

**Upon recording,
please return to:**

NASH Wendell Falls, LLC
c/o Newland
1342 Briar Chapel Parkway
Chapel Hill, NC 27516

NOTE TO CLERK: Please Cross-Reference to:

Declaration of Easements at Book 16644
Page 416

Declaration of Covenants, Conditions and Restrictions at Book 15834
Page 1690

INDEXING NOTE TO CLERK'S OFFICE:

Please index in Grantor index under "NASH Wendell Falls, LLC"
Please index in Grantee index under "Wendell Falls," "Wendell Falls Community Association, Inc." and
"Wendell Falls Commercial Association, Inc."

STATE OF NORTH CAROLINA

COUNTY OF WAKE

**FIRST AMENDMENT TO THE
DECLARATION OF EASEMENTS AND COVENANT TO SHARE COSTS
FOR
WENDELL FALLS**

This First Amendment to the Declaration of Easements and Covenant to Share Costs for Wendell Falls ("**Amendment**") is made by NASH Wendell Falls, LLC, a Delaware limited liability company (the "**Declarant**"), with the joinder and consent of Wendell Falls Community Association, Inc. ("**Residential Association**").

Background Statement

The Declarant is the developer of the planned community located in Wake County, North Carolina known as Wendell Falls. The Declarant executed and filed that certain Declaration of Easements and Covenant to Share Costs for Wendell Falls recorded in the Office of the Register of Deeds of Wake County, North Carolina ("**ROD Office**") on December 20, 2016 in Deed Book

16644, Pages 416 through 435 (as now and hereafter amended and supplemented, the "**Covenant to Share Costs**"). The Declarant also executed and filed that Declaration of Covenants, Conditions and Restrictions for Wendell Falls recorded in the ROD Office on November 10, 2014 in Deed Book 15834, Pages 1690 through 1801 ("**Residential Declaration**").

The Residential Association is the "Association" named in and responsible for administering the Residential Declaration and was intended to be the "Residential Association" identified in and responsible for administering the Covenant to Share Costs, but was inadvertently referred to therein as "Wendell Falls Residential Association, Inc." rather than by its correct name, which is "Wendell Falls Community Association, Inc." The officers signing the Covenant to Share Costs on behalf of the Residential Association were, in fact, the officers of Wendell Falls Community Association, Inc.

Pursuant to Section 4.3 of the Covenant, the Declarant reserved the right to unilaterally amend the Covenant for any purpose until expiration of the Development and Sale Period under both the "Residential Declaration" and the "Commercial Declaration" (as defined therein). The Development and Sale Period has not expired under either the Residential Declaration or the Commercial Declaration and the Declarant and the Residential Association desire to amend the Covenant to correct the name of the Residential Association referenced therein.

NOW, THEREFORE, the Covenant to Share Costs is hereby amended by deleting all references to "Wendell Falls Residential Association, Inc." and replacing them with "Wendell Falls Community Association, Inc."

[continued on next page]

In witness of the foregoing, the Declarant has duly executed this Amendment by and through its authorized representatives this 13 day of July, 2018.

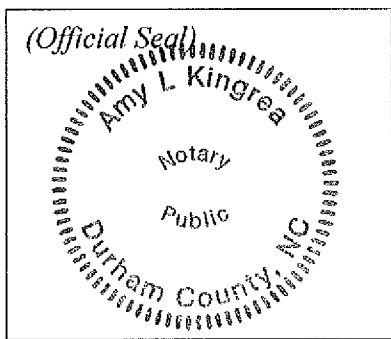
DECLARANT: NASH WENDELL FALLS, LLC, a Delaware limited liability company

By: [Signature]
Name: Mike Scisceni
Its: Authorized Signatory

STATE OF NORTH CAROLINA)
)
COUNTY OF CHATHAM)

I, Amy L. Kingrea a Notary Public in and for Durham County, North Carolina, certify that Mike Scisceni personally came before me this day and acknowledged that s/he is Auth. Signatory of NASH WENDELL FALLS, LLC, a Delaware limited liability company, and that by authority duly given and as the act of said limited liability company, s/he executed the foregoing instrument on behalf of said limited liability company.

Witness my hand and official stamp or seal, this 13 day of July, 2018.



[Signature]
Amy L. Kingrea, Notary Public
My Commission Expires: 6/23/2020

JOINDER AND CONSENT OF RESIDENTIAL ASSOCIATION

By execution below, Wendell Falls Community Association, Inc. does hereby acknowledge and consent to the foregoing First Amendment to the Declaration of Easements and Covenant to Share Costs for Wendell Falls and agree to assume and fulfill its obligations thereunder.

EXECUTED by and through its authorized representatives this 13 day of July, 2018.

RESIDENTIAL ASSOCIATION: WENDELL FALLS COMMUNITY ASSOCIATION, INC., a North Carolina nonprofit corporation

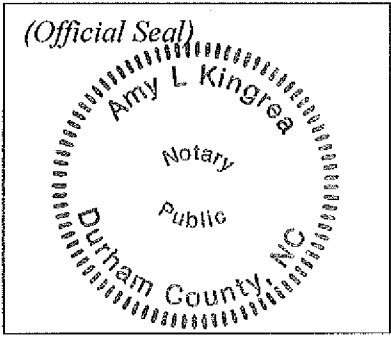
By: [Signature of Tanya Matzer]
Name: Tanya Matzer
Its: President

Attest: [Signature of Selvia Day]
Name: Selvia Day
Its: Secretary/Treasurer

STATE OF NORTH CAROLINA)
)
COUNTY OF CHATHAM)

I, Amy L. Kingra a Notary Public in and for Durham County, North Carolina, certify that Tanya Matzer personally came before me this day and acknowledged that s/he is President of WENDELL FALLS COMMUNITY ASSOCIATION, INC., a North Carolina nonprofit corporation, and that by authority duly given and as the act of said corporation, s/he executed the foregoing instrument on behalf of said corporation.

Witness my hand and official stamp or seal, this 13 day of July 2018.



[Signature of Amy L. Kingra]
Amy L. Kingra, Notary Public

My Commission Expires: 6/23/2020