



**2018001628**

MCDOWELL CO, NC FEE \$26.00  
PRESENTED & RECORDED:

04-13-2018 09:18:35 AM

TONIA R HAMPTON

REGISTER OF DEEDS

BY: LENA BAKER

ASSISTANT REGISTER OF DEEDS

**BK: CRP 1241**

**PG: 666-669**

*Todd Black*

PREPARED BY and return to Erin F. Dumuck, Esq., Dumuck Law Firm, P.L.L.C., 16 Broad Street, Asheville, North Carolina 28801

Reference: Deed Book 868, Page 768  
Deed Book 1198, Page 309  
Deed Book 1229, Page 269  
Deed Book 1229, Page 271

**STATE OF NORTH CAROLINA  
COUNTY OF MCDOWELL**

**AMENDMENT TO THE DECLARATION OF RESTRICTIVE  
COVENANTS FOR GRANDVIEW PEAKS**

THIS AMENDMENT made this 12<sup>th</sup> day of April, 2018, by Grandview Peaks Property Owners Association, Inc., a North Carolina non-profit corporation;

WHEREAS, Grandview Peaks Property Owners Association, Inc., ("Association") is the association of lot owners at Grandview Peaks, a development located in McDowell County, North Carolina; and

WHEREAS, the Association is subject to the Declaration of Restrictive Covenants for Grandview Peaks, recorded in the McDowell County Registry of Deeds in Deed Book 868 at Page 768 ("Declaration"); and

NOW THEREFORE, in accordance with Section 19 of the Declaration, the Declaration is hereby amended by striking Section 3 of the Declaration in its entirety and replacing it with the following Section 3:

3. DWELLING RESTRICTIONS: Any dwelling house built in this Development shall be new, stick-built construction, constructed on the premises and shall comply with all State, County, and local building standards and codes, including specifically those standards for plumbing, septic, and electrical work. Single-wide mobile homes, double-wide mobile homes, and manufactured homes are specifically prohibited. All buildings, including dwelling houses and outbuildings, shall be constructed of natural wood, stone or brick materials,

including but not limited to brick, stone, log, clapboard, shingle, or high-quality composite materials with the same appearance as natural wood materials. In no event shall aluminum, vinyl siding, or cinder block be used on any dwelling house or outbuilding, nor shall exposed cinder block foundations be permitted. Contractors of the property owners are required to submit a Construction Impact Fee of \$2,500.00 upon commencement of construction of the home. The Board of Directors will have the right to adjust the amount of the impact fee as needed.

- a) The living area of any dwelling house, exclusive of any porches, garages, carports and patios, shall be not less than 1200 square feet above ground level. All building plans and color must be approved by the Board of Directors and/or the Architectural Review Committee of the Association prior to the construction to ensure the building meets the requirements of the Restrictive Covenants.
- b) The construction of the exterior of all buildings, including dwelling houses and outbuildings, shall be completed within twelve (12) months from date of issuance of the building permit. For purposes of this provision, a building shall be deemed "completed" when all exterior components and finishes are installed including, but not limited to, siding, roofing, trim, gutters, porches and paint/stain.
- c) All disturbed areas of each building site shall be seeded and/or landscaped within three (3) months from the date of completion of the exterior components of any building but, in any event, not later than fifteen (15) months from the date of issuance of the building permit. During construction, appropriate erosion control measures shall be made to avoid the transfer of any sediment or construction debris to any neighboring lots or common area.

IN WITNESS WHEREOF, Declarant has caused this instrument to be executed under seal as of the day and year first above written.

DECLARANT:

Grandview Peaks, LLC

A North Carolina Limited Liability Company

BY:           *Todd J. Black*          

Member Manager

Print Name:           *Todd J. Black*

STATE OF NORTH CAROLINA  
COUNTY OF Burke

I, Erika Kirk, a Notary Public for Burke County,  
North Carolina, certify that Todd J. Black personally came before me this day and  
acknowledged that he is Member Manager of Grandview Peaks, LLC, a North Carolina Limited  
Liability Company, and that by authority duly given and as the act of the limited liability  
company, the foregoing instrument was signed on its behalf.

Witness my hand and official seal, this the 12<sup>th</sup> day of April, 2018

Erika Kirk  
Notary Public

(SEAL)

My commission expires: 3-6-21

