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Fee Amt: \$20.00 Page 1 of 3
Workflow# 2013010
Buncombe County, NC
Otto W. DeBruhl Register of Deeds
BK 4194 PG 1994-1996

Prepared by and return to:
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Asheville, North Carolina 28801

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

References: Deed Book 4178, Page 1730

**FIRST AMENDMENT TO THE DECLARATION OF PLANNED COMMUNITY
FOR FOX LAIR CROSSINGS SUBDIVISION**

WITNESSETH

WHEREAS, Fox Lair Crossings Subdivision, a real property development was established as a planned community to be organized, controlled and governed by that Declaration of Planned Community, recorded in Deed Book 4178, Page 1730, Buncombe County, North Carolina Registry of Deeds on February 14, 2006 (the "Declaration");

WHEREAS, the Fox Lair Crossings planned community has been submitted and subjected to the provisions and terms of the North Carolina Planned Community Act (N.C. Gen. Stat. §§ 47F-1-101 et seq.) (the "Planned Community Act" or "Act") as stated in the Declaration of Planned Community described above; and

WHEREAS, pursuant to N.C. Gen. Stat. § 47F-2-117 and Article 4, Section 4.9 of the Declaration, during the Declarant Control Period, the Declarant reserves the right to amend the Declaration in its sole discretion.

NOW, THEREFORE, the Declarant does amend the Declaration of Planned Community for Fox Lair Crossings by striking Paragraph 3 of Article 16.3 and substituting therefor the following new Paragraph 3 of Article 16.3:

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3. Single Family Dwelling Size:

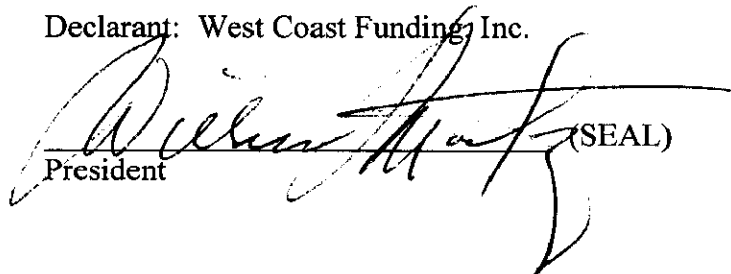
(a) All single family dwellings shall have minimum a living area of 2,400 square feet for one-story dwellings and a minimum of 2,800 square feet for two-story dwellings. The living area shall include the air conditioned and heated space. Patios, porches, garages, basements and cellars shall not be included in calculating the minimum living area square feet required.

(b) Log Homes are permitted but the minimum living area shall be 3000 square feet for one-story dwellings and a minimum of 3600 square feet for two-story dwellings. The living area shall include the air conditioned or heated space. Patios, porches, garages, basements and cellars shall not be included in calculating the minimum living area square feet required. All logs shall be a minimum of ten (10) inches in size.

IN WITNESS WHEREOF, the Declarant has caused this First Amendment to the Declaration of Planned Community to be executed by its President.

This the 20th day of March, 2006.

Declarant: West Coast Funding, Inc.



President (SEAL)

STATE OF NORTH CAROLINA

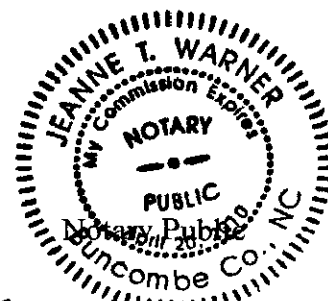
COUNTY OF BUNCOMBE

I, Jeanne J. Williams, a Notary Public for said County and State, do hereby certify WILLIAM MARTINEZ, President of West Coast Funding, Inc., a Florida Corporation authorized to do business in North Carolina, personally appeared

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before me this day and acknowledged the due execution of the foregoing instrument on behalf of the company.

Jeanne T. Warner



Witness my hand and official seal this the 20th day of March, 2006.