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 Alamance, NC  
 DAVID J.P. BARBER REGISTER OF DEEDS  
 BK **2921** PG **734-738**



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 JEFF L. THIGPEN  
 REGISTER OF DEEDS  
 BY: DEBORAH LIGHT  
 DEPUTY-GB

**BK: R 7135**  
**PG: 2019-2023**

Prepared by: Jennifer L. Bogacki

After recording return to: Vernon Law Firm, P.O. Drawer 2958, Burlington, N.C. 27216

**TWELFTH AMENDMENT TO THE**  
**DECLARATION OF CONDOMINIUM FOR**  
**ABBEY GLEN CONDOMINIUMS**

5L  
 THIS TWELFTH AMENDMENT TO THE DECLARATION OF CONDOMINIUM is made on the 21<sup>st</sup> day of June, 2010, by Abbey Glen Condominiums, LLC, A North Carolina Limited Liability Company (herein "Declarant") amending the Declaration of Condominium for Abbey Glen Condominiums recorded in Book 2661, Page 649 of the Alamance County Registry and in Book 6834, Page 658 of the Guilford County Registry (herein "Declaration") as amended at Book 2712, Page 113, Book 2757, Page 471, Book 2757, Page 762, Book 2764, Page 114, Book 2769, Page 440, Book 2797, Page 194, Book 2836, Page 927, Book 2857, Page 325, Book 2881, Page 649, Book 2895, Page 427, and at Book 2907, Page 341 of the Alamance County Registry and at Book 6891, Page 1157, Book 6909, Page 2934, Book 6940, Page 2692, Book 6948, Page 1592, Book 6954, Page 768, Book 6988, Page 2576, Book 7042, Page 673, Book 7064, Page 2611, Book 7092, Page 1303, Book 7106, Page 1806 and at Book 7119, Page 683 of the Guilford County Registry.

WITNESSETH THAT:

WHEREAS, Declarant is the owner of certain property located in the Town of Gibsonville, Alamance and Guilford Counties and State of North Carolina, as shown on a plat recorded in Alamance County on December 6, 2007 at Plat Book 72, Page 189, as shown on a map entitled "Final Recombination Plat for Abbey Glen Condominiums" by Fleming Engineering, Inc., dated November 13, 2007, and being a portion of the tract more particularly shown on a plat entitled "Final Plat, Abbey Glen Condominiums, Building 37, Phase 2" by Fleming Engineering, Inc., dated May 17, 2010 and recorded in Alamance County at Plat Book 74, Pages 15-16 and in Guilford County at Condominium Plat Book C14, Pages 113-114; and being a portion of the tract more particularly shown on a plat entitled "Final Plat, Abbey Glen Condominiums, Buildings 39A, B & C, Phase 2" by Fleming Engineering, Inc., dated June 1, 2010 and recorded in Alamance County at Plat Book 74, Pages 17-18 and in Guilford County at Condominium Plat Book C14, Pages 115-116, which plats are referred to and incorporated herein by reference;

WHEREAS, Declarant has reserved special declarant rights in the Declaration, including without limitation the right to add real property to the Condominium and construct multiple units in separate phases at its discretion;

WHEREAS, Declarant desires to amend the Declaration to submit five (5) additional units to the

Declaration; and

NOW, THEREFORE, the undersigned Declarant hereby amends the Declaration of Condominium recorded in Book 2661, Page 649 of the Alamance County Registry and Book 6834, Page 658 of the Guilford County Registry, as amended at Book 2712, Page 113, Book 2757, Page 471, Book 2757, Page 762, Book 2764, Page 114, Book 2769, Page 440, Book 2797, Page 194, Book 2836, Page 927, Book 2857, Page 325, Book 2881, Page 649, Book 2895, Page 427 and at Book 2907, Page 341 of the Alamance County Registry and Book 6891, Page 1157, Book 6909, Page 2934, Book 6940, Page 2692, Book 6948, Page 1592, Book 6954, Page 768, Book 6988, Page 2576, Book 7042, Page 673, Book 7064, Page 2611, Book 7092, Page 1303, Book 7106, Page 1806 and at Book 7119, Page 683 of the Guilford County Registry as follows:

1. The description of the property shown in Exhibit "A" of the Declaration of Condominium is amended to include **401 Faith Drive - Unit 37A, 403 Faith Drive - Unit 37B, 407 Ashley Woods Drive - Unit 39A, 409 Ashley Woods Drive - Unit 39B and 411 Ashley Woods Drive - Unit 39C** and the limited common areas and common elements as shown on the plat entitled "Final Plat, Abbey Glen Condominiums, Building 37, Phase 2" by Fleming Engineering, Inc., dated May 17, 2010 and recorded in Alamance County at Plat Book 74, Pages 15-16 and in Guilford County at Condominium Plat Book C14, Pages 113-114; and limited common areas and common elements as shown on the plat entitled "Final Plat, Abbey Glen Condominiums, Buildings 39A, B & C, Phase 2" by Fleming Engineering, Inc., dated June 1, 2010 and recorded in Alamance County at Plat Book 74, Pages 17-19 and in Guilford County at Condominium Plat Book C14, Pages 115-116.

2. The Declaration is amended to the extent that a total of five (5) new units are created, and the Declarant does hereby designate these five (5) new units for separate ownership, in accordance with the Declaration and subject it to the Declaration. Reference is hereby made to the plats for a separate description of the boundaries of each unit, identified by number, said plats being recorded as shown above, which plats are by this reference incorporated herein.

3. Article VI entitled Restrictions, Conditions and Covenants is amended as follows:

Section 6.17 is amended as follows:

6.17 Decorative Items

- a. Until such time as the Board has been elected and minimum guidelines for decorative items are established, display of the following items is not allowed unless approved by the Architectural Review Committee:
- i. Wall wreaths
  - ii. Garden hose hangers
  - iii. Artificial flowers
  - iv. Cypress mulch
  - v. Statues, yard or lawn ornaments

- vi. Wall plaques
  - vii. Windssocks
- b. The following items are allowed without approval of the Architectural Review Committee within the stated guidelines:
- i. Door ornaments or wreaths of size 30" x 30" or smaller
  - ii. Bird feeders hung on shepherd hooks which are placed in mulched areas or inside Unit Owner's patio. Location of the birdfeeders to be such that bird excrement will not collect on the fences. Feeder hangers may not be mounted on patio fences. No feeders are to be mounted in common areas that are subject to lawn mowing. Maximum of two (2) feeders per household.
  - iii. Bird baths are to be in Unit Owner's patio or mulched planting areas only. If bird baths are visible to the street, to existing neighbors or to future neighbors (per the development plan), they are to be maintained and kept clean. The maximum size allowed is 18" diameter.
  - iv. Flower pots may be placed in mulched areas, adjacent to entry door or garage door. Any flower pots placed on the driveway are at risk to damage from plows in the winter months. Pots shall have growing plants from the spring through the fall growing season. The maximum size allowed is 12" in diameter.
  - v. Flower boxes may be hung on the patio side of the fences. The top of the flower boxes shall not be higher than 2" above the fence and shall be hung over the fence with non-rusting hooks. Planters shall have growing plants from the spring through the fall growing season. Hangers may not be screwed into the fence structure.
  - vi. Solar landscaping lights may be placed in the mulched planting beds. The lights shall be black, bronze or brushed nickel and shall be of uniform design and construction.
  - vii. Stepping stones may be placed from the sidewalk to the driveway provided they are set flush with the ground to allow mowing. Unit owners are to be mindful not to damage the lawn sprinkler heads.
  - viii. Wind chimes are allowed.
  - ix. Decorative flags may be placed on the exterior of the units. The maximum size allowed is 12"x 18". The flags shall be separated by at least 20 feet and a maximum of three (3) flags are allowed per Unit.
  - x. Ornamental rocks, flat stones or small figurines are allowed as long as

they do not exceed 5" in height and are placed in the pine needles or mulch.

- xi. Statuettes or figurines are allowed as long as they do not exceed 12" in height and are placed in the pine needles or mulch. A maximum of two (2) are allowed per Unit.
- xii. Signs for security services may only be placed in the mulched areas or in the pine needles.

Section 6.19 is amended as follows:

6.19 The American Flag

- a. The American Flag may be flown or displayed anytime following normal flag protocol. Any American Flag displayed may be 30" x 48" and wall mounted. The Wall mounted style may be attached to trim boards adjacent to doors or on fence posts.

Section 6.20 is amended as follows:

6.20 Landscape Plants

- a. Flowers
  - i. Flowers may be planted inside the patio fence or directly outside the patio fence or veranda in the existing mulched area. Flowers are not permitted around any tree. Flowers must not exceed the height of the patio fence.
  - ii. Any new planting beds may be limited in size by the Board.
  - iii. New beds must be mulched with matching hardwood, pine needles or other mulch as directed by the Executive Board.
- b. Landscaping Plants
  - i. Any planting of new shrubs outside the patio area must receive advance approval from the Executive Board. Variance Request forms are available from the Sales Office.
  - ii. Additional landscaping plants must be of a species already in use in the community and which, at maturity, will not exceed the height of the patio fence.
  - iii. Any new planting beds may be limited in size by the Executive Board.
  - iv. New beds must be mulched with matching hardwood, pine needles or other mulch as directed by the Executive Board.

- c. New plants will become the property of the Association. The Association will provide future mulching, pruning and fertilization. However, should any of these new plants die, the resident is responsible for replacement in the discretion of the resident.
- d. Small annual or perennial plants may be planted in the mulched planting beds adjacent to the house, fence or sidewalk. The plants and additional pine mulch shall be the total responsibility of the resident. These plants may not be of the creeping variety.

Section 6.23(b) is amended as follows:

6.23 Miscellaneous

- b. No satellite dishes may be placed on the property with a diameter of more than 18" for standard digital or 22" x 32" for HDTV. Satellites may not be mounted on the roof (due to potential leak issues) or on the exterior side of the building structure. The satellite dishes shall be pole-mounted and hidden from view of the street or immediate neighbors if possible. Satellite installation shall be subject to review by the Architectural Review Committee.

4. Except as expressly amended herein, all of the terms and conditions of the Declaration are ratified and confirmed.

IN WITNESS WHEREOF, the undersigned parties have set their hands and seals the day first above written.

ABBEY GLEN CONDOMINIUMS, LLC,  
North Carolina Limited Liability Company,  
Declarant

By: *[Signature]* (SEAL)  
*Duane Catnell*, Member-Manager

STATE OF NORTH CAROLINA  
COUNTY OF ALAMANCE

I, *Hattie S. Sheets*, a Notary Public for the above State and County, do hereby certify that *Duane Catnell*, Member-Manager of Abbey Glen Condominiums, LLC, personally appeared before me this day and acknowledged the due execution of the foregoing TWELFTH AMENDMENT TO THE DECLARATION OF CONDOMINIUM FOR ABBEY GLEN CONDOMINIUMS in the capacity indicated.

Witness my hand and notarial seal this the *21<sup>st</sup>* day of June, 2010.

*Hattie S. Sheets*  
Notary Public

My commission expires: *10/24/10*

