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Drawn by and mail to: Donald A. Donadio, Esq.
Womble Carlyle Sandridge & Rice, PLLC
150 Fayetteville Street Mall
Raleigh, North Carolina 27601

WILLIAM BOVINGTON
REGISTER OF DEEDS
DURHAM COUNTY, N.C.

STATE OF NORTH CAROLINA)
)
COUNTY OF DURHAM)

TWELFTH AMENDMENT
TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR TREYBURN RESIDENTIAL OWNERS ASSOCIATION FOR
THE PURPOSE OF AMENDING AND RESTATING THE
TREYBURN DESIGN GUIDELINES:

THIS TWELFTH AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS, AND RESTRICTIONS FOR TREYBURN RESIDENTIAL OWNERS
ASSOCIATION dated as of April 1, 1998

RECITALS:

1. Research Properties Associates, a North Carolina limited partnership, made a certain Declaration of Covenants, Conditions and Restrictions for Treyburn Residential Owners Association, dated the 10th day of November, 1987 and caused the same to be recorded in Book 1457, Page 891, Durham County Registry (as from time to time heretofore and hereafter supplemented and amended including, without limitation, by that certain Eleventh Amendment to Declaration of Covenants, Conditions and Restrictions for Treyburn Residential Owners Association for the Purpose of Amending and Restating the Treyburn Design Guidelines recorded April 23, 1998 in the Durham County Registry, hereinafter referred to as the "Declaration").

2. Pursuant to that certain Assignment of Declarant's rights dated the 23d day of September, 1993 and recorded in Book 1897, Page 1007, Durham County Registry, Research Properties Associates transferred and assigned to Treyburn I Limited Partnership (formerly known as Treyburn Limited Partnership) all of Research Properties Associates' rights, interests and obligations as Declarant and Treyburn I Limited Partnership subsequently assigned all of its rights, interests and obligations as Declarant to Treyburn Limited Liability Company pursuant to an Assignment of Declarant's Rights dated as of the 10th day of June, 1997 and recorded in Book 2328, Page 568, Durham County Registry.

3. Pursuant to Article XI of the Declaration, the Declarant has caused to be appointed a New Construction Committee, as provided for in the Declaration, consisting of Elizabeth S. Kapil, Terry Sanford, Jr., Haden-Stanziale, Inc., Clarence Lupton and Architectural Design and Planning

Group of Wilmington, Inc., which New Construction Committee is vested under the Declaration with sole and full authority to amend the Design Guidelines.

4. Pursuant to the authority vested in the New Construction Committee under Article IX of the Design Guidedlines as presently constituted, the New Construction Committee has determined to alter the Design Guidelines or grant permanent variances therefrom with respect to the property identified in the attached Supplemental Design Guidelines No. 5 attached hereto and incorporated herein by this reference.

IN WITNESS WHEREOF, the undersigned Treyburn Limited Liability Company has caused this Amendment to be executed as of the day first above-written.

TREYBURN LIMITED LIABILITY COMPANY
By Its Sole Member
Royal Hawaiian Shopping Center, Inc., a Hawaii
corporation

By: *Richard S. Wong*
Name: Richard S.H. Wong
Its: President

By: *Scott K. Hayashi*
Name: Scott K. Hayashi
Its: Assistant Vice President
Mainland Properties

ATTEST:

Phyllis T. Guskaden
Phyllis T. Guskaden, Secretary
(CORPORATE SEAL)

STATE OF HAWAII

CITY AND COUNTY OF HONOLULU

I, Gail A. Aila ^{City and} _____, a Notary Public of the County and state aforesaid, do hereby certify that Phyllis T. Cuskaden, personally appeared before me this day and acknowledged that she is secretary of Royal Hawaiian Shopping Center, Inc., a Hawaii corporation and sole member of Treyburn Limited Liability Company, and that the foregoing instrument was signed in its name by Richard S. H. Wong and Scott K. Hayashi its President _____, and Assistant Vice President _____ respectively, sealed with its corporate seal, and attested by herself as its Corporate Secretary _____.

WITNESS my hand and official stamp or seal, this the 1st day of May, 1998.

Gail A. Aila
Notary Public, State of Hawaii

(STAMP-SEAL)

My Commission Expires: 4-13-99

State of North Carolina - Durham County
The foregoing certificate (s) of _____

Gail A. Aila
A Notary (Notaries) Public of the designated Governmental units is (are) certified to be correct.

This 9 day of July, 1998.

WILLIE L. COVINGTON
Register of Deeds

By: Gail Aila

_____/Deputy Register of Deeds

Treyburn Supplemental Design Guidelines No. 5
Specific Architectural And Site Standard Variances Allowed

Treyburn Reference: I-6 Phases 1 & 2

Neighborhood Name: N/A

Phase 1 Lots 1-23 and 59-65

Phase 2 Lots 24-58 and 66-80

SEC 11 Plat Book 122 Page 167

SEC 26, Plat Book 135 Page 208

(Durham County Registry)

Note: This addendum is in addition to and not in lieu of the general requirements of the Design Guidelines. Specific areas where variances are allowed are set forth below. Except as herein amended or modified for the neighborhood identified in the caption, the Design Guidelines shall control.

I. Architectural Standards

A. Minimum/Maximum Square Footage

Phase 1 - Minimum 1,800 Square Feet

Phase 2 - Minimum 2,300 Square Feet

B. Exterior Detail

i) Soffits - No variance.

ii) Foundations - No variance.

C. Shutters - No variance.

D. Windows - No variance.

E. Roofs - No variance.

F. Roof vents - No variance.

G. Exterior Materials - No variance.

H. Garages - No variance.

I. Garage Doors - No variance.

J. Drives - No variance.

K. Doors - No variance.

Supplement No. 5
Page 2

L. Chimneys - No variance.

M. Decks - No variance.

II. Site Requirements

A. Impervious Coverage Limits

As per merged City/County Ordinance.

B. Setback Requirements (minimum)

i. Front Yard

a. Phase 1 - 25 feet


b. Phase 2 - 35 feet

ii. Side Yard - minimum 8 feet per side

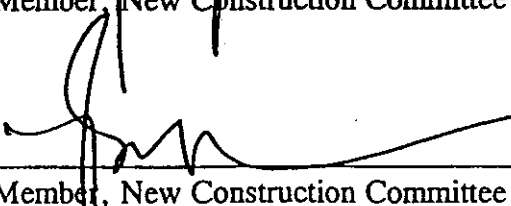
iii. Rear Yard - 25 feet Treyburn setback.

iv. Special Setback Requirements: 25 foot rear setback on the Golf Course.

Dated as of April 1, 1998



Member, New Construction Committee



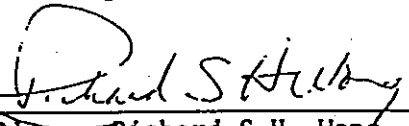
Member, New Construction Committee


Group of Wilmington, Inc., which New Construction Committee is vested under the Declaration with sole and full authority to amend the Design Guidelines.

4. Pursuant to the authority vested in the New Construction Committee under Article IX of the Design Guidelines as presently constituted, the New Construction Committee has determined to alter the Design Guidelines or grant permanent variances therefrom with respect to the property identified in the attached Supplemental Design Guidelines No. 6 attached hereto and incorporated herein by this reference.

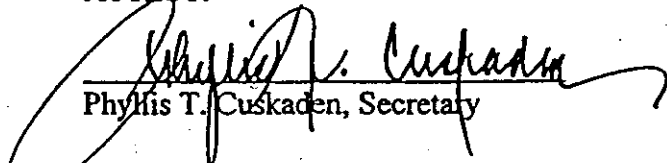
IN WITNESS WHEREOF, the undersigned Treyburn Limited Liability Company has caused this Amendment to be executed as of the day first above-written.

TREYBURN LIMITED LIABILITY COMPANY
By Its Sole Member
Pauahi Management Corporation, a Hawaii corporation

By: 
Name: Richard S.H. Wong
Its: President

By: 
Name: Scott K. Hayashi
Its: Assistant Vice President
Mainland Properties

ATTEST:


Phyllis T. Cuskaden, Secretary
(CORPORATE SEAL)

STATE OF HAWAII

CITY AND COUNTY OF HONOLULU

I, Gail A. Aila, a Notary Public of the ^{City and} county and state aforesaid, do hereby certify that Phyllis T. Cuskaden, personally appeared before me this day and acknowledged that she is secretary of Pauahi Management Corporation, a Hawaii corporation and sole member of Treyburn Limited Liability Company, and that the foregoing instrument was signed in its name by Richard S.H. Wong and Scott K. Hayashi its President, and Assistant Vice President respectively, sealed with its corporate seal, and attested by herself as its corporate secretary.

WITNESS my hand and official stamp or seal, this the 14th day of October, 1998.

[Signature]
Notary Public, State of Hawaii

L.S.

(STAMP-SEAL)

My Commission Expires: 4-13-99

Treyburn Supplemental Design Guidelines No. 6
Specific Architectural And Site Standard Variances Allowed
Treyburn Reference: I-8
Neighborhood Name: N/A
Lots 1-23
Plat Book 140, Page 130-132
(Durham County Registry)

Note: This addendum is in addition to and not in lieu of the general requirements of the Design Guidelines. Specific areas where variances are allowed are set forth below. Except as herein amended or modified for the neighborhood identified in the caption, the Design Guidelines shall control.

- I. Architectural Standards
 - A. Minimum/Maximum Square Footage
 - i) Minimum 2,300 Square Feet
 - B. Exterior Detail
 - i) Soffits - No variance.
 - ii) Foundations - No variance.
 - C. Shutters - No variance.
 - D. Windows - No variance.
 - E. Roofs - No variance.
 - F. Roof vents - No variance.
 - G. Exterior Materials - No variance.
 - H. Garages - No variance.
 - I. Garage Doors - No variance.
 - J. Drives - No variance.
 - K. Doors - No variance.
 - L. Chimneys - No variance.

M. Decks - No variance.

II. Site Requirements


A. Impervious Coverage Limits

As per merged City/County Ordinance.

B. Setback Requirements (minimum)

- i. Front Yard - 35 feet
- ii. Side Yard - minimum 8 feet per side
- iii. Rear Yard - 25 feet Treyburn setback.
- iv. Special Setback Requirements: 25 foot rear setback on the Golf Course.

Dated as of October 26, 1998



Member, New Construction Committee



Member, New Construction Committee

3. Article XI, Section 1 of the Declaration provides that until one hundred percent (100%) of the Properties, as defined therein, have been developed and conveyed to purchasers in the normal course of development and sale, the Declarant retains the right to appoint all members of the New Construction Committee, as defined therein, which shall consist of at least three (3), but not more than five (5), persons.

4. One hundred percent (100%) of the Properties have not been developed and conveyed to purchasers in the normal course of development and sale and, therefore, Declarant retains the right to appoint all members of the New Construction Committee.

5. Declarant desires to appoint new members to the New Construction Committee and to publish notice thereof by signing and registering this Amendment.

AMENDMENT:

NOW, THEREFORE, the Declaration is hereby amended as follows:

1. Pursuant to Article XI, Section 1 of the Declaration, the Declarant appoints a New Construction Committee consisting of (1) George E. Stanziale, Jr., (2) David R. Barnes, and (3) Michael L. Ramsey, NCARB. George E. Stanziale, Jr. is hereby appointed chairperson of the New Construction Committee. The address and telephone number of the New Construction Committee is: c/o Haden-Stanziale, P.A., Planners and Landscape Architects, 2200 West Main Street, Suite 560, Durham, North Carolina 27705, Telephone: (919) 286-7440; Facsimile: (919) 286-7889).

[remainder of page intentionally left blank]

IN WITNESS WHEREOF, the undersigned Treyburn Limited Liability Company has caused this Amendment to be executed as of the day first above-written.

TREYBURN LIMITED LIABILITY COMPANY
By Its Sole Member
Pauahi Management Corporation, a Hawaii corporation

By: *Richard S. Wong*
Name: Richard S.H. Wong
Its: President

By: *Scott K. Hayashi*
Name: Scott K. Hayashi
Its: Assistant Vice President
Mainland Properties

ATTEST:

Phyllis T. Cuskaden
Phyllis T. Cuskaden, Secretary
(CORPORATE SEAL)

STATE OF HAWAII

CITY AND COUNTY OF HONOLULU

I, *Gail A. Aila*, a Notary Public of the ^{*city of*} county and state aforesaid, do hereby certify that Phyllis T. Cuskaden, personally appeared before me this day and acknowledged that she is secretary of Pauahi Management Corporation, a Hawaii corporation and sole member of Treyburn Limited Liability Company, and that the foregoing instrument was signed in its name by *Richard S.H. Wong* and *Scott K. Hayashi* its *President* and *Assistant Vice President* respectively, sealed with its corporate seal, and attested by herself as its corporate secretary.

WITNESS my hand and official stamp or seal, this the *26th* day of *January*, 1999.

Phyllis A. Aila
Notary Public, State of *Hawaii*

L.S.
(STAMP-SEAL)

My Commission Expires: *4-13-99*

Jr., David R. Barnes, and Michael L. Ramsey, NCARB, which New Construction Committee is vested under the Declaration with sole and full authority to amend the Design Guidelines.

4. Pursuant to the authority vested in the New Construction Committee under Article IX of the Design Guidelines as presently constituted, the New Construction Committee has determined to amend the setback requirements of the Design Guidelines with respect to the property identified in the attached Supplemental Design Guidelines No. 2 attached hereto and incorporated herein by this reference.

[Remainder of page intentionally left blank]

IN WITNESS WHEREOF, the undersigned Treyburn Limited Liability Company has caused this Amendment to be executed as of the day first above-written.

TREYBURN LIMITED LIABILITY COMPANY
By Its Sole Member
Pauahi Management Corporation, a Hawaii corporation

By: *Richard S. Wong*
Name: Richard S.H. Wong
Its: President

(CORPORATE SEAL)

By: *Scott K. Hayashi*
Name: Scott K. Hayashi
Its: Assistant Vice President
Mainland Properties

ATTEST:

Phyllis T. Cuskaden
Phyllis T. Cuskaden, Secretary

STATE OF HAWAII

CITY AND COUNTY OF HONOLULU

I, *Gail A. Aila*, a Notary Public of the city, county and state aforesaid, do hereby certify that Phyllis T. Cuskaden, personally appeared before me this day and acknowledged that she is secretary of Pauahi Management Corporation, a Hawaii corporation and sole member of Treyburn Limited Liability Company, and that the foregoing instrument was signed in its name by *Richard S.H. Wong* and *Scott K. Hayashi* its *President*, and *Assistant Vice President* respectively, sealed with its corporate seal, and attested by herself as its corporate secretary.

WITNESS my hand and official stamp or seal, this the *8th* day of *June*, 1999.

GAIL A. AILA
Notary Public
State of Hawaii
(STAMP SEAL)

Gail A. Aila
Notary Public, State of *Hawaii*

My Commission Expires: *4-13-03*

Treyburn Supplemental Design Guidelines No. 2
Specific Architectural And Site Standard Modifications Allowed

Treyburn References: I-7 Phases 1 and 2

Neighborhood Name: N/A

Lots 1-6, & 59-63, SEC 13 Book 125, Page 14

Lots 7-23, 64 & 65, SEC 14 Book 125, Page 15

Lots 56-58 SEC 13A Book 131, Page 133

Lots 36-50 SEC 17 Book 131 Page 136

Lots 24-35, 51, & 66-71 SEC 16 Book 131 Page 135

Lots 52-55 & 73-80 SEC 15 Book 131 Page 134

(Durham County Registry)

Note: This addendum is in addition to and not in lieu of the general requirements of the Design Guidelines. Specific areas where variances are allowed are set forth below. Except as herein amended or modified for the neighborhood identified in the caption, the Design Guidelines shall control.

I. Architectural Standards

A. Minimum Square Footage

Minimum: 2,300 Square Feet

B. Exterior Detail

- i) Soffits - No variance.
- ii) Foundations - No variance.

C. Shutters - No variance.

D. Windows - No variance.

E. Roofs - No variance.

F. Roof vents - No variance.

G. Exterior Materials - No variance.

H. Garages - No variance.

I. Garage Doors - No variance.

J. Drives - No variance.

Supplement No. 2

Page 2

- K. Doors - No variance.
- L. Chimneys - No variance.
- M. Decks - No variance.


II. Site Requirements

A. Impervious Coverage Limits

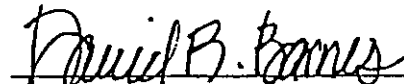
As per Merged City/County Ordinance.

B. Setback Requirements

- 1. Front Yard - 50 feet
- 2. Side Yard - 12 feet
- 3. Rear Yard - 25 feet
- 4. Special Setbacks Requirements:
 - a. Minimum total side yards - 30 feet
 - b. Minimum total side yard on a corner lot - 35 feet
 - c. Minimum each side - 12 feet
 - d. Minimum street side yard - 1/2 front yard requirement



Member, New Construction Committee
GEORGE E. STANZIALI JR.



Member, New Construction Committee
DAVID R. BARNES

FOR REGISTRATION REGISTER OF DEEDS
WILLIE L. COVINGTON
DURHAM COUNTY, NC
2001 AUG 08 02:48:50 PM
BK: 3170 PG: 393-400 FEE: \$20.00
INSTRUMENT # 2001035502

Drawn by and mail to: Womble Carlyle Sandridge & Rice, PLLC (PTL)
Post Office Box 831
Raleigh, North Carolina 27602

STATE OF NORTH CAROLINA) (WB-2A)
)
COUNTY OF DURHAM)

TWENTY-SECOND AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR TREYBURN RESIDENTIAL OWNERS ASSOCIATION
AND DESIGN GUIDELINES

TWENTY-FOURTH AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR TREYBURN ASSOCIATION

THIS TWENTY-SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR TREYBURN RESIDENTIAL OWNERS ASSOCIATION AND DESIGN GUIDELINES (the "Twenty-Second Amendment"), and TWENTY-FOURTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR TREYBURN ASSOCIATION (the "Twenty-Fourth Amendment") (the Twenty-Second Amendment, and the Twenty-Fourth Amendment are collectively referred to herein as the "Amendment") is made and entered into this 27th day of June, 2001, by TREYBURN LIMITED LIABILITY COMPANY, a North Carolina limited liability company ("Declarant").

RECITALS:

A. Research Properties Associates Limited Partnership, a North Carolina limited partnership ("RPA"), executed and recorded those certain (1) Declaration of Covenants, Conditions, and Restrictions for Treyburn Residential Owners Association and Design Guidelines, dated November 10, 1987, and recorded June 20, 1988, in Book 1457, Page 891, Durham County Registry, as from time to time amended (as so amended, and as the same may be further amended, modified or supplemented and in effect from time to time, the "Residential Owners Association Declaration"), and (2) Declaration of Covenants, Conditions, and Restrictions for Treyburn Association, dated November 10, 1987, and recorded June 20, 1988, in Book 1457, Page 854, Durham County Registry, as from time to time amended (as so amended, and as the same may be further amended, modified or supplemented and in effect from time to time, the "Treyburn Association Declaration") (the Residential Owners Association Declaration and the Treyburn Association Declaration are collectively referred to herein as the "Declarations" and separately as a "Declaration"), which subject certain real property located in Durham County, North Carolina (hereinafter called "Treyburn"), to the covenants and restrictions set forth in the Declarations to provide for the development of Treyburn in an orderly manner with appropriate architectural, use and maintenance controls in order to maintain the

value, aesthetic appearance, and architectural harmony of Treyburn during and after development.

B. Pursuant to that certain Assignment of Declarant's Rights and Obligations, dated as of September 29, 1993, and recorded September 29, 1993, in Book 1897, Page 1007, Durham County Registry, RPA transferred and assigned to Treyburn I Limited Partnership (formerly known as Treyburn Limited Partnership) all of RPA's rights, interests and obligations as Declarant under the Declarations, and Treyburn I Limited Partnership subsequently assigned all of its rights, interests and obligations as Declarant under the Declarations to Declarant pursuant to an Assignment of Declarant's Rights and Obligations, dated as of June 10, 1997, and recorded June 24, 1997, in Book 2328, Page 568, Durham County Registry.

Subjecting Additional Property to Declarations

C. Declarant is the owner and developer of an acreage parcel within Treyburn known as WB-2A containing approximately 20.962 acres, which parcel is more fully described on Exhibit A attached hereto (the "Property"), and shall be developed for residential uses.

D. Article VIII, Section 1 of each Declaration provides that, prior to the year 2016, as the owner thereof or if not the owner, with the consent of the owner thereof, the Declarant may unilaterally subject all or any portion of the real property described on Exhibit B to each Declaration to the provisions of such Declaration and to the jurisdiction of the Association (the "Association", as defined in each Declaration), by filing with the Durham County Registry an amendment annexing such properties.

E. The Property is a portion of the real property described on Exhibit B to each Declaration, and Declarant desires to annex the Property to the properties heretofore made subject to the Declarations, by amending the Declarations as herein provided.

Amending Treyburn Design Guidelines

F. Pursuant to the Eighteenth Amendment to the Residential Owners Association Declaration, dated as of June 8, 1999, and recorded on September 22, 1999, in Book 2712, Page 364, Durham County Registry, the Declarant appointed a New Construction Committee (the "NCC") as provided for in the Residential Owners Association Declaration, consisting of George E. Stanziale, Jr., David R. Barnes, and Michael L. Ramsey, which NCC is vested under the Residential Owners Association Declaration with sole and full authority to amend the Treyburn Design Guidelines.

G. Pursuant to the authority vested in the NCC under Article IX of the Treyburn Design Guidelines, as presently constituted, the NCC has determined to alter the Design Guidelines with respect to any Residential Unit (as defined in the Declarations) hereinafter created within the Property upon the filing in the Durham County Registry of a plat subdividing the Property, such alterations being described in the Supplemental Design Guidelines No. 7 attached hereto and incorporated herein by this reference.

NOW, THEREFORE, for and in consideration of the foregoing recitals (which are made a part of this Amendment), and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Declarant has determined to amend the Declarations as follows:

1. The Property is made subject to the Declarations and all amendments thereto.
2. The Design Guidelines are hereby altered with respect to any Residential Unit (as defined in the Declarations) hereinafter created within the Property upon the filing in the Durham County Registry of a plat subdividing the Property into Residential Units or lots, such alterations being described in the Supplemental Design Guidelines No. 7 attached hereto and incorporated herein by this reference.
3. Except as expressly amended herein, the Declarations shall remain unchanged and shall continue in full force and effect. This Amendment shall be governed by and construed and interpreted in accordance with the laws of the State of North Carolina.

[The remainder of this page has been intentionally left blank.]

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the date first above written.

TREYBURN LIMITED LIABILITY COMPANY,
a North Carolina limited liability company

By: Pauahi Management Corporation, a Hawaii corporation, its Sole Member/Manager,

By: [Signature]
Name: Glenn H. Hara
Its: Vice President, Finance

By: [Signature]
Name: Phyllis T. Cuskaden
Its: Corporate Secretary

STATE OF HAWAII

CITY AND COUNTY OF HONOLULU

I, a Notary Public of the city and county aforesaid, certify that Glenn H. Hara and Phyllis T. Cuskaden personally appeared before me this day and acknowledged that they are Vice President, Finance and Corporate Secretary, respectively, of Pauahi Management Corporation, a Hawaii corporation (the "Corporation"), and that by authority duly given and as the act of the Corporation and as the act of Treyburn Limited Liability Company, a North Carolina limited liability company (the "LLC") in which the Corporation is the sole Member/Manager, they, as Vice President, Finance and Corporate Secretary, respectively, of the Corporation being authorized to do so, executed the foregoing instrument on behalf of the Corporation and the LLC.

WITNESS my hand and official stamp or seal, this the 27th day of June, 2001.

My Commission Expires: May 20, 2005

JULIA MATTHEWS
Notary Public
State of Hawaii

[Signature]
Notary Public, State of Hawaii

Exhibit A

Tract One:

BEGINNING at an iron pipe set in the northwestern right-of-way margin of Vintage Hill Parkway, said pipe located in the southern most corner of the parcel designated as "Open Space A" on that certain plat recorded in Plat Book 144, Pages 92 and 93, Durham County Registry; thence from the point of BEGINNING along the right-of-way margin the following three calls: (1) along a curve to the right having a radius of 1739.95 feet, an arc length of 328.70 feet, and a chord bearing and distance of South 45 degrees 26 minutes 39 seconds West 328.22 feet to point; (2) South 50 degrees 51 minutes 22 seconds West 603.59 feet to a point; and (3) along a curve to the left having a radius of 1500.00 feet, an arc length of 225.28 feet, and a chord bearing and distance of South 46 degrees 33 minutes 13 seconds West 225.07 feet to an iron pipe set; thence leaving the right-of-way margin North 29 degrees 55 minutes 21 seconds West 207.09 feet to an iron pipe set; thence North 34 degrees 14 minutes 40 seconds West 218.03 to an iron pipe set; thence North 82 degrees 29 minutes 30 seconds West 132.79 feet to an iron pipe set; thence North 58 degrees 10 minutes 53 seconds West 269.65 feet to an iron pipe set; thence North 49 degrees 07 minutes 33 seconds West 76.85 feet to an iron pipe set; thence North 32 degrees 26 minutes 09 seconds West 97.55 feet to an iron pipe set; thence along the common boundary line of City of Durham Little River Reservoir as shown in Plat Book 100, Page 132, Durham County Registry, North 66 degrees 47 minutes 48 seconds East 881.08 feet to an existing concrete monument; thence North 48 degrees 54 minutes 43 seconds East 464.03 feet to an existing concrete monument; thence leaving said common boundary line South 26 degrees 29 minutes 55 seconds East 389.99 feet to a point; thence South 50 degrees 29 minutes 27 seconds East 10.11 feet to an existing iron pipe; thence South 50 degrees 29 minutes 27 seconds East 286.76 feet to the point and place of BEGINNING, containing 20.253 acres, more or less, as shown on that certain map entitled, "Boundary & Exempt Subdivision for Habitech Enterprises, Inc.," dated June 26, 2001, prepared by Rodney E. Morris of Thompson & Associates, P.A. (Job No. HE-RW), and recorded in Plat Book 153, Page 39, Durham County Registry.

Tract Two:

To find the TRUE POINT OF BEGINNING, commence at an iron pipe set in the northwestern right-of-way margin of Vintage Hill Parkway, said pipe located at the southern most corner of the parcel designated as "Open Space A" on that certain plat recorded in Plat Book 144, Pages 92 and 93, Durham County Registry; thence North 50 degrees 29 minutes 27 seconds West 286.76 feet to an existing iron pipe, the TRUE POINT OF BEGINNING. From the TRUE POINT OF BEGINNING, thence North 50 degrees 29 minutes 27 seconds West 10.11 feet to a point; thence North 26 degrees 29 minutes 55 seconds West 389.99 feet to an existing concrete monument; thence North 17 degrees 52 minutes 29 seconds East 33.84 feet to an existing iron pipe; thence North 86 degrees 43 minutes 55 seconds East 87.24 feet to a point; thence South 12 degrees 44 minutes 48 seconds East 142.54 feet to an existing iron pipe; thence South 16 degrees 54 minutes 38 seconds East 52.09 feet to an iron pipe set; thence along a curve to the right having a radius of 460.49 feet, an arc length of 10.17 feet, and a chord bearing and distance of North 56 degrees 32 minutes 37 seconds East 10.17 feet to an existing iron pipe; thence South 27 degrees 59 minutes 05 seconds East 168.96 feet to an existing iron pipe; thence South 39 degrees 44 minutes 49 seconds West 78.27 feet to the TRUE POINT OF BEGINNING, containing .709 acres, more or less, as shown on that certain map entitled, "Boundary & Exempt Subdivision for Habitech Enterprises, Inc.," dated June 26, 2001, prepared by Rodney E. Morris of Thompson & Associates, P.A. (Job No. HE-RW), and recorded in Plat Book 153, Page 39, Durham County Registry.

Treyburn Supplemental Design Guideline No. 7
Specific Architectural and Site Standard Variances Allowed
Treyburn Reference: WB-2A
Neighborhood Name: Briggs Mill
Plat Book 153, Page 39, Durham County Registry

Note: This addendum is in addition to and not in lieu of the general requirements of the Design Guidelines. Specific areas where variances are allowed are set forth below. Except as herein amended or modified for the neighborhood identified in the caption, the Design Guidelines shall control.

- I. Architectural Standards
 - A. Minimum Square Footage
Minimum: 2,000 Square Feet.
 - B. Exterior Detail
 - i) Soffits - HardiPlank.
 - ii) Foundations - No variance.
 - C. Shutters - No variance.
 - D. Windows - Simulated TDL - Vinyl clad allowed.
 - E. Roofs - Standard 30-year fiberglass true dimensional/architectural shingle.
 - F. Roof vents - No variance.
 - G. Exterior Materials - Wood, fiber cement or brick. No brick facades/fronts.
 - H. Garages - Side entry preferred; single garage doors required.
 - I. Garage Doors - Metal, wood and fiberglass.
 - J. Drives - No variance.
 - K. Exterior Doors - Metal, wood and fiberglass.
 - L. Chimneys - Brick required or direct vent.

M. Decks – No variance.

N. Foundation Vents – All wood.

II. Site Requirements


A. Impervious Coverage Limits

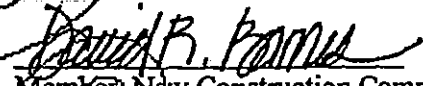
As per merged City/County Ordinance.

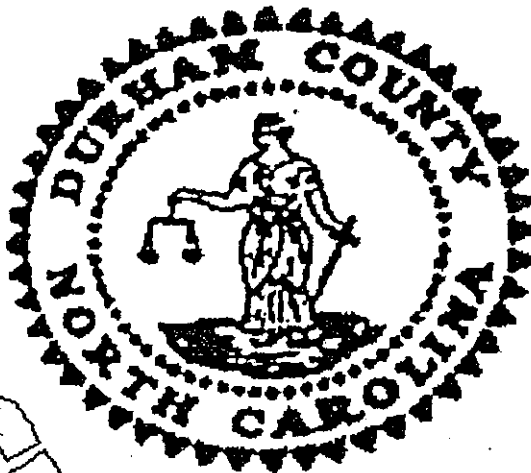
B. Setback Requirements

1. Front Yard - 25 feet.
2. Side Yard – per Durham County ordinance.
3. Rear Yard - 25 feet.
4. Special Setbacks Requirements:
 - a. Minimum street side yard – 20 feet on a corner.

Dated as of the 27th day of June, 2001.


Member, New Construction Committee
GEORGE E. STANZIALE JR.


Member, New Construction Committee
DAVID R. BARNES



WILLIE L. COVINGTON
REGISTER OF DEEDS , DURHAM COUNTY
DURHAM COUNTY COURTHOUSE
200 E. MAIN STREET
DURHAM, NC 27701

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AMD 8 PGS \$20.00

Recorder: CYNTHIA Y FRAZIER

State of North Carolina, County of Durham

The foregoing certificate of JULIA MATTHEWS Notary is certified to be correct This 8TH of August 2001

WILLIE L. COVINGTON , REGISTER OF DEEDS By: *Sharon A Davis*

Deputy/Assistant Register of Deeds



2001035502

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