

FOR REGISTRATION REGISTER OF DEEDS
JENNIFER LEGGETT WHITEHURST
BEAUFORT COUNTY, NC
2008 JAN 30 11:49:51 AM
BK: 1627 PG: 1-9 FEE: \$35.00
INSTRUMENT # 2008000691

NORTH CAROLINA
BEAUFORT COUNTY

AMENDMENT TO
DECLARATION OF COVENANTS

THIS AMENDMENT, made and entered into as of this 30th day of January, 2008, by HARVEY H. DIXON, JR. and wife, OPHELIA H. DIXON, hereinafter referred to as "Declarants"; DIXON T. DAVIS and wife, KATHERINE L. DAVIS; L. PAIGE DAVIS and wife, LAURA DIXON DAVIS; MARK A. KUCAS and wife, JULIE DIXON KUCAS; JAMES SABA and wife, PEGGY DIXON SABA; DANNY LEE MIDYETTE and wife, JULIE LYNN MIDYETTE; KAIN ROSS and wife, LAURA BETH ROSS; ROBERT L. SMITH and wife, TERESA H. SMITH; JAMES B. BAYNOR and wife, VICKIE E. BAYNOR; DOUGLAS HINK and wife, MARION HINK; JEAN S. THOMPSON, unmarried; CHARLES E. SWAIN and wife, SHERRIE SWAIN; TOMMY J. ROBINSON and wife, KATHRYN M. ROBINSON, all of whom are hereinafter collectively referred to as "Lot Owners";

WITNESSETH:

THAT WHEREAS, the Declarants (who are also Lot Owners) and the Lot Owners are the owners of all the lots described in that Declaration entitled "Covenants Running With the Land" dated May 4, 1978 and recorded in Book 765, Page 756, Beaufort County Registry; and

WHEREAS, Paragraph 1 of said Declaration provides that "These covenants are to run with the land ... unless by vote of a majority of the then owners of the lots, it is agreed to change said covenants in whole or in part."; and

WHEREAS, the undersigned, being a majority of the current owners of the lots subject to said Declaration, have agreed to amend said Declaration in part as set forth below.

NOW, THEREFORE, the Declarants and the Lot Owners hereby agree that the said Declaration shall be and the same is hereby amended by rewriting Paragraph 5 to read as follows:

PREPARED BY:

KEITH B. MASON

5. No building shall be located nearer to the street than thirty (30) feet or nearer than ten (10) feet to any side lot line.

Except as herein amended, the remaining conditions, restrictions, and protective covenants set forth in said Declaration shall remain in full force and effect, and shall be binding upon the heirs, successors, and assigns of the Declarants and the Lot Owners.

IN WITNESS WHEREOF, the Declarants and the Lot Owners have hereunto set their hands and affixed their seals, all as of the day and year first above written.

Lot 19

Harvey H. Dixon, Jr. (Seal)
HARVEY H. DIXON, JR.

Lot 19

Ophelia H. Dixon (Seal)
OPHELIA H. DIXON

Lot 1

Dixon T. Davis (Seal)
DIXON T. DAVIS

Lot 1

Katherine L. Davis (Seal)
KATHERINE L. DAVIS

Lots 2 & 3

L. Paige Davis (Seal)
L. PAIGE DAVIS

Lot 2 & 3

Laura Dixon Davis (Seal)
LAURA DIXON DAVIS

Lot 4

Mark A. Kucas (Seal)
MARK A. KUCAS

Lot 4

Julie Dixon Kucas (Seal)
JULIE DIXON KUCAS

Lot 7

James Saba (Seal)
JAMES SABA

Lot 7

Peggy Dixon Saba (Seal)
PEGGY DIXON SABA

Lots 8 & 9A

Danny Lee Midyette (Seal)
DANNY LEE MIDYETTE

Lots 8 & 9A

Julie Lynn Midyette (Seal)
JULIE LYNN MIDYETTE

Lots 9B & 10

Kain Ross (Seal)
KAIN ROSS

Lots 9B & 10

Laura Beth Ross (Seal)
LAURA BETH ROSS

Lots 11, 12 & 20

Robert L. Smith (Seal)
ROBERT L. SMITH

Lots 11, 12 & 20

Teresa H. Smith (Seal)
TERESA H. SMITH

Lot 14

James B. Baynor (Seal)
JAMES B. BAYNOR

Lot 14

Vickie E. Baynor (Seal)
VICKIE E. BAYNOR

Lot 15

Douglas Hink (Seal)
DOUGLAS HINK

Lot 15

Marion Hink (Seal)
MARION HINK

Lot 16

Jean S. Thompson (Seal)
JEAN S. THOMPSON

Lot 17

Charles E. Swain (Seal)
CHARLES E. SWAIN

Lot 17

Sherrie Swain (Seal)
SHERRIE SWAIN

Lot 18

Tommy J. Robinson (Seal)
TOMMY J. ROBINSON

Lot 18

Kathryn M. Robinson (Seal)
KATHRYN M. ROBINSON

NORTH CAROLINA

Beaufort COUNTY

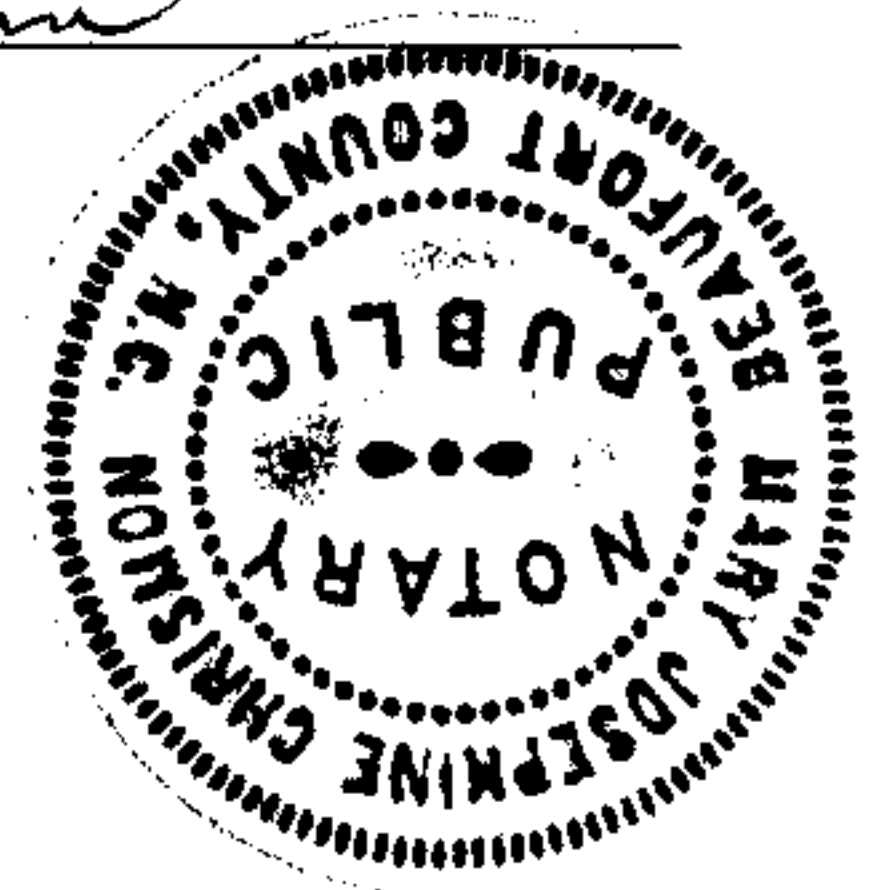
Before me, a Notary Public in and for the State and County aforesaid, personally appeared HARVEY H. DIXON, JR. and wife, OPHELIA H. DIXON and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and notarial seal this the 27th day of January, 2008.

Mary Josephine Christmon
Notary Public

My Commission Expires:

6-16-09



NORTH CAROLINA

Beaufort COUNTY

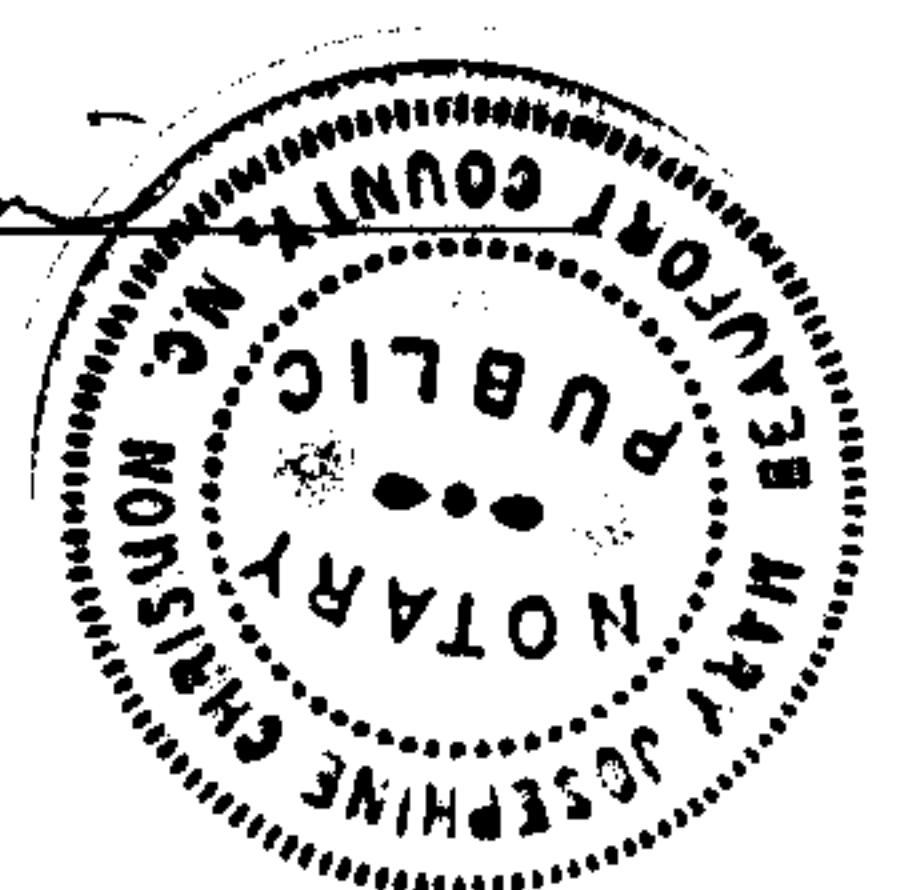
Before me, a Notary Public in and for the State and County aforesaid, personally appeared DIXON T. DAVIS and wife, KATHERINE L. DAVIS and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and notarial seal this the 27th day of January, 2008.

Mary Josephine Christmon
Notary Public

My Commission Expires:

6-16-09



NORTH CAROLINA

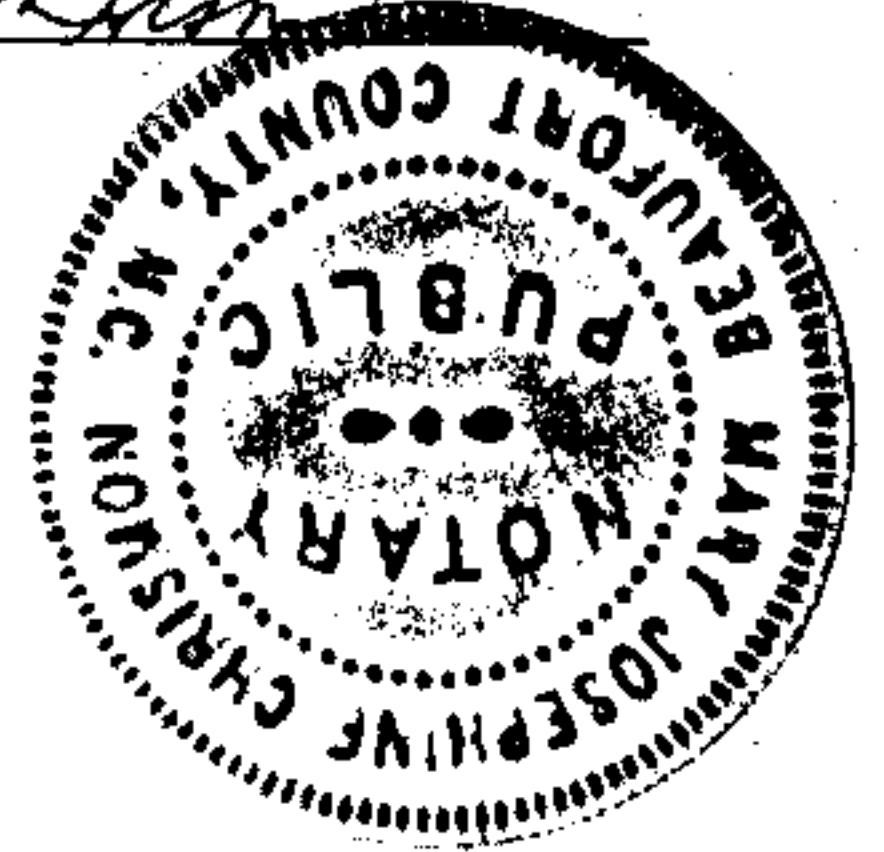
Bert COUNTY

Before me, a Notary Public in and for the State and County aforesaid, personally appeared L. PAIGE DAVIS and wife, LAURA DIXON DAVIS and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and notarial seal this the 27th day of January, 2008.

Mary Josephine Christman
Notary Public

My Commission Expires:

6-16-09

NORTH CAROLINA

Bert COUNTY

Before me, a Notary Public in and for the State and County aforesaid, personally appeared MARK A. KUCAS and wife, JULIE DIXON KUCAS and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and notarial seal this the 27th day of January, 2008.

Mary Josephine Christman
Notary Public

My Commission Expires:

6-16-09

NORTH CAROLINA

Bert COUNTY

Before me, a Notary Public in and for the State and County aforesaid, personally appeared JAMES SABA and wife, PEGGY DIXON SABA and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

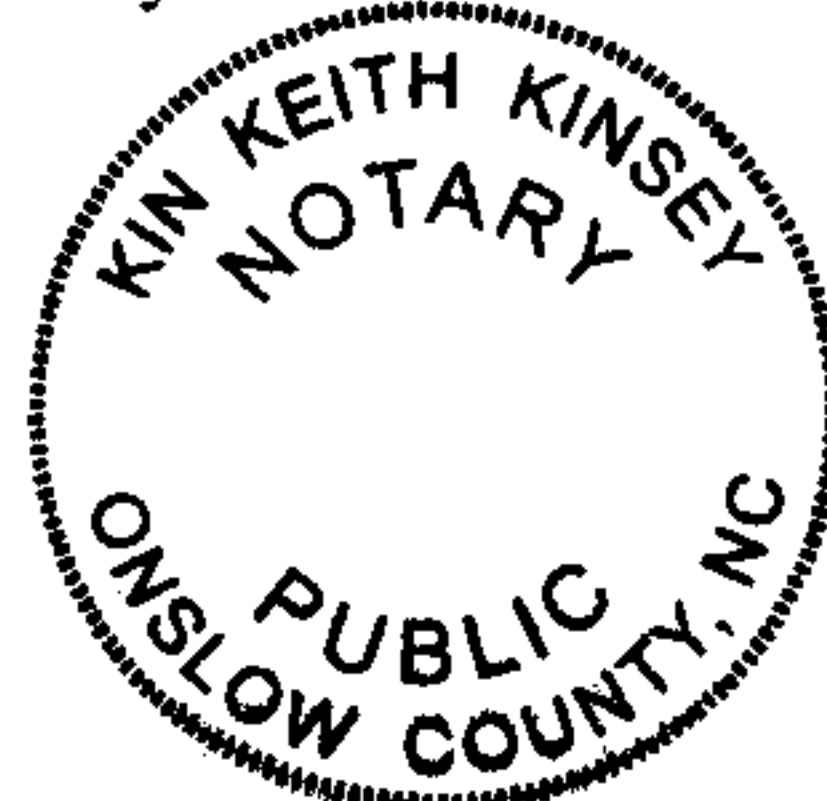
Witness my hand and notarial seal this the 28th day of January, 2008.

Kim Keith Kinsey
Mary Josephine Christman
Notary Public

My Commission Expires:

6-16-09

My Commission Expires
August 6, 2012



NORTH CAROLINA

Blount COUNTY

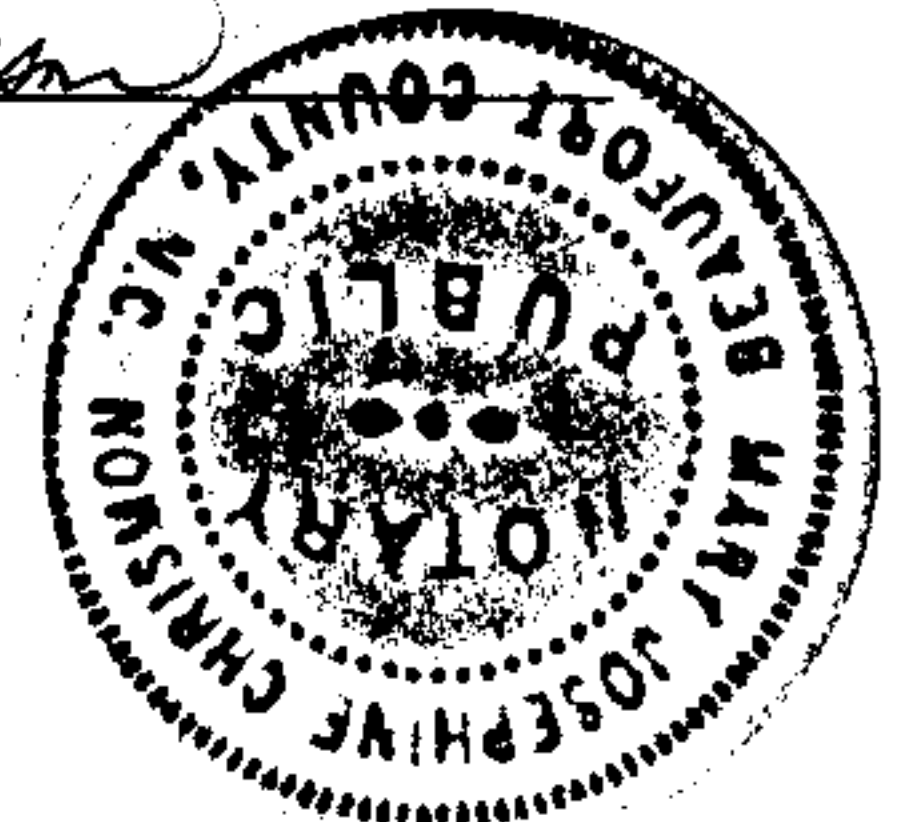
Before me, a Notary Public in and for the State and County aforesaid, personally appeared DANNY LEE MIDYETTE and wife, JULIE LYNN MIDYETTE and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and notarial seal this the 27th day of January, 2008.

Mary Josephine Chron
Notary Public

My Commission Expires:

6-16-09



NORTH CAROLINA

Blount COUNTY

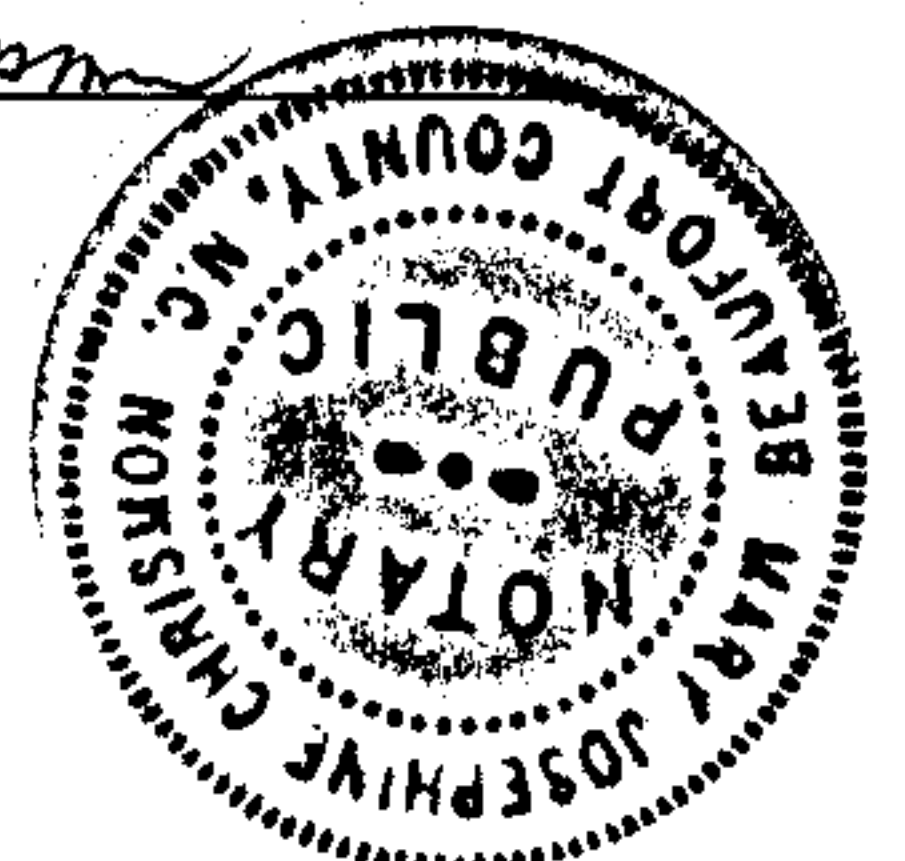
Before me, a Notary Public in and for the State and County aforesaid, personally appeared KAIN ROSS and wife, LAURA BETH ROSS and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and notarial seal this the 27th day of January, 2008.

Mary Josephine Chron
Notary Public

My Commission Expires:

6-16-09



NORTH CAROLINA

Blount COUNTY

Before me, a Notary Public in and for the State and County aforesaid, personally appeared ROBERT L. SMITH and wife, TERESA H. SMITH and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and notarial seal this the 29th day of January, 2008.

Mary Josephine Chron
Notary Public

My Commission Expires:

6-16-09



NORTH CAROLINA

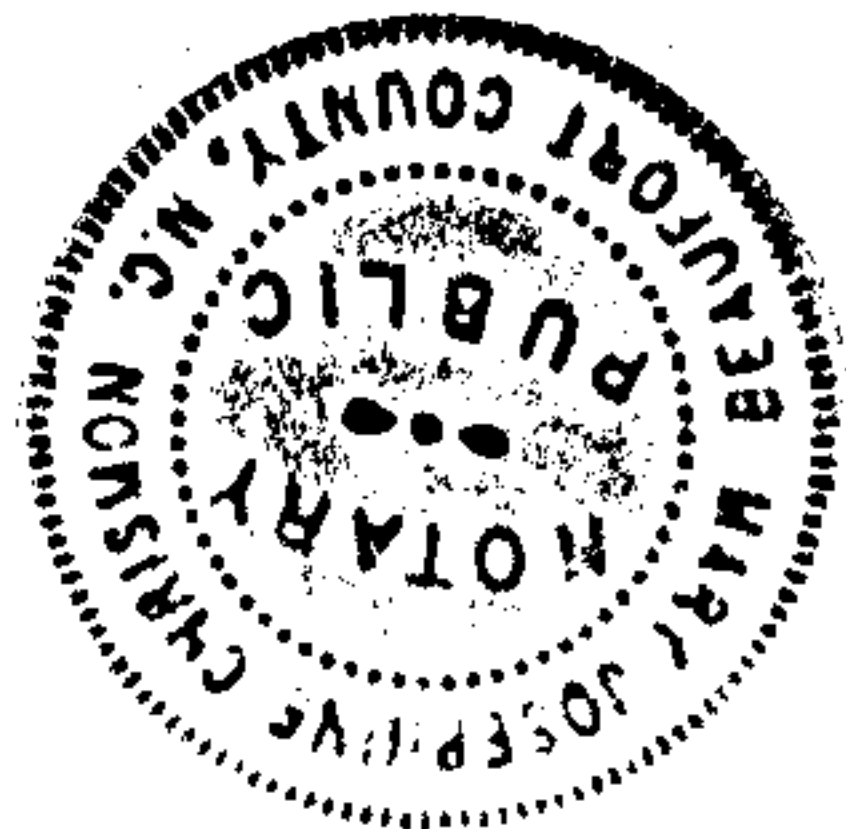
Bert COUNTY

Before me, a Notary Public in and for the State and County aforesaid, personally appeared JAMES B. BAYNOR and wife, VICKIE E. BAYNOR and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and notarial seal this the 27th day of January, 2008.

Mary Josephine Chonow
Notary Public

My Commission Expires:

6-16-09

NORTH CAROLINA

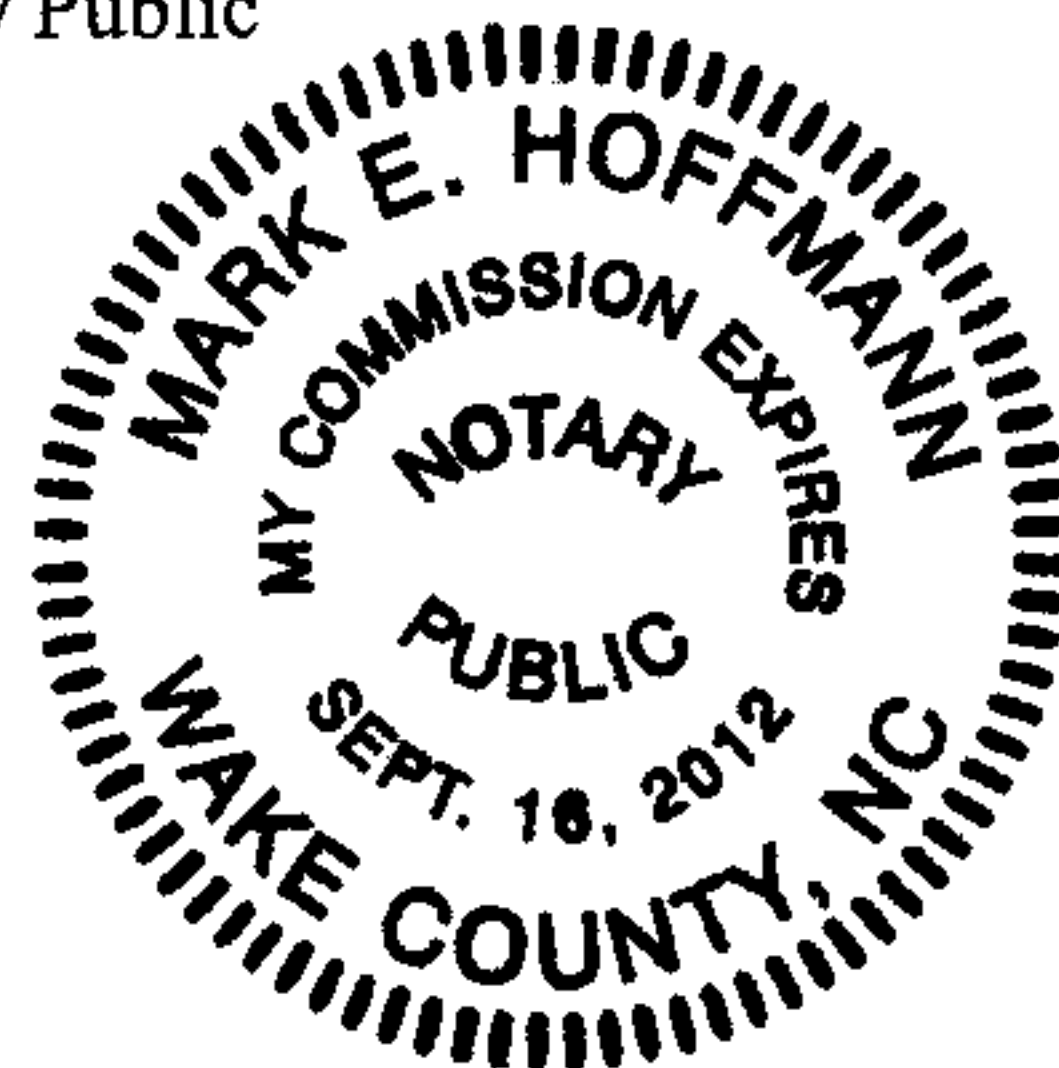
Wake COUNTY

Before me, a Notary Public in and for the State and County aforesaid, personally appeared DOUGLAS HINK and wife, MARION HINK and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and notarial seal this the 28th day of January, 2008.

Mark E Hoffmann
Notary Public

My Commission Expires:

Sept 16th, 2012

NORTH CAROLINA

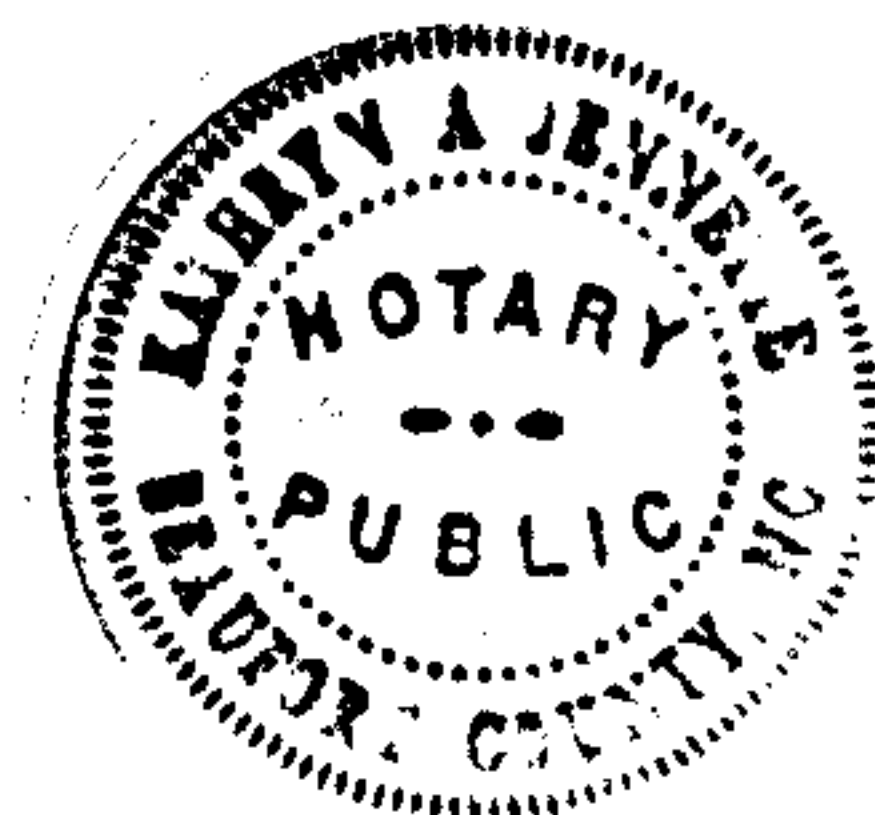
Beaufort COUNTY

Before me, a Notary Public in and for the State and County aforesaid, personally appeared JEAN S. THOMPSON, unmarried, and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and notarial seal this the 30th day of January, 2008.

Kathryn A. Jeyviele
Notary Public

My Commission Expires:

8-10-08

NORTH CAROLINA

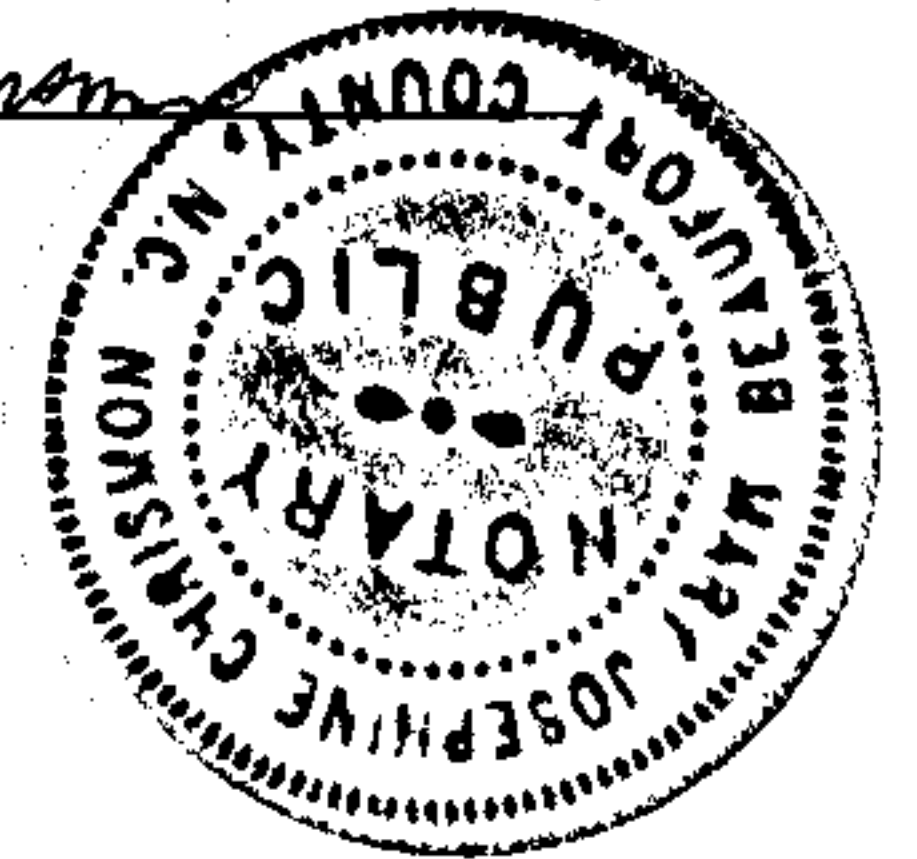
Beaufort COUNTY

Before me, a Notary Public in and for the State and County aforesaid, personally appeared CHARLES E. SWAIN and wife, SHERRIE SWAIN and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and notarial seal this the 27th day of January, 2008.

Mary Josephine Christon
Notary Public

My Commission Expires:

6-16-09

NORTH CAROLINA

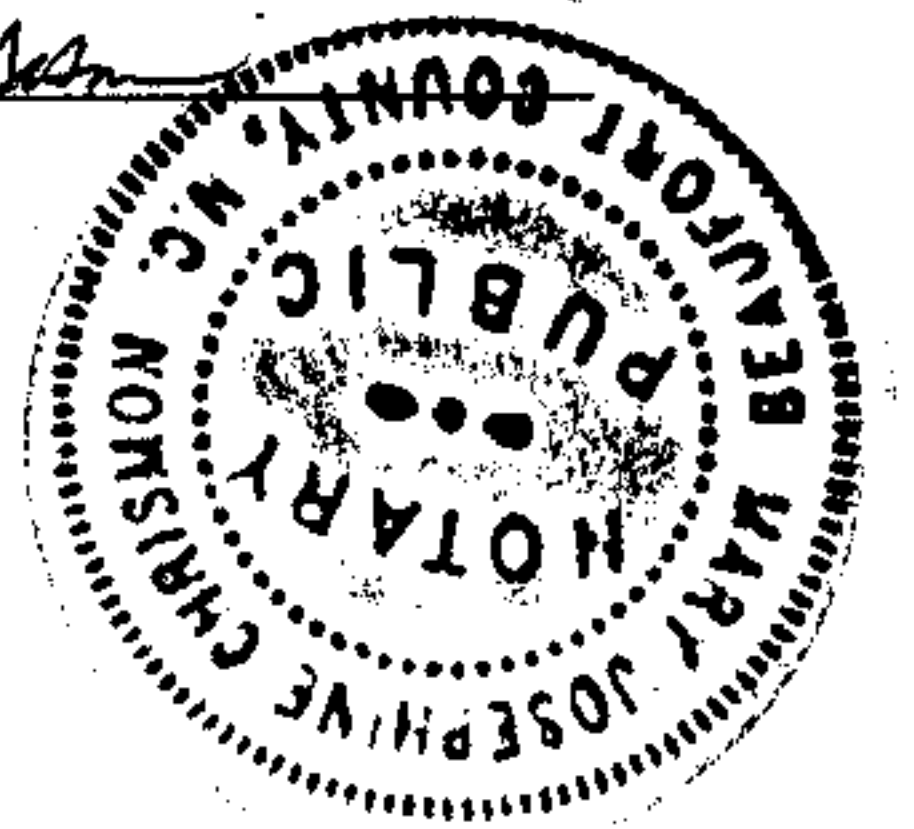
Beaufort COUNTY

Before me, a Notary Public in and for the State and County aforesaid, personally appeared TOMMY J. ROBINSON and wife, KATHRYN M. ROBINSON and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and notarial seal this the 27th day of January, 2008.

Mary Josephine Christon
Notary Public

My Commission Expires:

6-16-09

BK 1627 PG 009



JENNIFER LEGGETT WHITEHURST
BEAUFORT COUNTY REGISTER OF DEEDS
COURTHOUSE BUILDING
112 W. 2ND STREET
WASHINGTON, NC 27889

Filed For Registration: 01/30/2008 11:49:51 AM

Book: RE 1627 Page: 1-9

Document No.: 2008000691

AMEND 9 PGS \$35.00

Recorder: BARBARA TAYLOR

2008000691

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Keith mason