

NORTH CAROLINA  
CARTERET COUNTY

AMENDMENT TO DECLARATION OF  
COVENANTS AND RESTRICTIONS  
BRANDYWINE BAY DEVELOPMENT  
(Amendment covers Section I; Map One-B)

THIS DECLARATION, made this 28th day of May, 1982, by BRANDYWINE BAY, INC., a North Carolina corporation, with offices in Carteret County, North Carolina, hereinafter 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 nook 440, page 211, Carteret County Registry (re-recorded in Book 440, page 392), and as further amended in Book 447, page 118, Book 454, page 83, and Book 463, page 154, 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 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, as it applies to the property described in Exhibit A hereto, shall be further amended by changes in Article I, below. Further, the property described in Exhibit A hereto shall be subject to additional covenants and restrictions described in Article II hereto.

(1) Changes, additions and adjustments noted in the amendment are recorded in Book 454, page 83, Article II numbers (1) through (4), shall apply to the property described in Exhibit A, hereto.

(2) Article VI, 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 services. will be available to purchasers of property described it Exhibit, A, hereto, and that such services will be sufficient to serve all lots and tracts. All users of such service agree to pay rates established by the proper authorities for use of the service. Individual wells are prohibited except as used for swimming pools, landscape maintenance or air temperature control.

Declarant covenants that either public or private sewer services will be available to purchasers of Lots 23, 30, 31 and 32. The users of such service agree to any rates established by the proper authorities for the use of the service. With respect to those lots, or individual sanitary waste treatment facilities are permitted. Further, waste water from cooling and/or heating systems Shall not be discharged into the sanitary waste treatment system.

(3) Article IV, Section i (b) is amended, as it pertains to property described. In Exhibit A, hereto, 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 hereunto set their hands and seals, the day and, year first above written.

BRANDYWINE BAY, INC.