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Fee Amt: \$17.00 Page 1 of 2  
Iredell County, NC  
Matthew J. McCall Register of Deeds  
BK 2099 PG 1223-1224

Prepared by : *✓* Anthony S. Privette, Attorney  
*mail to after recording: Jeffrey W. Benfield* P.O. Drawer 1776, Statesville, NC 28687

*2*

NORTH CAROLINA  
IREDELL COUNTY

**AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS, EASEMENTS AND  
RESTRICTIONS OF CASTLEGATE  
SUBDIVISION**

THIS AMENDMENT to the Declaration of Covenants, Conditions, Easements and Restrictions of Castlegate Subdivision is dated this 20 day of December, 2010.

WITNESSETH:

THAT WHEREAS, the Developer placed certain Restrictive Covenants on Castlegate Subdivision as contained in the document entitled "Declaration of Covenants, Conditions, Easements and Restrictions of Castlegate Subdivision" dated August 11, 2008 and recorded in Deed Book 1959, Pages 932-948, Iredell County Registry; and

WHEREAS, by virtue of that Assignment of Declarant's Rights recorded on April 30, 2010, at Book 2061, Page 1338, Iredell County Registry, **Castlegate, LLC**, a North Carolina limited liability company, is the Declarant of that certain subdivision known as Castlegate Subdivision as the same is platted, planned and recorded at Plat Book 54, Page 98-100, Iredell County Registry; and

WHEREAS, said Restrictive Covenants provided at Paragraph 15, the right of the Declarant so long as it retained any ownership in the property, to change or modify any of the restrictions contained therein; and

WHEREAS, Declarant continues to retain ownership in the property and wishes to modify the said Declaration.

NOW, THEREFORE, the undersigned, the Declarant, does hereby alter and amend these Restrictive Covenants as follows:

By inserting a new Paragraph 27 to read as follows:

27. Propane.

A. For each lot in the subdivision, upon development thereof, the homeowner shall cause to be installed, at a minimum, one (1) propane gas water heater and one (1) propane gas furnace or heat pump with gas back up. EnergyUnited will supply, at no cost to the builder or homeowner, one (1) 40-gallon standard propane gas water heater or instantaneous gas water heater.

B. EnergyUnited Propane shall be the sole supplier of propane for all houses within the Subdivision. No other propane tanks (above- or below-ground) will be allowed to service the needs of homeowners in the subdivision.

C. Declarant shall have no liability or obligation of any kind whatsoever for the provision of, the installation of, or the maintenance of the gas water heaters to be supplied by EnergyUnited.

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

CASTLEGATE, LLC

BY:

*Jeffrey Wayne Benfield*  
Jeffrey Wayne Benfield  
Its: Member/Manager

NORTH CAROLINA  
IREDELL COUNTY

I certify that the following person(s) personally appeared before me this day, and acknowledged to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Jeffrey Wayne Benfield, Member/Manager of CASTLEGATE, LLC.

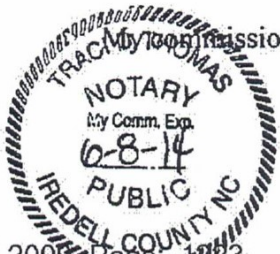
\_\_\_\_\_ I have personal knowledge of the identity of the principal(s)

I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a license

\_\_\_\_\_ A credible witness has sworn to the identity of the principal(s)

Date: December 22, 2010 *David S. Thomas*  
Notary Public

My commission expires: June 8, 2014



BK 2141 PG 1943 - 1944

Prepared by and mail after recording to: Anthony S. Privette, Attorney  
P.O. Drawer 1776, Statesville, NC 28687

NORTH CAROLINA  
IREDELL COUNTY

SECOND AMENDMENT TO  
DECLARATION OF COVENANTS,  
CONDITIONS, EASEMENTS AND  
RESTRICTIONS OF CASTLEGATE  
SUBDIVISION

THIS AMENDMENT to the Declaration of Covenants, Conditions, Easements and Restrictions of Castlegate Subdivision is dated this 19 day of October, 2011.

WITNESSETH:

THAT WHEREAS, the Developer placed certain Restrictive Covenants on Castlegate Subdivision as contained in the document entitled "Declaration of Covenants, Conditions, Easements and Restrictions of Castlegate Subdivision" dated August 11, 2008 and recorded in Deed Book 1959, Pages 932-948, Iredell County Registry; and

WHEREAS, by virtue of that Assignment of Declarant's Rights recorded on April 30, 2010, at Book 2061, Page 1338, Iredell County Registry, Castlegate, LLC, a North Carolina limited liability company, is the Declarant of that certain subdivision known as Castlegate Subdivision as the same is platted, planned and recorded at Plat Book 54, Page 98-100, Iredell County Registry; and

WHEREAS, said Restrictive Covenants provided at Paragraph 15, the right of the Declarant so long as it retained any ownership in the property, to change or modify any of the restrictions contained therein; and

WHEREAS, Castlegate, LLC, the Declarant caused the First Amendment to said Restrictive Covenants to be recorded on December 22, 2010, at Book 2099, Page 1223, Iredell County Registry; and

WHEREAS, Declarant continues to retain ownership in the property and wishes to modify the said Declaration.

NOW, THEREFORE, the undersigned, the Declarant, does hereby alter and amend these Restrictive Covenants as follows:

Paragraph Five, subparagraph B is amended as follows:

The sentence "All garages shall have sideload entry or courtyard entry" is stricken from the restriction.

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

CASTLEGATE, LLC  
BY: Jeffrey Wayne Benfield  
Its: Member/Manager

NORTH CAROLINA  
IREDELL COUNTY

I certify that the following person(s) personally appeared before me this day, and acknowledged to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Jeffrey Wayne Benfield, Member/Manager of CASTLEGATE, LLC.

I have personal knowledge of the identity of the principal(s)

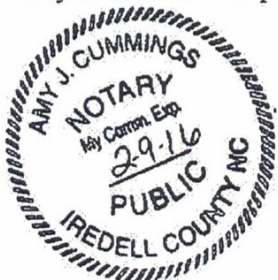
\_\_\_\_\_ I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a \_\_\_\_\_

\_\_\_\_\_ A credible witness has sworn to the identity of the principal(s)

Date: 10-19-11

Amy J. Cummings  
Notary Public

My commission expires: 2-9-16



**BK 2563 PG 1439 - 1441**

Prepared by and mail after recording to: Anthony S. Privette, Attorney  
307 Davie Avenue, Statesville, NC 28677

NORTH CAROLINA  
IREDELL COUNTY

**THIRD AMENDMENT TO  
DECLARATION OF COVENANTS,  
CONDITIONS, EASEMENTS AND  
RESTRICTIONS OF CASTLEGATE  
SUBDIVISION**

THIS AMENDMENT to the Declaration of Covenants, Conditions, Easements and Restrictions of Castlegate Subdivision is dated this 27 day of June, 2018.

WITNESSETH:

THAT WHEREAS, the Developer placed certain Restrictive Covenants on Castlegate Subdivision as contained in the document entitled "Declaration of Covenants, Conditions, Easements and Restrictions of Castlegate Subdivision" dated August 11, 2008 and recorded in Deed Book 1959, Pages 932-948, Iredell County Registry; and

WHEREAS, by virtue of that Assignment of Declarant's Rights recorded on April 30, 2010, at Book 2061, Page 1338, Iredell County Registry, **Castlegate, LLC**, a North Carolina limited liability company, was the Declarant of that certain subdivision known as Castlegate Subdivision as the same is platted, planned and recorded at Plat Book 54, Page 98-100, Iredell County Registry; and

WHEREAS, Castlegate, LLC, caused the First Amendment to said Restrictive Covenants to be recorded on December 22, 2010, at Book 2099, Page 1223, Iredell County Registry, and the Second Amendment to said Restrictive Covenants to be recorded on October 20, 2011, at Book 2141, Page 1943, Iredell County Registry; and

WHEREAS, said Restrictive Covenants provided at Paragraph 15, the right of the Declarant so long as it retained any ownership in the property, to change or modify any of the restrictions contained therein; and

R.O.T.C.

Page Count: 3  
 NS  PQ  SI

WHEREAS, by virtue of that assignment of Declarants' rights recorded January 18, 2017, at Deed Book 2469, Page 1847, Iredell County Registry, ST1, LLC, a North Carolina limited liability company is the Declarant of that certain subdivision known as Castlegate Subdivision as the same is platted, planned and recorded at Plat Book 54, Pages 98, 99 and 100, Iredell County Registry; and

WHEREAS, Declarant continues to retain ownership in the property and wishes to modify the said Declaration.

NOW, THEREFORE, the undersigned, the Declarant, does hereby alter and amend these Restrictive Covenants as follows:

Paragraph Twenty-Six (26), subparagraph B is amended as follows:

In addition to the foregoing, landscaping plans must be provided by a lot owner to Declarant prior to the certificate of occupancy being issued for any improvements on such lot and prior to the installation of any landscaping improvements on the lot. Each lot shall have at least six (6) three-gallon perennials, or the equivalent thereof. All properly approved out buildings shall be screened by three-gallon perennial shrubbery on three sides of the out building. Declarant shall have five (5) business days to approve or disapprove IN WRITING any landscaping plans submitted or else such plans shall be deemed approved. To the extent allowed by the Act, Declarant shall have the same rights of enjoinder of and enforcement for violations of these landscaping requirements as are set forth above regarding other improvements.

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

ST1, LLC  
BY:   
Virgile Ray Short, Jr.  
Its: Member/Manager

NORTH CAROLINA  
IREDELL COUNTY

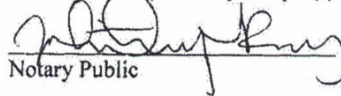
I certify that the following person(s) personally appeared before me this day, and acknowledged to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Virgile Ray Short, Jr. Member/Manager of STL, LLC.

✓ I have personal knowledge of the identity of the principal(s)

\_\_\_\_\_ I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a \_\_\_\_\_

\_\_\_\_\_ A credible witness has sworn to the identity of the principal(s)

Date: 06/27/2018

  
Notary Public

My commission expires: 8-23-22

