



Doc ID: 022179090002 Type: CRP
Recorded: 08/12/2009 at 02:17:30 PM
Fee Amt: \$17.00 Page 1 of 2
Workflow# 0000008545-0001
Buncombe County, NC
Otto W. DeBruhl Register of Deeds

BK 4714 PG 413-414

Prepared by and return to:
Erin F. Dunnuck, Esq.
Dungan Law Firm, P.A.
One Rankin Avenue, Third Floor
Asheville, North Carolina 28801

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

References: Deed Book 4178, Page 1730
Deed Book 4194, Page 1994

**SECOND 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 Article 8, Section 8.17 and substituting therefore the following new Article 8, Section 8.17:

2

Article 8

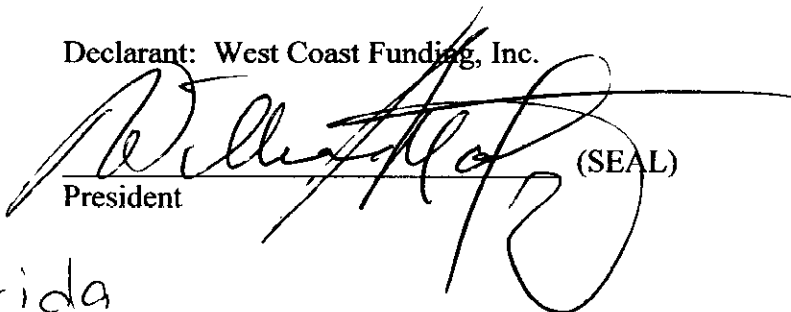
Use Restrictions and Purpose

Section 8.17 **Mailboxes.** Mailboxes throughout the Planned Community shall be uniform in appearance. Lot Owners shall contact the Architectural Committee for an explanation (which will include an illustration and measurements) of the type of mailbox that has been approved for this Planned Community. The failure of any Lot Owner to comply with this section shall be considered a violation of the Declaration. The Association may, after providing the Lot Owner with notice and opportunity to be heard, impose fines up to one hundred dollars (\$100.00) a day pursuant to N.C.G.S. 47F-3-107.1 for such a violation.

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

This the 8 day of 08, 2009.

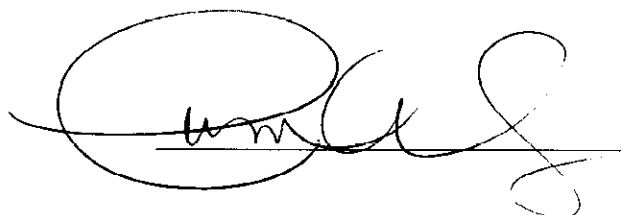
Declarant: West Coast Funding, Inc.

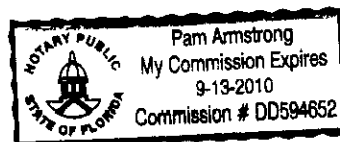

President (SEAL)

STATE OF Florida

COUNTY OF Hills

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





Notary Public

Witness my hand and official seal this the 8 day of August, 2009