



2008008169

Prepared by and return to: Sellers, Hinshaw, Ayers, Dortch & Lyons, P.A. (Box 91)
301 S. McDowell Street, Ste. 410 KC
Charlotte, NC 28204

**CERTIFICATION OF AMENDMENT TO
DECLARATION OF COVENANTS AND RESTRICTIONS FOR
FALCON RIDGE**

This **CERTIFICATION OF AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR FALCON RIDGE** is made pursuant to Article VII of the Declaration of Covenants and Restrictions for Falcon Ridge for recordation in the Mecklenburg County Public Registry.

Statement of Purpose

The Declaration of Covenants and Restrictions for Falcon Ridge recorded in Book 12664 at Page 224 of the Mecklenburg County Public Registry (hereinafter "the Declaration") provides in Article VII for its amendment by the approval of not less than sixty-seven percent (67%) of the Owners of Lots within the Association and the approval of the Declarant under the Master Declaration recorded in Book 06730 at Page 0017 of the Mecklenburg County Public Registry. In accordance with the requirements of the Declaration, affirmative votes were obtained from not less than sixty-seven percent (67%) of the Owners of Lots within the Association and the Declarant under the Master Declaration. Accordingly, the amendment of the Declaration as set forth herein is hereby certified by officers of the Association for recordation in the Mecklenburg County Public Registry.

NOW, THEREFORE, with the approval of not less than sixty-seven percent (67%) of the Owners of Lots within the Association and the Declarant under the Master, the Declaration is amended as follows:

The existing third and fourth paragraphs of Article VI are hereby deleted and replaced by the following language:

The owner of each Lot shall be obligated to maintain any portion of the Backyard Area of such Lot which is enclosed within a fence erected in accordance with the Master Declaration in a neat, sanitary and attractive condition which is in compliance with the requirements of the Master Declaration, including, without limitation, the requirement that such Lot be maintained in a condition that is satisfactory to the board of directors of the

Master Association. Such maintenance shall include, without limitation, cutting the grass, weeds and other vegetation, removing dead trees, shrubs and other plants and pruning and otherwise maintaining all plants, shrubbery, trees, flowers, bushes, grass, ivy and other foliage as may be planted in and on such Backyard Area. The owner of any Lot who erects a fence on a Lot shall be responsible for maintaining all portions of the land which the fence encloses, covers and/or obstructs.

No playhouse, children's play equipment (including, but not limited to, basketball goals, swings, slides, trampolines and sandboxes), exercise equipment, above ground swimming pool or any other like structure shall be commenced, constructed, installed, erected or maintained upon any Lot or any Common Elements. No in-ground swimming pool shall be commenced, constructed, installed, erected or maintained upon any Lot until complete and final plans and specifications, setting forth any information requested by the board of directors of the Master Association or by any committee acting through such board of directors, shall have been submitted to, and approved in writing by the board of directors of the Master Association or any committee acting through such board of directors.

Birdbaths, bird feeders and bird houses will not be placed in the front yard, or in common areas.

Freestanding flagpoles are not permitted. Flags which, in the Board's judgment, tend to incite or antagonize (but under no circumstance shall include the flags of the United States of America or the State of North Carolina) are not permitted. Flags must be maintained in good condition and shall not be displayed if mildewed, tattered, or faded. One flagpole, not to exceed two inches in diameter and sixty (60) inches in length, may be mounted on the front of a dwelling. Flags shall not exceed four feet by eight feet in size.

No furniture shall be used, stored or kept on the exterior of any residence except on porches, patios, and decks. Furniture not enclosed in a room shall be limited to such types as is designed for outdoor use.

No vehicle, including recreational, camper, boat, trailer, car or truck will be parked on the grass or sidewalk or any lot. No commercial vehicles of any kind are permitted. Curbside parking is not permitted except for occasional overflow parking, in which case vehicles should be removed by 1:00 a.m. Recreational vehicles, campers, boats and trailers must be kept in the garage except temporarily in preparation for use or repair, if such period does not exceed 48 hours. Temporary limited-term parking for visitor's vehicles is available, by permit, at the clubhouse. Homeowners should refer to the bulletin board outside the clubhouse for permit contact information.

No signs of any type or kind shall be erected, placed or permitted to remain on any residence, lot or common area except:

- A single "For Sale" sign which shall not exceed 2' x 3' in size.
- A single security service sign.
- Invisible fence signs.
- Official community events as approved by the board.

Any Lot Owner seeking to make an Exterior alteration or modification to his Lot must submit in writing, a Request for Architectural Approval (RAA) to the Board and such alteration or modification shall not be made unless it is approved in writing by the Board. Exterior colors must conform to the intended scheme designed by the builder. Shutters and doors must be the same color and complement the color scheme. Color chips or siding samples must accompany the standard RAA form. Colors which stand-out to such a degree that they call attention to themselves will not likely be approved.

Any Storm door submitted for approval must be full-view glass or glass/screen and must match the existing facade color scheme (e.g. white, if house trim is white). Door hardware must also match the existing hardware (e.g. brass).

The undersigned are officers of the Falcon Ridge Homeowners Association, Inc. and certify the adoption of this amendment, and do hereby certify that approval of this amendment was obtained as required by the Declaration and in accordance with North Carolina law and that this amendment to the Declaration has been duly adopted to be effective upon recordation in the Mecklenburg County Public Registry.

**FALCON RIDGE HOMEOWNERS ASSOCIATION,
INC.**

By: James T. Montgomery
President

Printed Name: James T. Montgomery

By: Paul Williams
Secretary

Printed Name: PAUL WILLIAMS

STATE OF NORTH CAROLINA

COUNTY OF Mecklenburg

I, Erica J. Hestelmo, a Notary Public of the aforesaid County and State, do hereby certify that James T. Montgomery and Paul Williams ("Signatory") personally appeared before me this day and acknowledged that they are the **President and Secretary** of the **Falcon Ridge Homeowners Association, Inc.**, a North Carolina corporation, and that they, as **President and Secretary**, being authorized to do so, executed the foregoing on behalf of the corporation.

I certify that the Signatory personally appeared before me this day, and (check one of the following)

I have personal knowledge of the identity of the Signatory; or

I have seen satisfactory evidence of the Signatory's identity, by a current state or federal identification with the Signatory's photograph in the form of:

(check one of the following)

a driver's license or _____; or

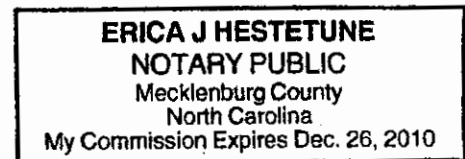
a credible witness has sworn to the identity of the Signatory

Witness my hand and official stamp or seal, this the 10th day of January, 2008.

Erica J. Hestetune
Notary Public

Print Name: Erica J. Hestetune

My commission expires: Dec. 26, 2010



NOTARY SEAL

(Must be fully legible- do not go below this line)



JUDITH A. GIBSON
REGISTER OF DEEDS, MECKLENBURG
COUNTY & COURTS OFFICE BUILDING
720 EAST FOURTH STREET
CHARLOTTE, NC 28202

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