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02/14/2017 11:41:04 AM

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STATE OF NORTH CAROLINA
HENDERSON COUNTY

AMENDMENT AND ADDENDUM TO COVENANTS
AND RESTRICTIONS FOR CUMMINGS COVE

This Addendum and Amendment to Covenants and Restrictions for Cummings Cove and Amendment and Addendum to the Landscape and Reservation of View Easement is made and entered into in Hendersonville, Henderson County, North Carolina by and between Cummings Cove Company, L.L.C., a Florida Limited Liability Company, hereinafter referred to as "CCC," and Cummings Cove Investment, LLC, a North Carolina Limited Liability Company, hereinafter referred to as "CCI" on this 4th day of January, 2017.

WITNESSETH

WHEREAS, CCC and CCI own all of the unsold and/or undeveloped real property in Cummings Cove Golf and County Club by virtue of deeds recorded in Deed Book 1211 at Page 173, in Deed Book 954 at Page 369 and in Deed Book 963 at Page 345, all of the records of the Registry for Henderson County, North Carolina; and

WHEREAS, that property known generally as Cummings Cove was subjected to Covenants and Restrictions on May 7, 1985 recorded in Deed Book 658 at Page 44, Henderson County Registry, which covenants were supplemented by instrument recorded in Deed Book 723 at Page 767, Henderson County Registry, and Restatement and Amendment recorded in Deed Book 1036 at Page 499, Henderson County Registry, restated in that Restatement and Amendment to Covenants and Restrictions dated May 12, 2009 and recorded in Deed Book 1385 at Page 171, and to Restatement and

Amendment to Covenants and Restrictions dated March 13, 2012 and recorded in Deed Book 1490 at Page 197, and Amendment to Covenants and Restrictions for Cummings Cove recorded July 17, 2012 in Deed Book 1502 at Page 366, and Amendment to Covenants and Restrictions for Cummings Cove recorded on September 11, 2013 in Deed Book 1547 at Page 15, and Amendment to Covenants and Restrictions for Cummings Cove recorded in Deed Book 1612 at Page 677 of the Henderson County Registry, and also a portion of the Cummings Cove Golf and Country Club Community was subjected to a Landscape and Reservation of a View Easement by virtue of a document recorded in the Office of the Registry for Henderson County, North Carolina, in Deed Book 1241 at Page 674; and

WHEREAS, CCI and CCC now desire to add the provisions of the Landscape and Reservation of a View Easement to the remaining unsold and undeveloped properties in the Mountain Top Section of Cummings Cove and to the additional phases of Mountain Top that will hereafter be recorded and filed in the Registry for Henderson County, North Carolina, with said additional phases currently being shown on the Master Plan of Cummings Cove Golf and Country Club by Civil Design Concepts, PA, which Master Plan now is found in the office of Cummings Cove Golf and Country Club in Henderson County, North Carolina; and

WHEREAS, the previously sold lots in the Mountain Top Section of Cummings Cove have also been transferred subject to the provisions of the Reservation of a View Easement; and

WHEREAS, CCI and CCC intend to develop the remaining phases in Mountain Top in Cummings Cove Golf and Country Club according to the Master Plan and desire to subject the remaining unsold developed properties and undeveloped properties in the Mountain Top Sections of Cummings Cove to the terms and provisions of the Landscape and Reservation of a View Easement recorded in Deed Book 1241 at Page 674 of the Registry for Henderson County, North Carolina, and this document shall provide notice to any future purchasers of undeveloped properties or developed lots within Mountain Top Subdivision that have not yet been sold to the provisions of the Landscape and Reservation of a View Easement document recorded in Deed Book 1241 at Page 674; and

WHEREAS, CCI and CCC do acknowledge and agree that the provisions of the Landscape and Reservation of a View Easement give and grant to a committee comprised of three (3) members and that committee has the right to adopt additional rules and regulations to ensure efficiency of the Landscape and Reservation of a View Easement. CCI and CCC do by this document acknowledge that the committee is currently appointed by the Design and Review Board referenced out in the Restrictive Covenants and Conditions set out above within Cummings Cove.

This Addendum and Amendment is made by CCI and CCC pursuant to the authority granted in Paragraph 11 of the Landscape and Reservation of a View Easement and to Paragraph 11.5 of the current Restrictions for Cummings Cove.

Except as amended by this Addendum and Amendment, all of the provisions of the Covenants and Restrictions for Cummings Cove and provisions of the Landscape and Reservation of a View Easement referenced in documents set out above are to remain in full force and effect.

IN WITNESS WHEREOF, the undersigned member/manager of CCC and member/manager of CCI have set their hands and seals to this document on the date and year first above written.

CUMMINGS COVE COMPANY, LLC,
a Florida Limited Liability Company

By: 

Member/Manager

CUMMINGS COVE INVESTMENT, L.L.C.
a North Carolina Limited Liability Company

By: 

Member/Manager

STATE OF N.C.
COUNTY OF Henderson

I, Debbie L. Hill, a Notary Public in and for the above County and State, do hereby certify that Shannon R. Ginn, Member/Manager of Cummings Cove Company, LLC, a Florida Limited Liability Company, personally appeared before me this day and acknowledged the due execution of the foregoing instrument on behalf of the company.

WITNESS my hand and seal, this the 4th day of January 2017
2010.

My commission expires:
Nov. 30, 2018

Debbie L. Hill
Notary Public



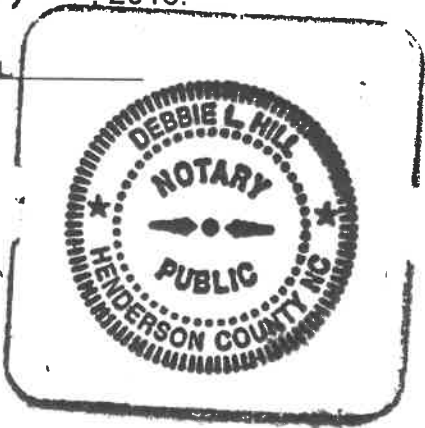
STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, Debbie L. Hill, a Notary Public in and for the above County and State, do hereby certify that Shannon R. Ginn, Member/Manager of Cummings Cove Investment, LLC, a North Carolina Limited Liability Company, personally appeared before me this day and acknowledged the due execution of the foregoing instrument on behalf of the company.

WITNESS my hand and seal, this the 4th day of January 2017
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My commission expires:
Nov. 30, 2018

Debbie L. Hill
Notary Public



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