

AMENDMENT TO THE DESIGN GUIDELINES FOR BRIAR CHAPEL

This Amendment is adopted by NNP-BRIAR CHAPEL, LLC, a Delaware limited liability company ("**Declarant**"), as of the 5 day of November 2013

BACKGROUND STATEMENT

On November 16, 2007, the Declarant filed that Declaration of Covenants, Conditions and Restrictions for Briar Chapel which was recorded in Deed Book 1370, Page 1020, *et seq.*, and re-recorded November 28, 2007 in Deed Book 1372, Page 884, *et seq.*, in the Office of the Register of Deeds in Chatham County, North Carolina (as it may be amended and supplemented, the "**Declaration**"). The property described in the Declaration comprises the community known as Briar Chapel. The Declaration establishes various covenants, conditions, restrictions, and obligations with respect to such property, including requirements for architectural review.

Initial design guidelines for Briar Chapel required by Chatham County, North Carolina were set forth in Exhibit "D" to the Declaration ("**County Design Guidelines**"). Pursuant to Section 4.3(a) of the Declaration, the Declarant adopted additional design guidelines for residential properties in Briar Chapel (as they may be amended and supplemented, the "**Design Guidelines**"). Section 4.3(a) of the Declaration reserves to the Declarant the sole and full authority to amend the Design Guidelines so long as the Declarant owns any property in Briar Chapel, or any real property that may be made a part of Briar Chapel pursuant to Section 9.1 of the Declaration and until a certificate of occupancy has been issued for a dwelling on every Unit (as defined in the Declaration), unless earlier terminated in a written instrument that Declarant executes and records. Such authority remains in effect and the Declarant now desires to amend the Design Guidelines as set forth herein.

STATEMENT OF AMENDMENT

NOW, THEREFORE, pursuant to the authority set forth in Section 4.3(a) of the Declaration, the Declarant hereby adopts the 2013 HOA Design Guidelines for Briar Chapel attached hereto as Exhibit "A", such exhibit superseding and replace the existing 2009/2010 Design Guidelines in their entirety, provided, if any provision of Exhibit "A" is inconsistent with previous guidelines, the more restrictive provision shall control.

ADOPTED and effective as of the date first set forth above.

DECLARANT: NNP-BRIAR CHAPEL, LLC, a
Delaware limited liability company

By: 

Name: LAURIE FORD

Title: VICE PRESIDENT