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STATE OF NORTH CAROLINA  
COUNTY OF BUNCOMBE

Reference: Deed Book 4178, Page 1730  
Deed Book 4714, Page 413

**THIRD 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(b) and substituting therefor the following new Paragraph 3 of Article 16.3(b):

3. Single Family Dwelling Size:

(b) Log Homes are permitted and shall have a minimum 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 air conditioned or heated space. Patios, porches, garages, and cellars shall not be included in calculating the required minimum living area square footage. The size of the logs used in the log homes shall receive prior written approval from the Architectural Committee.

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

This the 22<sup>nd</sup> day of November, 2010.

Declarant: West Coast Funding, Inc.

  
President (SEAL)

STATE OF Florida

COUNTY OF Hillsborough