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FORSYTH CO. NC FEE \$140.00

PRESENTED & RECORDED

06/22/2020 03:24:31 PM

LYNNE JOHNSON

REGISTER OF DEEDS

BY: OLIVIA DOYLE

ASST

BK: RE 3532

PG: 2387 - 2409

Prepared by and return to:

Kelly M. Otis

P. O. Drawer 25008

Winston-Salem, NC 27114-5008

**FIRST AMENDMENT TO RESTRICTIVE COVENANTS FOR SHERWOOD FOREST
SECTION 17, SECTION 17A, SECTION 17B & SECTION 18**

This First Amendment to Declaration of Covenants, Conditions and Restrictions for Sherwood Forest Section 17, Section 17A, Section 17B & Section 18 (this "*First Amendment*") effective as of this 16th day of June, 2020, is made and entered into by and between S. F. ASSOCIATION, INC., a North Carolina non-profit corporation (the "*Association*"), THE SHERWOOD COMPANY, a North Carolina general partnership (the "*Developer*"), and JWR BUILDING COMPANY, a North Carolina corporation (the "*Reciprocal Developer*").

RECITALS

WHEREAS, Developer subjected each lot in Sherwood Forest, Section 17 depicted in plat recorded in Plat Book 38, Page 87 to those certain Restrictive Covenants for Sherwood Forest, Section 17, recorded in Book 1862, Page 4206 in the Office of the Register of Deeds of Forsyth County, North Carolina (the "*Restrictive Covenants*"); and

WHEREAS, Developer subjected each lot in Sherwood Forest, Section 17A depicted in plat recorded in Plat Book 63, Page 153 to the Restrictive Covenants by document recorded in Book 3242, Page 862; and

WHEREAS, Developer subjected each lot in Sherwood Forest, Section 17B – Lot 303; Tracts A, B & C depicted in plat recorded in Plat Book 64, Page 120 to the Restrictive Covenants by document recorded in Book 3272, Page 2559; and

WHEREAS, Developer subjected each lot in Sherwood Forest, Section 18 depicted in plat recorded in Plat Book 47, Page 63 to the Restrictive Covenants by document recorded in Book 2487, Page 407; and

WHEREAS, pursuant to Section 19 of the Restrictive Covenants, the term of the covenants and restrictions set forth in the Restrictive Covenants shall be binding upon the owners of the property for a period of twenty-five (25) years from the date of the recording of the restrictions unless extended; and

WHEREAS, pursuant to Section 20 of the Restrictive Covenants, any extension of any restriction, covenant or condition set forth in the Restrictive Covenants must be consented to by Developer; and

WHEREAS, pursuant to Section 20 of the Restrictive Covenants for Sue West Wilson Lots recorded in Book 2487, Page 414 (the "Reciprocal Restrictive Covenants"), any amendments to any restrictions affecting Sherwood Forest, Section 18 must be approved by the developer of the Sue West Wilson lots or her assigns; and

WHEREAS, the developer of the Sue West Wilson lots, Sue West Wilson, assigned her rights to JWR Building Company in the document recorded in Book 3233, Page 4236; and

WHEREAS, at least sixty-seven percent (67%) of the owners of Lots within Sherwood Forest, Sections 17, 17A, 17B and 18 (collectively, the "Owners") desires to amend the Restrictive Covenants as set forth in this First Amendment; and

WHEREAS, at least sixty-seven percent (67%) of the Owners have consented to this First Amendment by their execution of an instrument attached hereto as Exhibit A; and

WHEREAS, the parties wish to amend the Restrictive Covenants in order to extend the term of the Restrictive Covenants and wish to memorialize such amendment; and

WHEREAS, Developer and Reciprocal Developer each wishes to acknowledge its approval of such amendment.

NOW, THEREFORE, in consideration of the foregoing, the Restrictive Covenants, the agreements set forth in this First Amendment, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties agree as follows:

1. Section 19 of the Restrictive Covenants shall be deleted in its entirety and the following inserted in lieu thereof:

The above restrictions and conditions are covenants running with the land, and shall be binding upon the owners of all lots located in Sherwood Forest, Sections 17, 17A, 17B and 18 and persons claiming under them until December 31, 2045, after which time they shall be automatically extended for an unlimited number of successive periods of ten (10)

years each, unless the owners of 67% of the lots located in such sections of Sherwood Forest elect not to so continue the restrictions and conditions and record an instrument to that effect in the Office of the Register of Deeds of Forsyth County, North Carolina.

2. Developer and Reciprocal Developer each consents to such amendment to Section 19 of the Restrictive Covenants.
3. All other terms and conditions of the Restrictive Covenants as originally stated shall remain in full force and effect and unaffected hereby.
4. In the event of any conflict between the terms of the Restrictive Covenants and the terms of this First Amendment, this First Amendment shall control.

(Separate Signature Pages to Follow)

SEPARATE SIGNATURE PAGE
FIRST AMENDMENT TO RESTRICTIVE COVENANTS FOR SHERWOOD FOREST
~~SECTION XVI, PHASE 4~~, SECTION 17, SECTION 17A, SECTION 17B & SECTION 18

IN WITNESS WHEREOF, the parties have executed this First Amendment the day and year first above written.

DEVELOPER:

THE SHERWOOD COMPANY, a North Carolina general partnership

By: BRH, Inc., Partner

By: *Bruce R. Hubbard* (SEAL)
Name: Bruce R. Hubbard
Title: President of BRH, Inc.

State of North Carolina

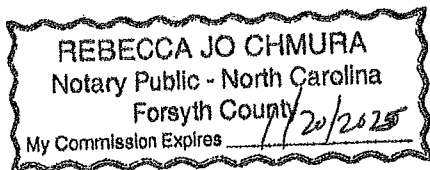
County of *Forsyth*

I, *Rebecca Jo Chmura*, a Notary Public of the County of *Forsyth* and State of North Carolina, certify that *Bruce R. Hubbard*, either being personally known to me or proven by satisfactory evidence (said evidence being *N.C. Drivers License*), personally came before me this day and acknowledged that he is President of BRH, Inc., a North Carolina corporation, a partner of The Sherwood Company, a North Carolina general partnership, and that he, as President of BRH, Inc., in its capacity as a partner of The Sherwood Company, being duly authorized to do so and as the act of the partnership and on behalf of said partnership, executed the foregoing instrument in its name by him/her for the purposes stated therein.

WITNESS my hand and official stamp or seal, this *17* day of *January*, 2020.

(Affix Seal)

My Commission Expires: *1/20/2025*



Rebecca Jo Chmura
Notary Public
Rebecca Jo Chmura
Notary's Printed or Typed Name

SEPARATE SIGNATURE PAGE
FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR SHERWOOD FOREST SECTION XVI, PHASE 4, SECTION 17,
SECTION 17A, SECTION 17B & SECTION 18

IN WITNESS WHEREOF, the parties have executed First Amendment the day and year first above written.

RECIPROCAL DEVELOPER:

JWR BUILDING COMPANY

By: James W. Robertson, Jr. (SEAL)
Name: JAMES W. ROBERTSON, JR.
Title: PRESIDENT

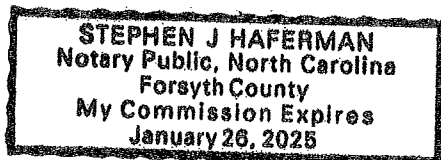
State of North Carolina
County of Forsyth

I, Stephen J. Haferman, a Notary Public of the County of Forsyth and State of North Carolina, certify that James W. Robertson, either being personally known to me or proven by satisfactory evidence (said evidence being _____), personally came before me this day and acknowledged that he/she is President of JWR Building Company, a North Carolina corporation, and that he/she, as President, being duly authorized to do so and as the act of the corporation on behalf of said corporation, voluntarily executed the foregoing instrument in its name by him/her for the purposes stated therein.

WITNESS my hand and official stamp or seal, this 9th day of June, ~~2019~~ 2020

(Affix Seal)

My Commission Expires: 1/26/2025



Stephen J. Haferman
Notary Public
Stephen J. Haferman
Notary's Printed or Typed Name

SEPARATE SIGNATURE PAGE
FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SHERWOOD FOREST ~~SECTION XVI, PHASE 4~~ SECTION 17, SECTION 17A, SECTION 17B & SECTION 18

IN WITNESS WHEREOF, the parties have executed First Amendment the day and year first above written.

CERTIFICATE OF VALIDITY OF FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SHERWOOD FOREST ~~SECTION XVI, PHASE 4~~ SECTION 17, SECTION 17A, SECTION 17B & SECTION 18

By authority of its Board of Directors, the President of the S. F. Association, Inc. does hereby certify that this Amendment has in fact been duly approved by an instrument signed by no less than sixty-seven percent (67%) of the Owners, said instrument being attached hereto as Exhibit A, and that the foregoing First Amendment is valid, having been adopted in accordance with the procedures set forth in the Declaration and Section 47F-2-117 of the North Carolina General Statutes.

This the 28 day of May, 2020.

S. F. ASSOCIATION, INC.

By: _____

Name: JOHN C. BATT

Title: President

STATE OF NORTH CAROLINA)

COUNTY OF Forsyth)

I, Stephen J. Haferman, a Notary Public of the County and State aforesaid, do hereby certify that John C. Batt, personally appeared before me this day and acknowledged that he/she is the President of S. F. Association, Inc., a North Carolina non-profit corporation, and being authorized to do so, voluntarily executed the foregoing document on behalf of S. F. Association, Inc., for the purposes stated therein on this the 28 day of May, 2020.

 Notary Public

Stephen J. Haferman

My Commission Expires:
1/26/2025

[NOTARIAL SEAL/STAMP:]

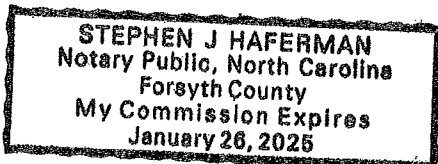


EXHIBIT A

The undersigned hereby consent to the First Amendment.

Consented to:

Owners

Address

<u>Scott A. Schaaf</u>	(SEAL)	<u>5217 Cedarwood Creek Dr</u>
Scott A. Schaaf		
<u>Elizabeth H. Schaaf</u>	(SEAL)	<u>5217 Cedarwood Creek Dr</u>
Elizabeth H. Schaaf		
_____	(SEAL)	_____
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_____	(SEAL)	_____
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_____	(SEAL)	_____
_____	(SEAL)	_____

EXHIBIT A

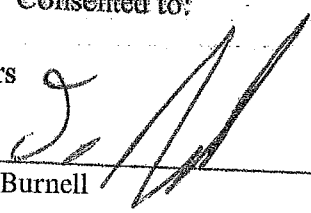
The undersigned hereby consent to the First Amendment.

Consented to:

Owners

Address

David Burnell



(SEAL)

705 Surrey Park Trail

(SEAL)

(SEAL)

(SEAL)

(SEAL)

(SEAL)

(SEAL)

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(SEAL)

EXHIBIT A

The undersigned hereby consent to the First Amendment.

Consented to:

Owners	Address
<u>Alan Bartley</u> (SEAL) Alan Bartley	110 Surrey Path Ct WS
<u>John C. McClurkin</u> (SEAL) John C. McClurkin	200 Surrey Path Ct WS
<u>Samuel I. Adams</u> (SEAL) Samuel I. Adams	600 Surrey Path Tr 1 WS
<u>Lillian Lima</u> (SEAL) Lillian Lima	509 Surrey Path Ct W-S
<u>Daniel Watson</u> (SEAL) Daniel Watson	501 Surrey Path Tr WS
<u>Terry Herndon</u> (SEAL) Terry Herndon	701 Surrey Path Trail
<u>Germane L. Crowell</u> (SEAL) Germane L. Crowell	210 Surrey Path Ct.
<u>Jane R. Potter</u> (SEAL) Jane R. Potter	216 Surrey Path Ct
<u>James Thomas</u> (SEAL) James Thomas	5205 Wilson Hill Ct
<u>Jeffrey W. Patten</u> (SEAL) Jeffrey W. Patten	5225 Wilson Hill Ct
<u>Denise Jones</u> (SEAL) Denise Jones	5240 Wilson Hill Ct
<u>Robert Holmes</u> (SEAL) Robert Holmes	5260 Wilson Hill Ct
<u>Matthew Sheehan</u> (SEAL) Matthew Sheehan	100 Surrey Path Ct.
<u>Anita Law</u> (SEAL) Anita Law	5204 Cedarwood Creek Dr.
(SEAL)	
(SEAL)	
(SEAL)	
(SEAL)	

EXHIBIT A (continued)

The undersigned hereby consent to the First Amendment.

Consented to:


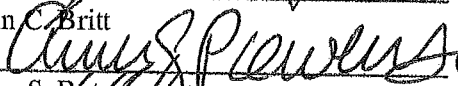


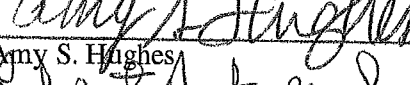
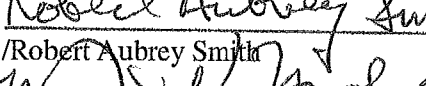
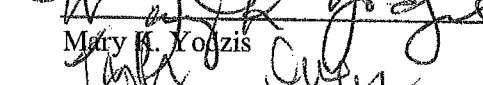

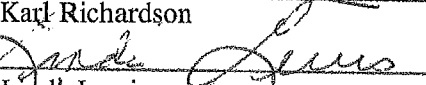
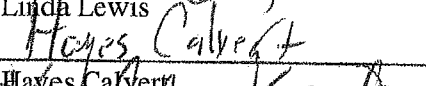
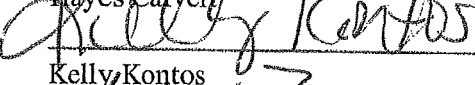
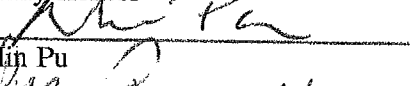
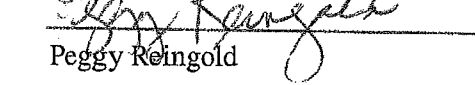


Owners	Address
 (SEAL)	528 Surrey Path Trail
John C. Britt	
 (SEAL)	5255 Wilson Hill Ct
Anne S. Powers	
 (SEAL)	5215 Wilson Hill Ct
Matt McCollum	
 (SEAL)	5210 Wilson Hill Ct
David Clayman	
 (SEAL)	524 Surrey Path Tr.
Amy S. Hughes	
 (SEAL)	520 Surrey Path Tr
Robert Aubrey Smith	
 (SEAL)	517 Surrey Path Trail
/Robert Aubrey Smith	
 (SEAL)	5241 Cedarwood Creek Dr.
Mary K. Yozzis	
 (SEAL)	516 Surrey Path Trail
Tyler Owen	
 (SEAL)	512 Surrey Path Trail
Karl Richardson	
 (SEAL)	115 Surrey Path Court
Linda Lewis	
 (SEAL)	409 Surrey Path Trail
Hayes Calvert	
 (SEAL)	605 Surrey Path Trail
Kelly Kontos	
 (SEAL)	713 Surrey Path Trail
Min Pu	
 (SEAL)	
Peggy Reingold	
(SEAL)	
(SEAL)	
(SEAL)	
(SEAL)	

EXHIBIT A (continued)

The undersigned hereby consent to the First Amendment.

Consented to:

Owners

Address

John & Patricia Millar (SEAL)

John Millar - Patricia Millar

228 Surrey Path Canada

Tim Gallagher / Jeanne Wilkinson (SEAL)

Tim Gallagher - Jeanne Wilkinson

709 Surrey Path Trail

Reuben & Jigisha Christie (SEAL)

Reuben Christie - Jigisha Christie

513 Surrey Path Tr 2

[Signature] (SEAL)

Stephen Haferman

708 Surrey Path Tr 1

(SEAL)

(SEAL)

(SEAL)

(SEAL)

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(SEAL)

EXHIBIT A (continued)

The undersigned hereby consent to the First Amendment.

Consented to:

Owners

Address

Rachel Turner (SEAL)

Rachel Turner

Alexander L. Turner (SEAL)

Alexander L. Turner

1012 Sully Path Trail, Winston-Salem, NC 2710

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EXHIBIT A (continued)

The undersigned hereby consent to the First Amendment.

Consented to:

Owners

Address

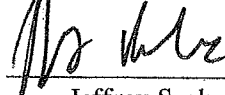
 Jeffrey Sachs	(SEAL)	205 Sunny Path Ct.
_____	(SEAL)	_____
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EXHIBIT A (continued)

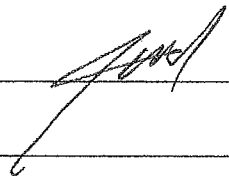
The undersigned hereby consent to the First Amendment.

Consented to:

Owners

Address

Jeff Wood
Jeff Wood



(SEAL)

5220 Wilson Hill Ct, Winston-Salem
NC 27104

(SEAL)

(SEAL)

(SEAL)

(SEAL)

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(SEAL)

EXHIBIT A (continued)

The undersigned hereby consent to the First Amendment.

Consented to:

Owners

Address

Sarah Cartwright

(SEAL)

604 Surrey Path Trail

Sarah Cartwright

(SEAL)

(SEAL)

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(SEAL)

EXHIBIT A (continued)

The undersigned hereby consent to the First Amendment.

Consented to:

Owners

Address

David Schreiner

717 Surrey Path Tr.

David Schreiner

(SEAL)

(SEAL)

(SEAL)

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EXHIBIT A

The undersigned hereby consent to the First Amendment.

Consented to:

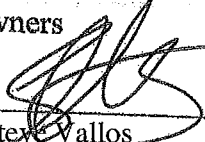
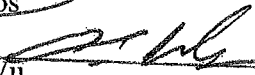

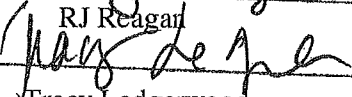
Owners	Address
 Steve Vallos (SEAL)	5888 Cedarwood Creek Dr
 Wallace Wu (SEAL)	112 CEDARWOOD CREEK CT
 RJ Reagan (SEAL)	101 CEDARWOOD CREEK DR CT
 Tracy Ledgerwood (SEAL)	5229 Cedarwood Creek Ct.
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EXHIBIT A (continued)

The undersigned hereby consent to the First Amendment.

Consented to:

Owners

Address


Scott Templeton

(SEAL)

204 Surrey Path Court

(SEAL)

(SEAL)

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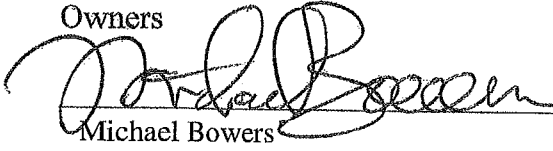
EXHIBIT A (continued)

The undersigned hereby consent to the First Amendment.

Consented to:

Owners

Address

 (SEAL)
Michael Bowers

222 Surrey Park Ct.

- _____ (SEAL) _____
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EXHIBIT A (continued)

The undersigned hereby consent to the First Amendment.

Consented to:

Owners

Address

Jill Taylor (SEAL) 505 Surrey Path Trail
Jill Taylor

Jessica Allen (SEAL) 2238 Cedarwood Cr. Pr
Jessica Allen

____ (SEAL) _____

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EXHIBIT A (continued)

The undersigned hereby consent to the First Amendment.

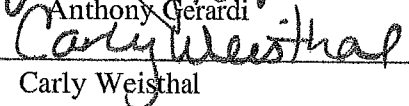
Consented to:

Owners

Address

 (SEAL)
Anthony Gerardi

105 Surrey Path Ct. W-5, NC

 (SEAL)
Carly Weisthal

105 Surrey Path Ct. 2704

____ (SEAL)

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EXHIBIT A (continued)

The undersigned hereby consent to the First Amendment.

Consented to:

Owners	Address
<u>Harriet W. McCarthy</u> (SEAL)	704 Surrey Path Trl - W-S, NC 27104
<u>Harriet W. McCarthy</u> <u>Eugene F. McCarthy</u> (SEAL)	704 Surrey Path Trl - W-S, NC 27104
Eugene F. McCarthy (SEAL)	
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EXHIBIT A (continued)

The undersigned hereby consent to the First Amendment.

Consented to:

Owners

Address

Rick & Jeana Alspaugh (SEAL)
Rick Alspaugh - Jeana Alspaugh

5223 Cedarwood Creek Dr.

_____ (SEAL)	_____
_____ (SEAL)	_____
_____ (SEAL)	_____
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