

FILED  
JOHNSTON COUNTY  
CRAIG OLIVE  
REGISTER OF DEEDS

Johnston County, North Carolina  
CRAIG OLIVE Register of Deeds  
The following certificate(s) of  
JAMES R LEVINSON

FILED Jan 15, 2004  
AT 08:25:00 am  
BOOK 02619  
START PAGE 0754  
END PAGE 0757  
INSTRUMENT # 01433

notary/notaries public  
is/are certified to be correct.  
*Bill R. Pearce*  
Deputy - Assistant - Register of Deeds

Prepared By: Attorney James R. Levinson, PO Box 117, Benson, NC 27504  
Return to: File Levinson

NORTH FORT SUBDIVISION  
AMENDED PROTECTIVE COVENANTS

THIS DECLARATION made and entered into this the 18<sup>th</sup> day of November, 2003 by David Milton Flowers and Helen Jean Flowers, herein referred to as "Declarant";

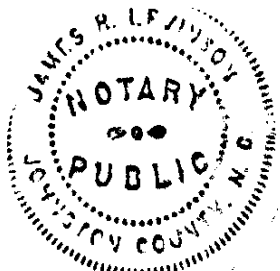
WITNESSETH:

THAT WHEREAS Declarant were the original owners of all of the tracts of land in North Fort subdivision and now are still owners of many said tracts therein and whereas the original protective covenants and all amendments thereto provide in Article 14 that while Declarant owns any lot within the subdivision, declaring shall the absolute right to amend these covenants, which amendment or amendment shall be binding upon all property owners within the subdivision.

All protective covenants for North Fort Subdivision Phase One through Eight are hereby amended to provide as follows:

Swimming Pool Regulations as shown on the attached Exhibit "A" are adopted.

In testament whereof, the declarants have set their hands and seals this the 18<sup>th</sup> day of November, 2003.



*David Milton Flowers* (SEAL)  
DAVID MILTON FLOWERS

*Helen Jean Flowers* (SEAL)  
HELEN JEAN FLOWERS

SWORN TO AND SUBSCRIBED  
BEFORE ME, THIS THE 18  
DAY OF Nov, 2003.

*James R. Levinson*  
NOTARY PUBLIC  
2-18-08  
MY COMMISSION EXPIRES:



STATE OF NORTH CAROLINA  
COUNTY OF JOHNSTON

I, a Notary Public of the County and State aforesaid, do hereby certify that David Milton Flowers and wife, Helen Jean Flowers personally appeared before me this day and acknowledged that the execution of the foregoing instrument. Witness my hand and official stamp or seal, this the 18 day of Nov, 2003.

*James R. Levinson*  
NOTARY PUBLIC  
MY COMMISSION EXPIRES: 2-18-08

## EXHIBIT "A"

## SWIMMING POOL COVENANTS FOR NORTH FORT DEVELOPMENT.

1. ANY LOT OWNER MUST HAVE ALL PLANS FOR INSTALLING A SWIMMING POOL APPROVED IN ADVANCE BY DEVELOPER DAVID M. FLOWERS. NO WORK MAY BEGIN BEFORE APPROVAL IS RECEIVED.
2. POOL CONTRACTOR WILL BE RESPONSIBLE FOR ALL ACCIDENTS, ETC., WHILE POOL IS UNDER CONSTRUCTION. POOL CONTRACTOR MUST PRESENT EVIDENCE OF LIABILITY AND WORKMANS COMPENSATION INSURANCE TO DEVELOPER BEFORE ANY WORK BEGINS.
3. SAFETY FENCING MUST BE INSTALLED AROUND CONSTRUCTION SITE BEFORE ANY WORK BEGINS. THIS FENCING MUST REMAIN UP FOR THE ENTIRE DURATION OF POOL INSTALLATION UNTIL PERMANENT FENCING IS INSTALLED.
4. WARNING AND NO TRESPASSING SIGNS MUST BE PLACED AROUND ENTIRE PROJECT AND REMAIN DISPLAYED THROUGHOUT THE DURATION OF THE PROJECT.
5. ALL POOLS WILL BE IN-GROUND PERMANENT POOLS OF CONCRETE OR LINER.
6. ALL POOLS MUST HAVE A FOUR FOOT MINIMUM CONCRETE OR TILE APRON SURROUNDING ENTIRE PERIMETER OF POOL.
7. POOLS MUST HAVE A PERMANENT VINYL PRIVACY FENCE AND/OR SAFETY FENCING AS REQUIRED BY BUILDING CODE. MINIMUM FENCE HEIGHT IS FOUR FEET. PLANS FOR FENCING MUST BE APPROVED IN ADVANCE BY DEVELOPER DAVID M. FLOWERS.
8. RETAINING WALLS WILL BE BRICK OR STONE. ALL DETAILS FOR RETAINING WALLS MUST BE APPROVED IN ADVANCE BY DEVELOPER DAVID M. FLOWERS.
9. ANY STRUCTURE BUILT TO CONTAIN POOL FILTER AND PUMP EQUIPMENT MUST BE CONSTRUCTED OF BRICK.
10. ANY ACCESSORY BUILDING, BATH HOUSE, ETC., MUST BE CONSTRUCTED OF BRICK.
11. ALL EXCESS SOIL FROM POOL AND POOL SITE MUST BE REMOVED FROM SITE OR GRADED ON SITE IF NEEDED AT THE DISCRETION OF LOT OWNER AND DEVELOPER.

EXHIBIT "A"

12. LANDSCAPING MUST BE INSTALLED AS SOON AS POOL IS FINISHED.  
LANDSCAPING INCLUDES LEVELING, RAKING, AND SOWING GRASS ON ALL  
DISTURBED SOIL.
  
13. ALL WORK MUST PASS DEVELOPER, COUNTY AND STATE INSPECTIONS.

**COVENANT AMMENDMENTS FOR NORTH FORT DEVELOPMENT.  
THESE COVENANTS SHALL APPLY TO ANY UNSOLD LOT.**

- 1. RESTRICTED BUILDING TEAM HAS BEEN ESTABLISHED BY DEVELOPER, DAVID M. FLOWERS. ONLY BUILDERS ON THE RESTRICTED BUILDING TEAM WILL BE ALLOWED TO BUILD HOMES IN NORTH FORT.**
- 2. MINIMUM SQUARE FOOTAGE FOR ALL UNSOLD LOTS AS OF 10/01/03 AND ALL FUTURE PHASES OF NORTH FORT WILL BE 2000 SQUARE FEET.**
- 3. CONSTRUCTION MUST BEGIN WITHIN TWELVE MONTHS OF LOT PURCHASE AND BE COMPLETED WITHIN TWENTY-FOUR MONTHS.**
- 4. A PENALTY OF \$300 DOLLARS PER MONTH FOR NON-COMPLIANCE WILL BE ASSESSED AND PAID TO DEVELOPER , DAVID M. FLOWERS.**
- 5. ALL WATER WELLS AND WELL SYSTEMS MUST BE COVERED EITHER BY A FALSE ROCK OR A WELL HOUSE CONSTRUCTED OF BRICK.**