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**STATE OF NORTH CAROLINA
COUNTY OF HENDERSON**

References: Deed Book 1200, Page 263
Deed Book 1238, Page 4833
Deed Book 1421, Page 454
Deed Book 1530, Page 456
Deed Book 1581, Page 581

**AMENDMENT TO THE DECLARATION OF CONDOMINIUM COVENANTS
CONDITIONS AND RESTRICTIONS FOR SKYTOP FARM**

WITNESSETH

WHEREAS, Skytop Farm, a real property development was established as a planned community to be organized, controlled and governed by the Declaration of Covenants, Conditions and Restrictions for Skytop Farm recorded in Deed Book 1530, Page 456, Henderson County, North Carolina Registry of Deeds on April 17, 2013, as amended ("Declaration").

WHEREAS, in accordance with the Declaration, Bylaws and its Articles of Incorporation filed on November 29, 2004, Skytop Farm Homeowners Association, Inc., a North Carolina Non-Profit Corporation ("Association"), is the duly organized and authorized Association of lot owners at Skytop Farm; and

WHEREAS, in accordance with the Declaration, members owning the appropriate percentage of the lots at Skytop Farm pursuant to Article 44 of the Declaration voted to adopt the following Amendment to the Declaration of Covenants, Conditions and Restrictions for Skytop Farm;

NOW, THEREFORE, the Declaration of Covenants, Conditions and Restrictions for Skytop Farm is hereby amended as follows:

The Declaration shall be amended by deleting Article 5 of the Declaration in its entirety and replacing it with the following Article 5:

ARTICLE 5
SUBDIVIDING, BOUNDARY RELOCATION AND COMBINING

No Lot shall be subdivided, or its boundary lines relocated, for any purpose.

Owners of multiple contiguous lots in Skytop Farms can consolidate or combine their lots with the Henderson County Tax Department for tax purposes in their own discretion. Consolidating or combining lots with the Henderson County Tax Department does not impact the lot owners' assessment obligations to the Association. For example, if a lot owner owns two (2) adjoining lots in Skytop Farms and combines the lots with the Henderson County Tax Department, the lot owner will still be obligated to pay assessments for two (2) lots to the Association.

The Declaration shall be amended by deleting Article 7 of the Declaration in its entirety and replacing it with the following Article 7:

ARTICLE 7
BUILDING SIZE

No Structure except as herein provided, shall be erected, altered, placed or permitted to remain on any Lot other than one (1) Single-Family Dwelling Unit not exceeding two (2) stories in height above the basement, with a minimum of at least a two (2) car garage which may be attached or unattached. Each Family Dwelling Unit must have sufficient enclosed garage space for any and all family cars. No carports are permitted. Square Footage will be calculated from the outside wall. The minimum square footage shall be two thousand eight hundred (2,800) square feet of heated living space on the main level. Two story homes are to be built to a minimum of three thousand eight hundred (3,800) square feet of heated living space with two thousand eight hundred (2,800) square feet on the main level. Garages, porches, patios, decks, greenhouses, unfinished basements, cellars or similar structures are not to be considered floor space in meeting the above requirements. All improvements shall be designed so as to blend with other home dwellings in the community. Variances will be considered based on site constraints.

The Declaration shall be amended by deleting Article 19 of the Declaration and replacing it with the following Article 19:

ARTICLE 19
VEHICLES AND VEHICLE STORAGE

A. **STORAGE:** Any boats, recreational vehicles, campers, motorcycles, all-terrain vehicles or any commercial vehicle kept within the Development must be stored in the garage or an enclosed area that is no visible from the roads and streets within any portion of Skytop. No vehicle of any kind shall be stored on any lot. Garage doors must be closed at all times when not in use. Commercial vehicle is defined as a vehicle that advertises a business, commercial enterprise, product, employer or service anywhere on the vehicle (except for a license plate holder or a small decal on a window).

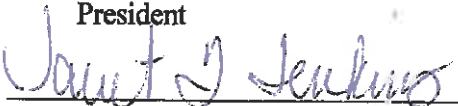
B. **MOTORCYCLES, ATV'S, UTV's, ETC:** Use of non-street legal motorcycles, motorbikes, all-terrain vehicles, or utility vehicles (diesel or gasoline fueled) shall not be allowed upon or in Skytop Farm. Electric vehicles such as golf carts are permitted within the community.

IN WITNESS WHEREOF, the undersigned officers of Skytop Farm Homeowners Association, Inc. hereby certify that the above amendment to the Declaration was duly adopted by the Association and its membership in accordance with and pursuant to the Declaration.

This 29 day of April, 2019.

Skytop Farm Homeowners Association, Inc.

by: 
President

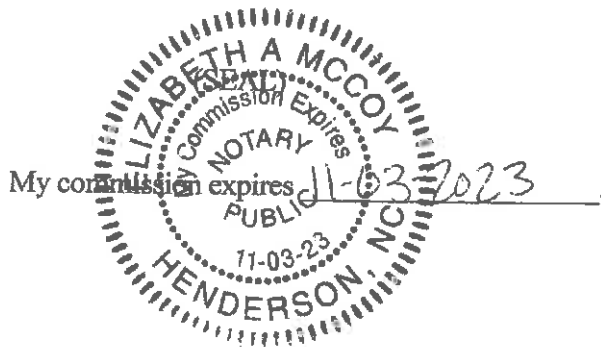
Attest: 
Secretary

STATE OF NORTH CAROLINA
COUNTY OF Henderson

I Elizabeth A. McCoy, Notary Public for Henderson County,
North Carolina (state), certify that Janet Jenkins

personally came before me this day and acknowledged that he (or she) is Secretary of Skytop Farm Homeowners Association, Inc., a nonprofit corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President and attested by himself (or herself) as its Secretary.

Witness my hand and official seal, this the 29 day of April, 2019.



Elizabeth A. McCoy
Notary Public