

FILED IN HENDERSON COUNTY REGISTER OF DEEDS
OFFICE. NEDRA W. MOLES, REGISTER
DATE: 2-29-08 TIME: 4:00 P.M.
EXCISE TAX STAMP: _____
BOOK: 1352 PAGE: 301

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

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AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR
SKYTOP FARM SUBDIVISION

WHEREAS, by an instrument dated July 19, 2004 and recorded in Deed Book 1200, at Page 263, Henderson County Registry, a certain Declaration of Covenants, Conditions and Restrictions for Skytop Farm (hereinafter referred to as the "Covenants") was recorded in the Henderson County, North Carolina, Public Registry, pertaining to Skytop Farm Subdivision (hereinafter referred to as "Subdivision");

WHEREAS, FRE, LLC is still the owner and Developer of more than 10% of the property within the Subdivision and pursuant to the provisions of the Covenants, and as the Declarant has executed this Amendment to Declaration of Covenants, Conditions and Restrictions for Skytop Farm, in order to modify and amend the Covenants as set forth below; and

WHEREAS, David Krishinger, Scott Binder and wife, Denise Binder, Todd Trace and wife, Elizabeth Trace, and John Petri and wife, Tracy Petri (hereinafter referred to as "Lot Owners") are the owners in fee simple of Lots 30, 31, 32, 33, and 34 of Phase II of the Subdivision as shown at Plat Slide 5749, Henderson County Registry and wish to subject those Lots to the Covenants of the Subdivision

NOW, THEREFORE, FRE, LLC, as the owner and Developer of Subdivision, by authority granted under the Special Declarant Rights of said Declaration of Covenants, Conditions and Restrictions, does hereby change, modify and amend the Declaration of Covenants, Conditions and Restrictions for Skytop Farm as follows and Lot Owners do hereby subject their property to the Amended Covenants:

At Plat Slide 5749, Henderson County Registry, there is recorded the final approved plat for the lots in Phase II of Skytop Farm Subdivision. By execution and recording of this Amendment, the Developer and Lot Owners desire to, and hereby do, subject all of the real property shown and described at Plat Slide 5749, for Phase II of

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Skytop Subdivision, together with such additions as may hereafter be made thereto, to the covenants, conditions, restrictions, easements, charges and liens set forth in the original Covenants recorded at Deed Book 1200, at Page 263, Henderson County Registry, each and all of which is and are for the benefit of said property of each owner thereof.

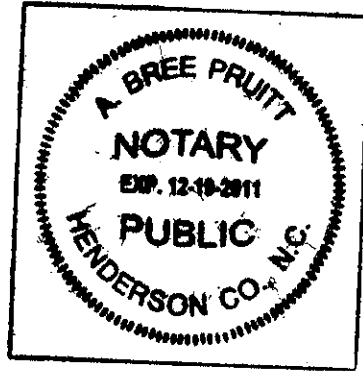
Except as amended above, the original Declaration of Covenants, Conditions and Restrictions for Skytop Farm shall remain in full force and effect.

IN WITNESS WHEREOF, Developer and Lot Owners have caused this Amendment to Restrictive Covenants to be executed under seal this 28 day of Feb, 2008.

SIGNATURE PAGE

FRE, LLC

By: [Signature]
Terry Weaver
Member-Manager



STATE OF NORTH CAROLINA
HENDERSON COUNTY

I, the undersigned Notary Public for Henderson County, North Carolina, do hereby certify that Terry Weaver, personally came before me this day and acknowledged that he is the Member-Manager of FRE, LLC, a North Carolina limited liability company, 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 27th day of Feb., 2008.

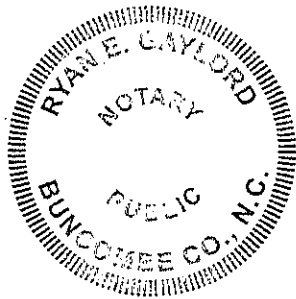
[Signature]
Notary Public
Commission Expires: 12/19/2011

[Signature]
John Petri

[Signature]
Tracy Petri

STATE OF NORTH CAROLINA
HENDERSON COUNTY

I, Ryan E. Gaylord, a Notary Public for Burcombe County, State of NC, do hereby certify that John Petri and wife, Tracy Petri, personally came before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 20th day of Feb., 2008.



[Signature]
Notary Public
Commission Expires: 1/21/2012