

NORTH CAROLINA
CARTERET COUNTY

AMENDMENT TO DECLARATION OF
COVENANTS AND RESTRICTIONS
BRANDYWINE BAY DEVELOPMENT
(Amendment covers Section I, Map Four)

THIS DECLARATION, made this 3 day of March, 1982, by BRANDYWINE BAY, INC., a North Carolina corporation, with offices in Carteret County, North Carolina, hereafter called "Declarant";

W I T N E S S E T H :

WHEREAS Declarant has previously recorded Declaration of Covenants and Restrictions in Book 435, page 362, Carteret County Registry, as amended in Book 440, page 213, Carteret County Registry (re-recorded in Book 440, page 392, Carteret County Registry, and as further amended in Book 447, page 118 and Book 454, page 83, Carteret County Registry; and,

WHEREAS said covenants contemplate and provide for making additional property subject thereto, by amendment, to the end that all of Brandywine Bay Development shall be developed in ^a uniform manner to the benefit of all present and future owners; and,

WHEREAS, to this end, Declarant now desires to subject additional. property to the said Declaration of Covenants and Restrictions (as amended);

NOW, THEREFORE, the above described Declaration of Covenants and Restrictions, and amendments thereto, shall, from the time of recordation of this Amendment, govern the use of all property described in Exhibit A hereto. In addition, the above described Declaration, amended as above, shall be further amended as it applies to property described in Exhibit A hereto by changes described in Article I below. Further the property described in Exhibit A hereto shall be subject to additional covenants and restrictions described in Article 11 hereto.

ARTICLE I

(1) Those changes., additions and adjustments noted the Amendments recorded in Book 454, page 33, Article II, numbers (1) through (4), shall apply to the property covered by this Amendment.

(2) Article IV, Section i, "Utilities", of the original covenants in Book 435, page 362, shall be amended as it pertains to property described in Exhibit A, hereto, as follows:

Declarant covenants that either public or private water. system will be available to purchasers of lots in property described in Exhibit A hereto. All users of such services agree to pay rates established by the proper authorities for use of said services. " Individual wells are prohibited except as used for swimming pools, landscape maintenance or air temperature control.

(3) Article IV, section i (b) is amended to read as follows:

(b) All other lots, 1,500 square feet, exclusive of car ports, garages and porches.

ARTICLE II

The property described in Exhibit A hereto is hereby designated residential, single family, as that term is defined in the Declaration recorded in Book 435, page 362, Carteret County Registry.

IN TESTIMONY WHEREOF, the undersigned have here unto, set their hands and seals, the day and year first above written.

BRANDYWINE BAY, INC.