

WAKE COUNTY, NC 234
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
03/21/2012 AT 12:20:11

BOOK:014694 PAGE:02092 - 02095

Prepared by & return to
Elizabeth Belden
Duke Realty Corporation
3175 Davinci Court, Suite 300
Peachtree Corners, GA 30092

Cross Reference: Book 10402
Page 1053, Wake County records

**SECOND AMENDMENT AND SUPPLEMENT TO
DECLARATION OF MASTER PROTECTIVE COVENANTS
FOR GREENFIELD NORTH**

This SECOND AMENDMENT AND SUPPLEMENT TO DECLARATION OF MASTER PROTECTIVE COVENANTS FOR GREENFIELD NORTH (this "Amendment") is made effective as of the 20th day of March, 2012, by DUKE REALTY LIMITED PARTNERSHIP, an Indiana limited partnership doing business in North Carolina as "Duke Realty of Indiana Limited Partnership" ("Declarant").

WITNESSETH THAT

A. RECITALS

WHEREAS, Raleigh Properties Group II, LLC, a Delaware limited liability company ("Original Declarant"), executed that certain Declaration of Master Protective Covenants for Greenfield North, dated August 28, 2003, recorded in Book 10402, page 1053, Wake County Registry, as amended by First Amendment and Supplement to Declaration of Master Protective Covenants for Greenfield North dated December 28, 2005, recorded in Book 11750, page 2254, aforesaid records (as amended, the "Declaration");

WHEREAS pursuant to Section 10.18 of the Declaration, Original Declarant assigned to Declarant, and the Declarant has assumed, all of the rights, powers and reservations of the "Declarant" contained in the Declaration by virtue of that certain Assignment of Declarant's Rights (Greenfield North) dated September 14, 2011, recorded in Book 14515, page 922, aforesaid records;

WHEREAS, Declarant is in the process of selling to GREENFIELD INVESTORS LLC, a North Carolina limited liability company ("Purchaser"), that certain tract of land known as Lot 19B as shown on that plat entitled "Final Plat of Parcel 19 Greenfield North Subdivision" recorded in Book of Maps 2007, Page 2587, Wake County Registry;

WHEREAS, Purchaser intends to develop Lot 19B for multi-family residential purposes; and

WHEREAS, Section 1.04 of the Declaration, provides that the Property is restricted exclusively to non-residential use *unless* Declarant shall amend the Declaration to permit residential use, and to make such other changes to the Declaration as may be necessary to comply with the provisions of the North Carolina Planned Community Act (if applicable) or any other applicable statute; and

WHEREAS, Declarant desires to amend the Declaration to permit residential uses on Lot 19B,

B. THE AMENDMENT

1. NOW, THEREFORE, Declarant hereby declares that the Declaration shall be amended and supplemented in the following manner:

(a) Lot 19B may be developed for multi-family residential purposes provided Purchaser or any Owner of Lot 19B designs and submits its proposed Improvements in accordance with the requirements of Article IV of the Declaration, and receives approval of such plans.

(b) Except as expressly amended hereby, all terms and provisions of the Declaration shall remain in full force and effect and are hereby ratified and reaffirmed by Declarant.

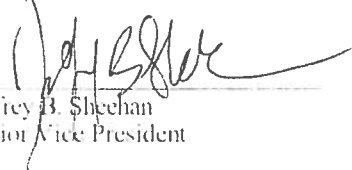
(c) Capitalized terms used in this Amendment that are not specifically defined herein shall have the meanings defined in the Declaration.

IN WITNESS WHEREOF, the undersigned has caused this Amendment to be executed by its duly-authorized representative on the date first written above.

DECLARANT:

DUKE REALTY LIMITED PARTNERSHIP, an Indiana limited partnership doing business in North Carolina as "Duke Realty of Indiana Limited Partnership"

By: DUKE REALTY CORPORATION, an Indiana corporation, sole general partner

By: 
Jeffrey B. Sheehan
Senior Vice President

[CORPORATE SEAL]

STATE OF NORTH CAROLINA

COUNTY OF WAKE

I, MARCIA MONTGOMERY, a Notary Public of the County and State aforesaid, certify that Jeffrey B. Sheehan, as Senior Vice President of Duke Realty Corporation, the sole general partner of DUKE REALTY LIMITED PARTNERSHIP, an Indiana limited partnership doing business in North Carolina as "Duke Realty of Indiana Limited Partnership", personally appeared before me this day and acknowledged the execution of the foregoing instrument as the act and deed of said limited partnership.

Witness my hand and official seal this 20th day of March, 2012.

Marcia Montgomery
Notary Public

My Commission Expires: March 11, 2014

