

**STATE OF NORTH CAROLINA
COUNTY OF CARTERET**

**AMENDMENT TO
DECLARATION OF COVENANTS AND RESTRICTIONS
BRANDYWINE BAY DEVELOPMENT
SECTION I, MAP TWO**

THIS AMENDMENT, made this 26th day of June, 1980, by Brandywine Bay, Inc., (hereinafter "Declarant") and John W. Gainey, III and wife, Catherine H. Gainey, and Murdoch and Associates, Inc.

W I T N E S S E T H:

WHEREAS, Declarant did execute and cause to be recorded in Book 435, page 362, Carteret County Registry, a "Declaration of Covenants and Restrictions" on certain property shown on that plat entitled "Brandywine. Bay" Development, Section I, Map Two", said plat being recorded in Map Book 16, page 82, Carteret County Registry; and

WHEREAS, Declarant and the other parties hereto are all the owners of property included in the plat above referenced and to which the aforesaid Declaration applies; and

WHEREAS, the aforesaid subdivision has been revised, a plat of which revision, entitled "Revised Map, Brandywine Bay Development, Section I, Map 2" has been recorded in Map Book 17, page 43, Carteret County Registry; and

WHEREAS, the parties hereto desire to amend the aforesaid Declaration because of the revision and to accomplish other changes.

NOW, THEREFORE, the Aforesaid Declaration of Covenants and Restrictions is hereby amended as follows:

1. Article IV, Section i, subparagraph (b) shall be amended to read as follows:

(b) all other lots, one thousand four hundred (1,400) square feet exclusive of carports, garages and porches.

2. Article IV, Section v, shall be amended such that in place of the words "nine thousand (9000) square feet" in the last sentence thereof there shall be the words "nine thousand five hundred (9500) square feet".

3. With respect to Article VII, there appeared on the original plat (Map Book 16, page 82) certain areas marked "Reserved" in Block D and between Blocks A and B. These areas are not "Reserved" on the revised plat (Map Book 17, page 43) but are incorporated as parts of lots. Therefore, Article VII shall not apply to those areas. Insofar as those "Reserved" areas are dedicated by the original plat and/or the Declaration, those areas are hereby withdrawn from dedication as reserved areas.

4. Exhibit "B", Declarations of Covenants and Restrictions is hereby amended to read as follows:

Being all of Section I, Map Two, Brandywine Bay Development as shown on that Revised Map recorded in Map Book 17, page 43, Carteret County Registry.

In testimony whereof the parties do hereby set their hands and seals, the day and year first above written.