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RECORDED AND VERIFIED
MARY SUE COTE

STATE OF NORTH CAROLINA REGISTER OF DEEDS DECLARATION OF COVENANTS
NEW HANOVER CO. NC CONDITIONS AND RESTRICTIONS
COUNTY OF NEW HANOVER FOR ABBINGTON DALE AT
'93 SEP 8 PM 1 43 VICTORIA PLACE

THIS DECLARATION, made this 30 day of August, 1993, by EASTLAND DEVELOPERS, INC., a North Carolina corporation, hereinafter referred to as "Declarant";

W I T N E S S E T H :

WHEREAS, the Declarant is the owner and developer of certain property in New Hanover County, North Carolina, known as Abbington Dale at Victoria Place, the same being more particularly described on a map thereof recorded in Map Book 33 at Page 155 of the New Hanover County Register of Deeds Office (the "Property");

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WHEREAS, the Property is adjacent to an existing development known as Victoria Place, which development has a homeowners' association known as Victoria Place of New Hanover Homeowners' Association, Inc.; and

WHEREAS, the Declarant has formed a homeowners' association for the Property known as Abbington Dale at Victoria Place HOA, Inc.; and

WHEREAS, the Declarant desires to subject the Property to the same covenants and restrictions applicable to Victoria Place except as they are hereinafter amended.

NOW, THEREFORE, the Declarant does hereby declare that the Property, for the purpose of enhancing and protecting its value, desirability and attractiveness, shall be held, sold and conveyed subject to the Declaration of Covenants, Conditions and Restrictions of Victoria Place Subdivision, Section I (the "Declaration"), recorded January 14, 1987 in Book 1359 at Page 983 of the New

RETURNED TO *Nicia Walker*

Hanover County Register of Deeds Office. The Declaration shall run with the Property, shall be binding on all parties having or acquiring any right, title or interest in the Property, and shall inure to the benefit of each owner of the Property; provided, however, that as applicable to the Property, the Declaration shall be deemed to be amended as follows:

1. ARTICLE I: "Association", "Common Area", "Declarant" and "Property", as used in the Declaration shall be deemed to be defined as follows:

"Association" shall mean and refer to Abbington Dale at Victoria Place HOA, Inc., a North Carolina non-profit corporation, its successors and assigns;

"Common area" shall mean and refer to all land within the Property owned by the Association, along with facilities and improvements erected or constructed thereon, for the exclusive use and enjoyment of the members of the Association and all water lines located outside public rights-of-way and individual lots, all sewer lines located outside public rights-of-way, public sanitary sewer easements and individual lots, which water or sewer lines serving the Property are declared to be common area. Said common area shall be maintained by the Association.

"Declarant" shall mean and refer to Eastland Developers, Inc., a North Carolina corporation, its successors and assigns to whom the rights of Declarant are expressly transferred, or if such successors or assigns should acquire more than one undeveloped lot or undeveloped acreage for the purpose of development, or acquire title to the Property under a deed in lieu of foreclosure, judicial foreclosure, or foreclosure under power of sale contained in any deed of trust or one otherwise denominated a "Declarant" hereby shall be deemed Declarant.

"Property" shall mean and refer to the certain real property described on the map thereof recorded in Map Book 33 at Page 155 of the New Hanover County Register of Deeds.

2. ARTICLE II: Article II shall be deemed to be deleted. No additional phases will be added to Abbington Dale at Victoria Place.

3. ARTICLE V: Article V, Section 1 (b) (1) and (2) shall be deemed to be amended to read as follows:

(a) When the total votes outstanding in Class A membership equal the total votes outstanding in Class B membership;

(b) Three years from the 30 day of August, 1993.

4. ARTICLE VI: Article VI, Section 3 (a) shall be deemed to be amended to read as follows:

(a) Maximum Annual Assessment: To and including the third anniversary after the 30 day of August, 1993, the maximum annual assessment shall not be in excess of \$120.00 per lot.

5. Notwithstanding the provisions of Article 8, the Architectural Committee for Abbington Dale at Victoria Place shall be Rick D. Medlin, Sandy D. Wood and James N. Hunter who shall serve until the Class B membership is converted to Class A membership, after which the Architectural Committee shall be those persons named by the Board of Directors of the Association.

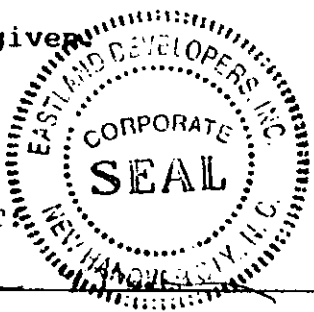
IN WITNESS WHEREOF the Declarant has caused this instrument to be executed in its name by its proper corporate officers and its corporate seal to be hereto affixed pursuant to corporate authority duly given.

EASTLAND DEVELOPERS, INC.

By: Sandy D. Wood

ATTEST:

[Signature]



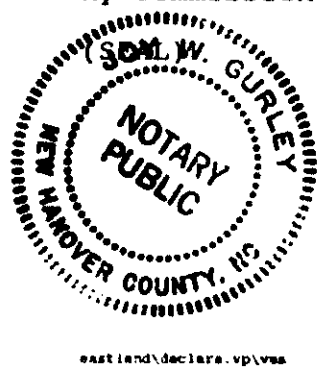
(CORPORATE SEAL)

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

I, a Notary Public of the County and State aforesaid, certify that CYRUS MEDLIN, personally came before me this day and acknowledged that he is the Secretary of Eastland Developers, Inc., a corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by himself as its Secretary.

WITNESS my hand and official stamp or seal, this 30th day of August, 1993.

My commission expires: 11/25/96 Joy W. Gurley
Notary Public



STATE OF NORTH CAROLINA
New Hanover County

The Foregoing / Annexed Certificate(s) of
Joy W. Gurley
Notary (Notaries) Public is/ are certified to be correct.

This the 8 day of Sept. 1993
Mary Sue Oots, Register of deeds

by Phyllis Lynn
Deputy Assistant