

Prepared By &
Held: J. Kenneth Edwards

8K7126P60462

PROPOSED
REGISTRATION

AMENDMENT TO THE DECLARATION OF
RESTRICTIONS, COVENANTS, AND CONDITIONS
FOR CHESNEY GLIDE DIVISION

96 AUG 27 AM 10:19

3 KENNETH C. WILKINS
REGISTER OF DEEDS
WAKE COUNTY

THIS AMENDMENT, made and entered into this the 30 day of May, 1996, by and between the individuals as set forth on Schedule "A" attached hereto, said individuals constituting not less than sixty-six and two-thirds (66 and 2/3%) of the owners of the Lots which are subject to the Declaration (hereinafter referred to collectively as "Owners");

W I T N E S S E T H

THAT WHEREAS, there is a certain Declaration of Covenants, Conditions, and Restrictions for Chesney Subdivision, recorded on May 21, 1993, in Book 5615, Page 761, Wake County Registry (hereinafter referred to as the "Declaration"); and

WHEREAS, the parties identified on Schedule "A" attached hereto are the owners of not less than sixty-six and two-thirds percent (66 and 2/3%) of the Lots subject to the aforementioned Declaration; and

WHEREAS, by signing herein below the Owners indicate their consent to the hereinafter stated amendment to the Declaration.

NOW THEREFORE, all the owners as set forth on Schedule "A" do hereby agree and consent to the following amendment to the Declaration and said Declaration is hereby amended as follows:

ARTICLE VII
USE RESTRICTIONS

Section 7. Prohibited Activities. Noxious, offensive or loud activities shall not be carried on upon any Lot. Each Owner shall refrain from any act or use of his Lot which could reasonably cause embarrassment, discomfort, annoyance or nuisance to the neighborhood. Each Owner shall keep and maintain his Lot in a neat, orderly and well kept manner. No industry, business, trade, occupation or profession of any kind shall be permitted on any Lot or Common Area unless otherwise transparent to the neighborhood and unless the home occupation is permitted in accordance with Cary City ordinance; Chapter 13, Part 1, Section 13.1.2 and as hereinafter amended.

This the 23rd day of July, 1996.

BK7126PG0463

Schedule "A"
Cheney Glen Homeowner's Association
Amendment to Article VII, Section 7

Kimberly A. Metcalf
100 Armfield Court
Kimberly A. Metcalf

William F. Metcalf, III

102 Avella Court

101 Armfield Court

Kimberly A. Mans
102 Armfield Court Kimberly A. Mans

Doug Kiserow
103 Armfield Court Doug Kiserow

Rand T. Hennoy
104 Armfield Court Rand T. Hennoy

100 Ashtree Court

101 Ashtree Court

Jason C. Low
102 Ashtree Court Jason C. Low

103 Ashtree Court

Jo Anne E. Reilly
104 Ashtree Court Jo Anne E. Reilly

105 Ashtree Court

100 Avella Court

101 Avella Court

103 Avella Court

104 Avella Court

Jennifer D. Simis
Jennifer D. Simis

105 Avella Court

Rita M. Bayer
100 Berrybrook Court Rita M. Bayer

Raymond J. Bayer
Raymond J. Bayer

101 Berrybrook Court

Thomas M. Coleman
Thomas M. Coleman

102 Berrybrook Court

103 Berrybrook Court

Jimorie R. Smith
Jimorie R. Smith

104 Berrybrook Court

James C. Salembier
James C. Salembier

105 Berrybrook Court

106 Berrybrook Court

John T. Farrell
John T. Farrell

107 Berrybrook Court

Myra R. Herrie
Myra R. Herrie

100 Branchway Road

Kathy H. McCulloch
Kathy H. McCulloch

BK 7126PG0464

*Quinton Williams*101 Branchway Road *Quinton Williams / Felicia A. Williams**Kathy M. Burnett*304 Catlin Road *Kathy M. Burnett / William P. Burnett, III**Scott Meek**Marion V. Meek*102 Branchway Road *Scott Meek / Marion V. Meek*

305 Catlin Road

*Charles R. Loretto*103 Branchway Road *Charles Loretto / Lynette Loretto**Mark Sacco / Lisa Caputo Sacco*

306 Catlin Road

*Russell K. Nelson*103 Branchway Road *Russell K. Nelson*

307 Catlin Road

105 Branchway Road

*Sheila Parker*309 Catlin Road *Sheila Parker**Shawn Barney*x106 Branchway Road *Shawn Barney*

311 Catlin Road

107 Branchway Road

*Kevin E. Smith*313 Catlin Road *Kevin E. Smith*

108 Branchway Road

*Emily B. Williams*315 Catlin Road *Emily B. Williams*

109 Branchway Road

317 Catlin Road

110 Branchway Road

319 Catlin Road

111 Branchway Road

*Robert Gannon**Jill M. Gannon**Charles S. Menzel*

321 Catlin Road

113 Branchway Road

323 Catlin Road

101 Catlin Road

325 Catlin Road

Michael Decker

302 Catlin Road

Teresa Turnage

401 Catlin Road

303 Catlin Road

402 Catlin Road

3K7126PG0465

403 Catlin Road

Daniel N. Davis
511 Catlin Road Daniel N. Davis

404 Catlin Road

James E. Chambers
513 Catlin Road James E. Chambers

Michael J. Florito
405 Catlin Road Michael J. Florito

600 Catlin Road

406 Catlin Road

602 Catlin Road

407 Catlin Road

John M. Merritt
603 Catlin Road John M. Merritt

500 Catlin Road

Charles E. Wright
604 Catlin Road Charles E. Wright

502 Catlin Road

605 Catlin Road

Steve Frith
503 Catlin Road Steve Frith

Valerie J. McCarty
606 Catlin Road Valerie J. McCarty

504 Catlin Road

Dana L. Price
505 Catlin Road Dana L. Price

506 Catlin Road

507 Catlin Road

508 Catlin Road

Thomas J. Aepli
509 Catlin Road Thomas J. Aepli Donna W. Aepli

3K7126PG0466

Chesney Glen Homeowner's Association
Amendment to Article VII, Section 7

North Carolina

Lee County

I, Cindy Hunter, a Notary Public of the County and State aforesaid, certify that the following personally appeared before me this day and acknowledged the execution of the foregoing instrument:

William J. Metcalf, III
Kimberly A. Metcalf
Kimberly A. Mans
Doug Kiserow
Rand T. Lennox
Jason C. Low
Joanne E. Reilly
Jennifer D. Simis
Raymond J. Bauer
Rita J. Bauer
Jimmie R. Smith
Thomas M. Coleman
James C. Salembier
John T. Farrell
Sally A. Farrell
Brain S. Herrie
Myra R. Herrie
Kathy H. McCulloch
Quinton Williams
Felicia A. Williams
Monet V. Meek
Scott Meek
Charles Leto
Lynette Leto
Russell K. Nelson
Shawn Barney
Robert Gannon
Jill M. Gannon
Michael Decker
Kathy M. Burmeister
Williams. F. Burmeister, III
Mark Sacco

Lisa Caputo Sacco
Shelia Parker
Kevin E. Smith
Emily Williams
Charles J. Menzel
Teresa Turnage
Michael J. Fiorito
Steve Frith
Dana L. Price
Thomas J. Aebli
Donna W. Aebli
Daniel N. Davis
James E. Chambers
John M. Merritt
Charles E. Wright
Lee G. McCarty
Valeria J. McCarty

Witness my hand and official seal this the
30th of May 1996.

Cindy A. Hunter
Notary Public
my Commission Expires
6/22/98



BK7126PG0467

Chensney Glen Homeowner's Association
Amendment to Article VII, Section 7

Brenda White
Signature Brenda Whiteley

Robert Whiteley
Signature Robert Whiteley

501 cth
Address

North Carolina

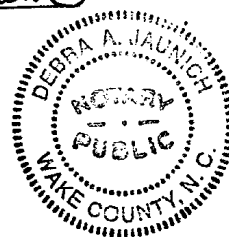
Wake County

I, Debra A. Jaunich, a Notary Public of the County and State aforesaid,
certify that Brenda and Robert Whiteley personally appeared
before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this the 2 day of April, 1996.

Debra A. Jaunich
Notary Public

my Commision Expires
10/11/97



BK 7126PG0468

Chensney Glen Homeowner's Association
Amendment to Article VII, Section 7

Signature Jaydeep Choudhary

Signature

Address 103 Avella Court

North Carolina

Wake County

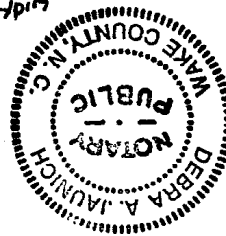
I, Debra A. Jaunich, a Notary Public of the County and State aforesaid,
certify that Jaydeep Choudhary personally appeared
before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this the 2 day of April, 1996.

Debra A. Jaunich
Notary Public

North Carolina

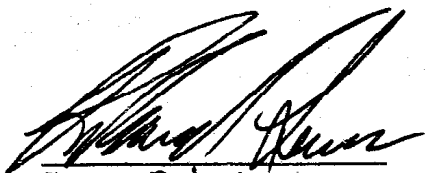
My Commission Expires
10/11/97



Roland - 174 10A - 174 10A

8K7126PG0469

Chensney Glen Homeowner's Association
Amendment to Article VII, Section 7



Signature Roland Lemus

508 CATLIN RD

Address

Signature

North Carolina

Wake County

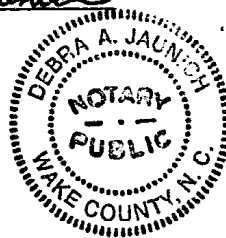
I, Debra A. Jaunich a Notary Public of the County and State aforesaid,
certify that Roland Lemus personally appeared
before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this the 2 day of April, 1996.

Debra A. Jaunich
Notary Public

North Carolina

my Commission
Expires
10/11/97



BK7126PG0470

Chensney Glen Homeowner's Association
Amendment to Article VII, Section 7

Diane H. Jeffries
Signature Diane H. Jeffries

James M. Jeffries, Jr.
Signature James M. Jeffries, Jr.

311 Catlin Rd.
Address

North Carolina

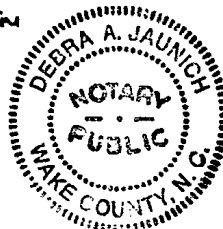
Wake County

I, Debra A. Jaunich, a Notary Public of the County and State aforesaid,
certify that James M. Jeffries and Diane H. Jeffries personally appeared
before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this the 1 day of April, 1996.

Debra A. Jaunich
Notary Public
my Commission Expires
10/11/97

North Carolina



BK7126PG0471

Chensney Glen Homeowner's Association
Amendment to Article VII, Section 7

Jon David Butler
Signature
1014 Kimfield Court
Apex, North Carolina 27502
Address

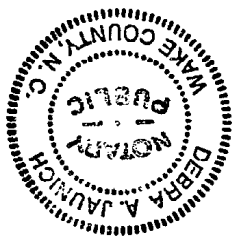
Signature

North Carolina

Wake County

I, Debra A. Jaunich, a Notary Public of the County and State aforesaid,
certify that Jon David Butler personally appeared
before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this the 30 day of March, 1996.



Debra A. Jaunich
Notary Public
my Commission Expires
10/11/97

BK7126PG0472

Chensney Glen Homeowner's Association
Amendment to Article VII, Section 7

Kimberly L. Resnick
Signature Kimberly L. Resnick

Signature

107 Branch Way Rd.
Address

North Carolina

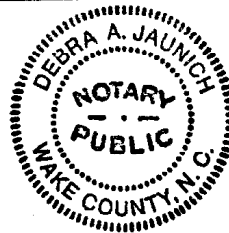
Wake County

I, Debra A. Jaunich, a Notary Public of the County and State aforesaid,
certify that Kimberly L. Resnick personally appeared
before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this the 2 day of April, 1996.

Debra A. Jaunich
Notary Public

my Commission Expires
10/11/97



BK7126PG0473

Chensney Glen Homeowner's Association
Amendment to Article VII, Section 7

Debra A. Jaunich
Signature Debra A. Jaunich Signature

103 Berrybrook Ct
Address

North Carolina

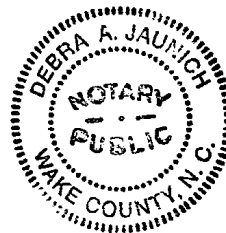
Wake County

I, Debra A. Jaunich, a Notary Public of the County and State aforesaid,
certify that Debra A. Jaunich personally appeared
before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this the 30 day of March, 1996.

Debra A. Jaunich
Notary Public

my Commission Expires
10/11/97



BK7126PG0474

Chensney Glen Homeowner's Association
Amendment to Article VII, Section 7

[Signature]
Signature Nagi Reddy

Signature

102, Berrybrook Ct
Address

North Carolina

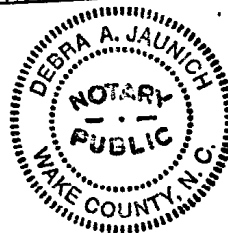
Wake County

I, Debra A Jaunich, a Notary Public of the County and State aforesaid,
certify that Nagi Reddy personally appeared
before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this the 30 day of March, 1996.

Debra A Jaunich
Notary Public

my Commission Expires
10/11/97



BK7126PG0475

Chensney Glen Homeowner's Association
Amendment to Article VII, Section 7

David E. Austin
Signature David E. Austin
108 Branchway Rd
Apex, NC 27502
Address

Signature

North Carolina

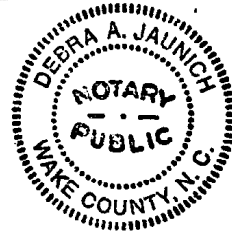
Wake County

I, Debra A. Jaunich, a Notary Public of the County and State aforesaid,
certify that David E. Austin personally appeared
before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this the 1 day of April, 1996.

Debra A. Jaunich
Notary Public
my Commission Expires
10/11/97

North Carolina



BK7126PG0476

Chensney Glen Homeowner's Association
Amendment to Article VII, Section 7

William F. Glenn
Signature William F. Glenn

Diane Glenn
Signature Diane Glenn

6005 LUTLIN RD. APT 4
Address

North Carolina

Wake County

I, BRIAN S. HERRE, a Notary Public of the County and State aforesaid,
certify that WILLIAM F. GLENNON AND DIANE GLENNON personally appeared
before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this the 2nd day of APRIL, 1996.

Brian S. Herre
Notary Public



MY COMMISSION EXP. 1-29-2001

BK 7126PG0477

Chensney Glen Homeowner's Association
Amendment to Article VII, Section 7

David R. Weitzel
Signature David R. Weitzel

Rose M. Weitzel
Signature Rose M. Weitzel

113 BRANCHWAY
Address

North Carolina

Wake County

I, BRIAN S. HEARLE, a Notary Public of the County and State aforesaid,
certify that DAVID R. WEITZEL AND ROSE M. WEITZEL personally appeared
before me this day and acknowledged the execution of the foregoing instrument.



my hand and official stamp or seal this the 2ND day of APRIL, 1996.

Brian S. Hearle
Notary Public

BK7126PG0478

Chensney Glen Homeowner's Association
Amendment to Article VII, Section 7

Bus

Michael S. Cobb
Signature Michael S. Cobb

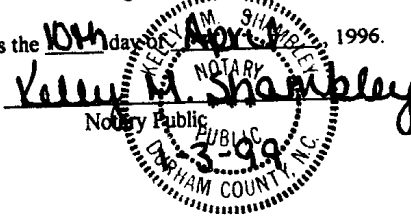
S. Lynne Hamlet
Signature S. Lynne Hamlet

101 Avela Court
Address Apex, NC 27502

North Carolina
Durham WMS
Wake County

I, Kelly M. Shambley, a Notary Public of the County and State aforesaid,
certify that Michael S. Cobb S. Lynne Hamlet personally appeared
before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this the 10th day of April, 1996.



North Carolina
Wake County

I, _____, a Notary Public of the County and State aforesaid,
certify that _____ personally appeared
before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this the _____ day of _____, 1996.

Notary Public

OK 7126PG0479

Chensney Glen Homeowner's Association
Amendment to Article VII, Section 7

Deborah Thompson
Signature Deborah Thompson

Signature

102 Avella Court
Address

North Carolina

Wake County

I, Mary Wood Britt, a Notary Public of the County and State aforesaid,
certify that Deborah Thompson personally appeared
before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this the 8th day of April, 1996

Mary Wood Britt
Notary Public

My Commission Expires
May 7, 1996



BK 7126PG0480

Chensney Glen Homeowner's Association
Amendment to Article VII, Section 7

Lorraine Galkowski
Signature Lorraine Galkowski

James M. Galkowski
Signature James M. Galkowski

317 CATLIN RD APT 2
Address

North Carolina

Wake County

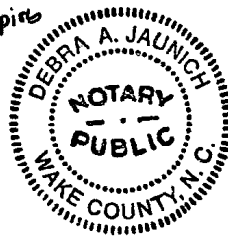
I, Debra A. Jaunich, a Notary Public of the County and State aforesaid,
certify that Lorraine and James M. Galkowski personally appeared
before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this the 2 day of April, 1996.

Debra A. Jaunich
Notary Public

my Commission Expires
10/11/97

North Carolina



BK 7126PG 0481

Craig & Heidi Schmucker
202-810-0000

Chensney Glen Homeowner's Association
Amendment to Article VII, Section 7

Craig Schmucker
Signature Craig Schmucker

Heidi Schmucker
Signature Heidi Schmucker

600 Catlin Rd.
Address

North Carolina

Wake County

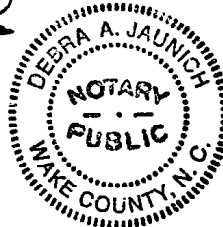
I, Debra A. Jaunich, a Notary Public of the County and State aforesaid,
certify that Craig and Heidi Schmucker personally appeared
before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this the 2 day of April, 1996.

Debra A. Jaunich
Notary Public

my Commission Expires
10/11/97

North Carolina



BK 7126PG0482

Chensney Glen Homeowner's Association
Amendment to Article VII, Section 7

H. Kazemzadeh
Signature H. Kazemzadeh

Signature

404 Catlin Rd, Apex, NC 27502
Address

North Carolina

Wake County

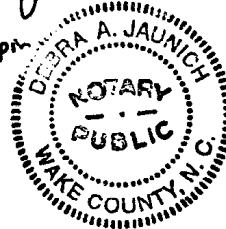
I, Debra A. Jaunich, a Notary Public of the County and State aforesaid,
certify that H. Kazemzadeh personally appeared
before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this the 2 day of April, 1996.

Debra A. Jaunich
Notary Public

My Commission Expires
10/11/97

North Carolina



0K7126PG0483

Chensney Glen Homeowner's Association
Amendment to Article VII, Section 7

Cheryl A. Wygal
Signature Cheryl A. Wygal

Robert Wygal
Signature Robert Wygal

402 Catlin Road Apex, NC 27502
Address

North Carolina

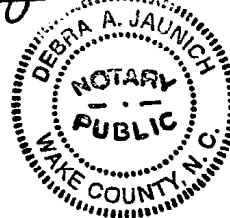
Wake County

I, Debra A. Jaunich, a Notary Public of the County and State aforesaid,
certify that Cheryl A. and Robert Wygal personally appeared
before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this the 2 day of April, 1996.

Debra A. Jaunich
Notary Public

my Commission
Expires
10/11/97



BK7126PG0484

Chensney Glen Homeowner's Association
Amendment to Article VII, Section 2

Kelly W. Plott
Signature Kelly W. Plott

Signature

365 CATHLAMET RD, NPEX
Address

North Carolina

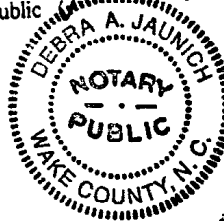
Wake County

I, Debra A. Jaunich, a Notary Public of the County and State aforesaid,
certify that Kelly W. Plott personally appeared
before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this the 2 day of April, 1996.

Debra A. Jaunich
Notary Public

my Comm
Expire
10/11/97



BK 7126PG0485

Chensney Glen Homeowner's Association
Amendment to Article VII, Section 7

Rosanna M. Coover
Signature Rosanna M. Coover

Signature

105 Berrybrook Ct.
Address

North Carolina

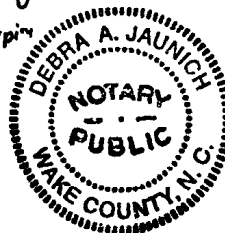
Wake County

I, Debra A. Jaunich, a Notary Public of the County and State aforesaid,
certify that Rosanna M. Coover personally appeared
before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this the 7 day of April, 1996.

Debra A. Jaunich
Notary Public

my Commission Expires
10/14/97



BK7126PG0486

Chensney Glen Homeowner's Association
Amendment to Article VII, Section 7

Robert P. Sigmere
Signature Robert P. Sigmere

Nancy Sigmere
Signature Nancy Sigmere

303 Catlin Rd
Address

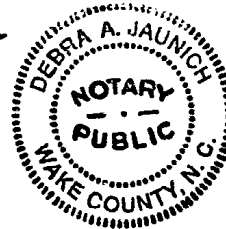
North Carolina

Wake County

I, Debra A. Jaunich, a Notary Public of the County and State aforesaid,
certify that Robert P. and Nancy Sigmere personally appeared
before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this the 2 day of April, 1996.

Debra A. Jaunich
Notary Public
my Commission Expires
10/11/97



BK7126PG0487

BK5615PG0786

CERTIFICATION OF VALIDITY OF AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS OF
CHESNEY GLEN

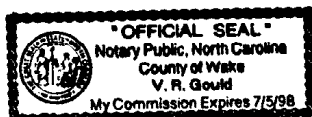
By authority of its Board of Directors, Chesney Glen Homeowner's Association, Inc., hereby certifies that the foregoing instrument has been duly approved by the members of Chesney Glen and is, therefore, a valid amendment to the existing covenants, conditions and restrictions of Chesney Glen.

This the 23rd day of July, 1996

V. R. Gould

NOTARY PUBLIC

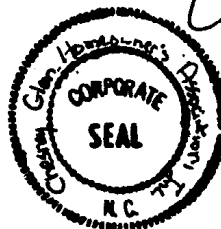
CHESNEY GLEN HOMEOWNER'S
ASSOCIATION, INC.



L. S. Miley
President

Attest:

David Nolin
Secretary



NORTH CAROLINA WAKE COUNTY

I, the above-named Notary Public, of the County and State aforesaid certify that Davia Nolin, personally came before me this day and acknowledged the that he is Secretary of Chesney Glen Homeowner's Association, Inc., a North Carolina Corporation, and that by authority duly given and as the act of the Corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by _____ as its Secretary.

Witness my hand and official stamp or seal above, this the 23rd day of July, 1996.

NORTH CAROLINA — WAKE COUNTY

The foregoing certificate of Andy L. Hunter
William W. Smith
William W. Smith Notary (was) Public is
Reilly M. Standlee
(are) certified to be correct. This instrument and this certificate are duly registered at the date and time and in the book and page shown on the first page hereof.

KENNETH C. WILKINS, Registrar of Deeds

By Meta W. Hunter
Asst. Deputy Registrar of Deeds