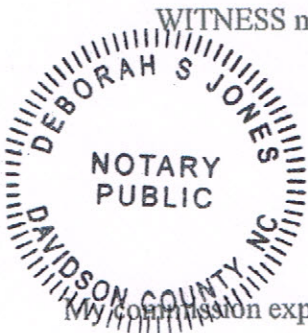
Roberta Aumen
Co-Owner's (or spouse's) Printed Name

STATE OF North Carolina,
COUNTY OF Davidson.

I, a Notary Public of said State and County, do hereby certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Randall D. Aumen and Roberta Aumen
Names of individuals whose signatures are being notarized

WITNESS my hand and Notarial Seal, this the 10 day of June, 2014.



[Signature]
Signature of Notary Public

Deborah S. Jones
Printed or Typed Name of Notary Public

PAGE 8 OF OWNERS' SIGNATURE PAGES TO AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS OF BIG HILL ACREAGE HOMESTEADS PHASE II GREEN HOLLOW SUBDIVISION

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Lot No. 132

Individual Owner(s) of Lot(s):

Robert J. Metz (SEAL)
Lot Owner's Signature

ROBERT J. METZ
Lot Owner's Printed Name

Jana S. Metz (SEAL)
Co-Owner's (or spouse's) Signature

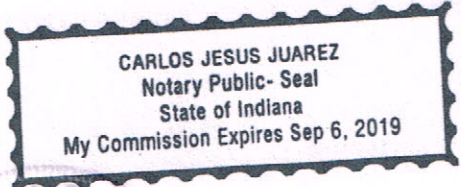
Jana S. Metz
Co-Owner's (or spouse's) Printed Name

STATE OF Indiana,
COUNTY OF Elkhart.

I, a Notary Public of said State and County, do hereby certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Robert J. Metz & Jana S. Metz
Names of individuals whose signatures are being notarized

WITNESS my hand and Notarial Seal, this the 26th day of June, 2014.



Carlos Jesus Juarez
Signature of Notary Public

Carlos Jesus Juarez
Printed or Typed Name of Notary Public

My commission expires: 06 September 2019.



PAGE 9 OF OWNERS' SIGNATURE PAGES TO AMENDMENT TO DECLARATION OF RESTRICTIVE COVENANTS OF BIG HILL ACREAGE HOMESTEADS PHASE II GREEN HOLLOW SUBDIVISION

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Individual Owner(s) of Lot(s):

Lot No. 134

[Signature] (SEAL)
Lot Owner's Signature

KENNETH A. SHULL
Lot Owner's Printed Name

[Signature] (SEAL)
Co-Owner's (or spouse's) Signature

HEIDI L SHULL
Co-Owner's (or spouse's) Printed Name

STATE OF NC,
COUNTY OF POLK.

I, a Notary Public of said State and County, do hereby certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Kenneth A. Shull Heidi L. Shull
Names of individuals whose signatures are being notarized

WITNESS my hand and Notarial Seal, this the 30 day of June, 2014.

Deena Dimsdale
Signature of Notary Public

Deena Dimsdale
Printed or Typed Name of Notary Public

