
ROUGEMONT HOMEOWNERS ASSOCIATION, INC.

1990 Amendments to the Original Declaration (Sections 1, 2 & 3)

Recorded: February 14, 1990 | Mecklenburg County Public Registry
Book 6210, Pages 490 & 494

DOCUMENT SUMMARY

Two instruments were recorded simultaneously on February 14, 1990 by the original Declarants (Rice Development Corporation, Ayrshire Corporation) and Builder (Don Galloway Homes, Inc.).

Document 1 — Amendment to Declaration (Book 6210, Page 490): Amends Article IV, Section 3 of the original 1989 CCRs for Section 1 of Rougemont. Reduces the minimum finished floor area from 2,200 sq ft to 1,800 sq ft. A 2% unintentional violation tolerance applies.

Document 2 — First Supplementary Declaration (Book 6210, Page 494): Formally annexes Rougemont Sections 2 and 3 (Map Book 23, Pages 530 and 529) into the CCR scheme. Applies the same 1,800 sq ft minimum to all lots in Sections 2 and 3, superseding the original 2,200 sq ft requirement for those sections.

Both instruments remain in effect only to the extent not superseded by the 2026 Amended and Restated Declaration (Section 1 of this binder), which restates all prior amendments in their entirety.

REAL ESTATE
BOOK PAGE

6210 0491

ATTEST:

AYRSHIRE CORPORATION

Ray L. Latta
Asst. Secretary

By: Don K. Ray
President

(CORPORATE SEAL)

ATTEST:

DON GOLLOWAY HOMES, INC.

Lisa Anderson
Asst. Secretary

By: Don A. Golloway
President

(CORPORATE SEAL)

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

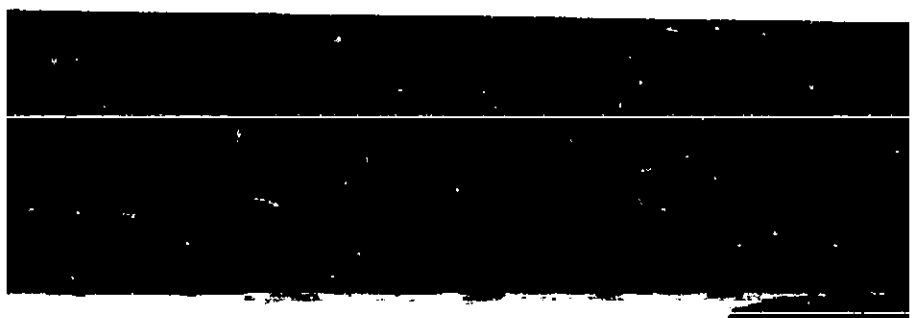
I, Carol T. Lewis, a Notary Public in and for said County and State do hereby certify that Raymond L. Lancaster personally appeared before me this day and acknowledged that he is Asst. Secretary of RICE DEVELOPMENT CORPORATION, a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its _____ President, sealed with its corporate seal and attested by him as its _____ Asst. Secretary.

WITNESS my hand and official seal, this 6th day of February, 1990.

My Commission Expires: 3-23-92

Carol T. Lewis
Notary Public

(Notarial Seal)



BOOK PAGE

000058

6210 0490

STATE OF NORTH CAROLINA PRESENTED FOR AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS - ROUGEMONT
COUNTY OF MECKLENBURG REGISTRATION

90 FEB 14 AM 10:53

ALICE A. POWERS
REGISTER OF DEEDS
MECKLENBURG COUNTY

THIS AMENDMENT, ~~MECKLENBURG COUNTY~~ day of February, 1990, by RICE DEVELOPMENT CORPORATION, a North Carolina corporation, and AYRSHIRE CORPORATION (hereinafter referred to as "Declarant") and and DON GALLOWAY HOMES, INC. (hereinafter referred to as "Builder").

WITNESSETH:

WHEREAS, Declarant has imposed certain covenants, conditions and restrictions on ROUGEMONT SUBDIVISION by instrument recorded in Book 5972 at Page 580 of the Mecklenburg County Public Registry; and

WHEREAS, Declarant and Builder, owners of all the property subject to and to be subjected to said Declaration as amended, wishes to amend said Declaration in certain respects.

NOW, THEREFORE, Declarant and Builder, pursuant to the premises afore-said, do hereby amend that certain Declaration of Covenants, Conditions and Restrictions recorded in Book 5972 at Page 580 of the Mecklenburg County Public Registry as follows:

Section 3 of Article IV is hereby deleted and replaced by the following new Section 3 of Article IV:

Size of Structures. No residential structure shall be erected or placed having a finished floor area of less than 1800 square feet.

Unintentional violations not exceeding two percent (2%) of the minimum square foot requirements herein set forth shall not be considered a violation of this Section.

In all other respects, the provisions contained in the Declaration of Covenants, Conditions and Restrictions recorded in Book 5972 at Page 580 of the Mecklenburg County Public Registry shall remain in full force and effect.

IN WITNESS WHEREOF, Declarant and Builder have hereunto caused this instrument to be executed in their corporate names and their corporate seal affixed hereto by authority of their Boards of Directors, the day and year first above written.

ATTEST:

RICE DEVELOPMENT CORPORATION

[Signature]
Asst. Secretary

By: *[Signature]*
President

(CORPORATE SEAL)

RECORDED BY
PARHAM, HELMS & KELLAM
1329 EAST MOREHEAD
CHARLOTTE, NC 28204
CA

(wht31/a-rougel)
<>
CASH

10.00
10.00
10.00

11:57 #8174 000
02/14/90



STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

PRESENTED FOR FIRST SUPPLEMENTARY DECLARATION OF
REGISTRATION COVENANTS, CONDITIONS AND RESTRICTIONS

90 FEB 14 AM 10:53

ANNIE A. POWERS
REGISTER OF DEEDS
MECKLENBURG COUNTY, N.C.

THIS SUPPLEMENTAL DECLARATION made on this 6th day of February, 1990 by RICE DEVELOPMENT CORPORATION and AYRSHIRE CORPORATION (hereinafter referred to as "Declarant") and DON GALLOWAY HOMES, INC.

WITNESSETH:

WHEREAS, RICE DEVELOPMENT CORPORATION and DON GALLOWAY HOMES, INC. are the owners of that property shown on maps of ROUGEMONT, Section 2 and ROUGEMONT, Section 3, which maps are recorded in Map Book 23 at Page 530 and Map Book 23 at Page 529, respectively, of the Mecklenburg County Public Registry; and

WHEREAS, Declarant has heretofore imposed Covenants, Conditions and Restrictions upon ROUGEMONT, SECTION 1, which map appears of record in Map Book 23 at Page 872 of the Mecklenburg County Public Registry; and

WHEREAS, the aforesaid Declaration of Covenants Conditions and Restrictions is recorded in Book 5972 at Page 580 of the Mecklenburg County Public Registry and provides therein Article II, Section 2, that "... additional land within the area described in the metes and bounds description ... as SCHEDULE A ... may be annexed to the existing property by Declarant ..."; and

WHEREAS, Declarant desires to incorporate the aforesaid ROUGEMONT, Section 2 and ROUGEMONT, Section 3, as same is shown on maps thereof recorded in Map Book 23 at Page 530 and Map Book 23 at Page 529, respectively, of the Mecklenburg County Public Registry within the properties subject to the aforesaid Declaration of Covenants, Conditions and Restrictions, and to impose certain other restriction as to the size of structures placed thereon.

NOW, THEREFORE, pursuant to the provisions of the aforesaid Declaration of Covenants, Conditions and Restrictions, Declarant does hereby annex ROUGEMONT, Section 2 and ROUGEMONT, Section 3 as shown on the aforesaid map to the properties which are subject to the Declaration of Covenants, Conditions and Restrictions recorded in Book 5972 at Page 580 of the Mecklenburg County Public Registry, to the end that ROUGEMONT, Section 2 and ROUGEMONT, Section 3, as aforesaid, shall be within the scheme of said Declaration, and to the further end, that all present and future owners of all Lots shown on maps recorded in Map Book 23 at Page 530 and Map Book 23 at Page 529, respectively, of the Mecklenburg County Public Registry shall be subject to the terms and conditions of the aforesaid Declaration, and shall have the rights and privileges therein set out; subject, however, to the following, which shall replace Article IV, Section 3 thereof insofar as its pertains to ROUGEMONT, Section 2 and ROUGEMONT, Section 3:

Size of Structures. No residential structure shall be erected or placed having a finished floor area of less than 1800 square feet.

Unintentional violations not exceeding two percent (2%) of the minimum square foot requirements herein set forth shall not be considered a violation of this Section.

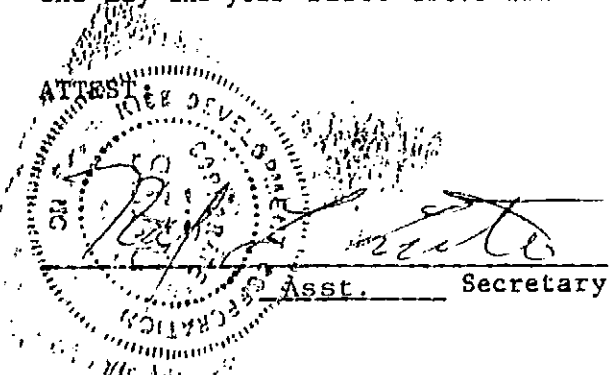
IN WITNESS WHEREOF, the undersigned Declarant and DON GALLOWAY HOMES, INC. have caused this instrument to be executed in their corporate names, and their corporate seals affixed hereto by authority of their Boards of Directors, the day and year first above written.

12.00
12.00
12.00

12:30 #8175 000
02/14/90

RICE DEVELOPMENT CORPORATION

By: [Signature] President



(CORPORATE SEAL)

DRAWN BY AND MAILED TO
PARHAM, HELMS & KELLAM
1329 EAST MOREHEAD
CHARLOTTE, NC 28204
CA

(wht31/doc-rougel)