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FOR REGISTRATION REGISTER OF DEEDS  
REBECCA T CHRISTIAN  
NEW HANOVER COUNTY, NC  
2001 MAR 07 12 19 14 PM  
BK 2893 PG 575-588 FEE \$30 00  
INSTRUMENT # 2001008283

FOR REGISTRATION REGISTER OF DEEDS  
REBECCA T CHRISTIAN  
NEW HANOVER COUNTY, NC  
2001 FEB 20 01 24 18 PM  
BK 2885 PG 1571-1581 FEE \$26 00  
INSTRUMENT # 2001005825

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

**AMENDMENT TO PROTECTIVE  
COVENANTS FOR HOLLYHOLM**

**THIS INSTRUMENT** made and entered into this the 2ND day of FEBRUARY, 2001  
by ROBERT H. TATE, JR and wife, MARY F TATE, HIGHHOPES LIMITED PARTNERSHIP,  
ROBERT H TATE, III and wife, LISA S. TATE, JOSEPH B FOX, III and wife, KAREN P FOX,  
RALPH GEVINSON and wife, THERESA GEVINSON, WILLIAM W PRINGLE and wife,  
KARYN PRINGLE, BAKER A MITCHELL and wife, MARLENE MITCHELL, CREATION  
HOMES, INC. and HOLLYHOLM HOMEOWNERS' ASSOCIATION, INC

**WITNESSETH:**

**WHEREAS**, the undersigned are the owners of more than sixty-seven percent (67%) of the  
lots in the subdivision known as HOLLYHOLM (the "Subdivision") as the same appears of record  
on a map recorded in Map Book 35, Page 330 of the New Hanover County Registry; and

**WHEREAS** certain real property adjacent to the Subdivision as shown on a map recorded  
in Map Book 40, Page 291 of the New Hanover County Registry is being added to the  
Subdivision and designated as Phase 2, Lot 11, Hollyholm, said property being described in the  
Certificates of Title of Robert Hunter Tate, III and wife, Lisa Tate, Registered No 2, Certificates 7N  
and 7P recorded in Title Book RT-1, New Hanover County Registry; and

**WHEREAS**, all lots in the Subdivision are subject to the Protective Covenants for  
Hollyholm recorded in the Book 2010, Page 100, of the New Hanover County Registry ("Protective  
Covenants"), and

**WHEREAS**, the annexation of Phase 2, Lot 11, Hollyholm, into the Subdivision requires  
amendment to the Protective Covenants, and

**WHEREAS**, the parties desire to amend other provisions of the Protective Covenants as set

*This instrument is being re-recorded to add Exhibit 'A'*

RETURN TO  
STEVEN F. SIEGEL  
(910) 256-2292

forth further herein, and

**WHEREAS**, Paragraph 9 of the Protective Covenants provides for amendments to the Covenants, and

**WHEREAS**, by the execution of this Amendment, the parties desire to express their consent to this Amendment

**NOW, THEREFORE**, for and in consideration of the premises and other good and valuable considerations, the receipt and sufficiency of which are hereby acknowledged, is hereby declared that the real property described above shall be held, sold and conveyed subject to the provisions of the Protective Covenants as amended by this Amendment to Protective Covenants for Hollyholm.

1. Pursuant to Paragraph 2 of the Protective Covenants, Phase 2, Lot 11, Hollyholm, as shown on that map recorded in Map Book 40, Page 291 of the New Hanover County Registry, is hereby annexed into the Subdivision and is subjected to all terms and provisions of the Protective Covenants and this Amendment to Protective Covenants.

2. Paragraph 1 of the Protective Covenants is amended to read as follows

DESCRIPTION This Declaration shall run with the land and shall bind and inure to the benefit of the owner of each Lot within the Subdivision, and the property made subject to these Protective Covenants and amendments thereto is all of that property shown on that map of HOLLYHOLM recorded in Map Book 35, Page 330 of the New Hanover County Registry as the same may be amended from time to time and that certain property designated as Phase 2, Lot 11, Hollyholm, as shown on that map recorded in Map Book 40, Page 291 of the New Hanover County Registry "Lot" shall mean and refer to any numbered lot as shown upon that plat of

Hollyholm recorded in Map Book 35, Page 330, New Hanover County Registry and Phase 2, Lot 11, Hollyholm, as shown on that map recorded in Map Book 40, Page 291 of the New Hanover County Registry.

3. Paragraph 5, subparagraph (e) of the Protective Covenants shall be deleted in its entirety and in its place inserted the following:

(e) that the impervious surface allocation for each Lot shall be as shown on Exhibit A attached hereto, which allocations have been approved and accepted by the Department of Environmental Management by modification to Stormwater Permit No SW8-950712. The covenants pertaining to stormwater regulations may not be changed or deleted without the concurrence of the State

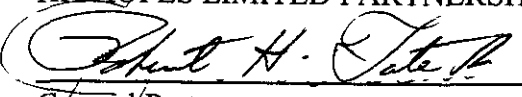
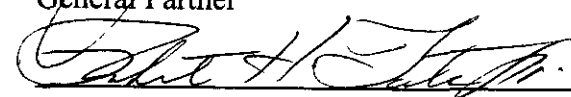
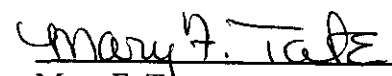
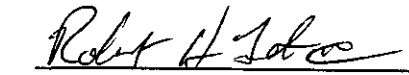
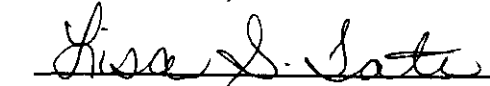

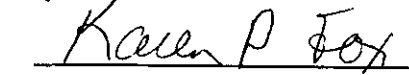
4 Paragraph 6 of the Protective Covenants shall be amended by adding the following new paragraph:

The Association shall maintain and repair the entrance walls to the Subdivision which are hereby made common areas The Association shall also maintain the landscaping at the entrance to the Subdivision and the area between the entrance walls and Greenville Loop Road. The Declarant and the owners of Lot 1 and Phase 2, Lot 11, Hollyholm, by execution of this Amendment, hereby consent to and grant an easement in favor of the Association for ingress, egress and regress over and upon Lot 1 and Phase 2, Lot 11, Hollyholm, for purposes of maintaining, repairing and improving the entrance area for Hollyholm, the walls fronting on Greenville Loop Road and Hollyholm Trace and the area between the walls and said streets. The easements are granted over that area depicted as wall maintenance easements on the

map of Hollyholm recorded in Map Book 35, Page 330 and the map of Phase 2, Lot 11, Hollyholm, recorded in Map Book 40, Page 291 of the New Hanover County Registry, over that area within the 50' x 50' sight distance triangles on Lot 1 and Phase 2, Lot 11, Hollyholm, and over the area between the walls and Greenville Loop Road, as depicted on said maps

EXCEPT, as specifically amended by this Amendment, all other covenants, conditions and restrictions set forth in the Protective Covenants recorded in Book 2010, Page 100 of the New Hanover County Registry are, and shall be, in full force and effect

IN TESTIMONY WHEREOF, said parties have caused this instrument to be executed in their names and under seal, this the day and year first above written.

HIGHOPES LIMITED PARTNERSHIP (SEAL)  
By  (SEAL)  
General Partner  
 (SEAL)  
Robert H Tate, Jr  
 (SEAL)  
Mary F Tate  
 (SEAL)  
Robert H Tate, III  
 (SEAL)  
Lisa S. Tate  
 (SEAL)  
Joseph B Fox, III  
 (SEAL)  
Karen P Fox

Ralph Gevinson (SEAL)  
Ralph Gevinson

Theresa Gevinson (SEAL)  
Theresa Gevinson

William W. Pringle (SEAL)  
William W Pringle

Karyn Pringle (SEAL)  
Karyn Pringle

Baker A Mitchell (SEAL)  
Baker A Mitchell

Marlene Mitchell (SEAL)  
Marlene Mitchell

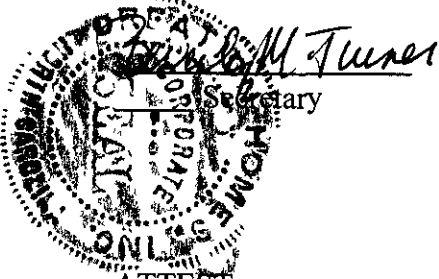
CREATION HOMES, INC

By Gordon R. Turner  
~~AKJ~~ President

HOLLYHOLM HOMEOWNERS' ASSOCIATION,  
INC.

By Joseph B. Turner  
President

ATTEST:



ATTEST:

Marlene Mitchell  
Secretary

STATE OF NORTH CAROLINA  
COUNTY OF NEW HANOVER

I, **STEVEN F. SIEGEL**, a Notary Public of the aforesaid State and County, do hereby certify that ROBERT H TATE, JR., General Partner of Highhopes Limited Partnership, personally came before me this day and acknowledged the due execution of the foregoing instrument

Witness my hand and notarial seal, this 20<sup>th</sup> day of FEBRUARY, 2001



**STEVEN F. SIEGEL  
NOTARY PUBLIC  
STATE OF NORTH CAROLINA  
NEW HANOVER COUNTY  
COMMISSION EXPIRES AUGUST 28, 2005**

*[Signature]*  
\_\_\_\_\_  
NOTARY PUBLIC

STATE OF NORTH CAROLINA  
COUNTY OF NEW HANOVER

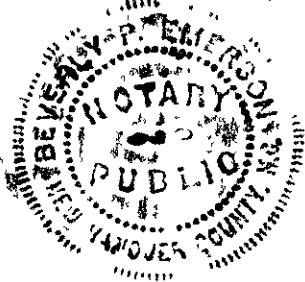
I, Beverly P. Emerson, a Notary Public of the aforesaid County and State, do hereby certify that ROBERT H. TATE, JR and MARY F. TATE personally came before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal, this 3<sup>rd</sup> day of FEBRUARY, 2001.

*[Signature]*  
\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires 10-16-02

(AFFIX SEAL)



STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, Beverly P. Emerson, a Notary Public of the aforesaid County and State, do hereby certify that ROBERT H TATE, III and LISA S TATE personally came before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and notarial seal, this 3<sup>rd</sup> day of FEBRUARY, 2001

Beverly P. Emerson  
NOTARY PUBLIC

My Commission Expires 10-16-02



STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, Ann A. Roberson, a Notary Public of the aforesaid County and State, do hereby certify that JOSEPH B FOX, III and KAREN P FOX personally came before me this day and acknowledged the due execution of the foregoing instrument

Witness my hand and notarial seal, this 2<sup>nd</sup> day of FEBRUARY, 2001

Ann A. Roberson  
NOTARY PUBLIC

My Commission Expires My Commission Expires August 22, 2004



STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, Ann A. ROBERSON, a Notary Public of the aforesaid County and State, do hereby certify that RALPH GEVINSON and THERESA GEVINSON personally came before me this day and acknowledged the due execution of the foregoing instrument

Witness my hand and notarial seal, this 31<sup>st</sup> day of JANUARY, 2001

Ann A. Roberson

NOTARY PUBLIC

My Commission Expires My Commission Expires August 22, 2004



STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, Ann A. ROBERSON, a Notary Public of the aforesaid County and State, do hereby certify that WILLIAM W PRINGLE and KARYN PRINGLE personally came before me this day and acknowledged the due execution of the foregoing instrument

Witness my hand and notarial seal, this 1<sup>st</sup> day of FEBRUARY, 2001

Ann A. Roberson

NOTARY PUBLIC

My Commission Expires My Commission Expires August 22, 2004



STATE OF NORTH CAROLINA

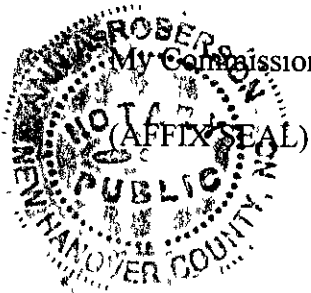
COUNTY OF NEW HANOVER

I, Ann A. ROBERSON, a Notary Public of the aforesaid County and State, do hereby certify that BAKER A MITCHELL and MARLENE MITCHELL personally came before me this day and acknowledged the due execution of the foregoing instrument

Witness my hand and notarial seal, this 2<sup>nd</sup> day of FEBRUARY, 2001

Ann A. Roberson  
NOTARY PUBLIC

My Commission Expires My Commission Expires August 22, 2004



STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, Ann A. ROBERSON, a Notary Public of the aforesaid County and State, do hereby certify that BEVERLY M. TURNER, personally came before me this day and acknowledged that he/she is ✓ Secretary of Creation Homes, Inc, a North Carolina 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/herself as its \_\_\_\_\_ Secretary

Witness my hand and notarial seal, this 2<sup>nd</sup> day of FEBRUARY, 2001

Ann A. Roberson  
NOTARY PUBLIC

My Commission Expires My Commission Expires August 22, 2004



STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, ANN A. ROBERSON, a Notary Public of the aforesaid County and State, do hereby certify that MARLENE MITCHELL, personally came before me this day and acknowledged that he/she is \_\_\_\_\_ Secretary of Hollyholm Homeowners' Association, Inc, a North Carolina 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/herself as its \_\_\_\_\_ Secretary

Witness my hand and notarial seal, this 2<sup>nd</sup> day of FEBRUARY, 2001

Ann A. Roberson  
NOTARY PUBLIC

My Commission Expires: My Commission Expires August 22, 2004





REBECCA T CHRISTIAN  
REGISTER OF DEEDS, NEW HANOVER  
JUDICIAL BUILDING  
316 PRINCESS STREET  
WILMINGTON, NC 28401

\*\*\*\*\*

Filed For Registration: 02/20/2001 01.24:18 PM  
Book: RE 2885 Page 1571-1581  
Document No.: 2001005825  
CONV 11 PGS \$26 00

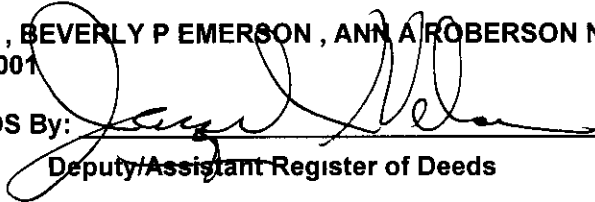
Recorder: JACQUELINE NELSON

\*\*\*\*\*

State of North Carolina, County of New Hanover

The foregoing certificate of STEVEN F SIEGEL , BEVERLY P EMERSON , ANN A ROBERSON Notaries are certified to be correct. This 20TH of February 2001

REBECCA T. CHRISTIAN , REGISTER OF DEEDS By:

  
Deputy/Assistant Register of Deeds

\*\*\*\*\*

**\*2001005825\***  
2001005825

**EXHIBIT A** *DR*

**HOLLYHOLM SUBDIVISION**  
New Hanover County, NC

**Built Upon Area Per Lot**

Lot 1	4,959 sf
Lot 2	5,100 sf
Lot 3	5,270 sf
Lot 4	5,100 sf
Lot 5	6,225 sf
Lot 6	5,771 sf
Lot 7	5,100 sf
Lot 8	6,964 sf
Lot 9	5,100 sf
Lot 10	5,676 sf
Lot 11	<u>5,715 sf</u>

Total 60,980 sf

**EXPLANATION STATEMENT TO CORRECT OBVIOUS MINOR ERROR(S) MADE IN AN INSTRUMENT AS ORIGINALLY RECORDED**

RE. BOOK 2885  
PAGE 1571

RECORDED IN THE NEW HANOVER COUNTY REGISTRY

NAMES OF ALL PARTIES TO THE ORIGINAL INSTRUMENT

HIGHOPES LIMITED PARTNERSHIP  
ROBERT H TATE, JR and MARY F TATE  
ROBERT H TATE, III and LISA S TATE  
JOSEPH B FOX, III and KAREN P FOX  
RALPH GEVINSON and THERESA GEVINSON  
WILLIAM W PRINGLE and KARYN PRINGLE  
BAKER A MITCHELL and MARLENE MITCHELL  
CREATION HOMES, INC  
HOLLYHOLM HOMEOWNERS' ASSOCIATION, INC

STATE OF NORTH CAROLINA

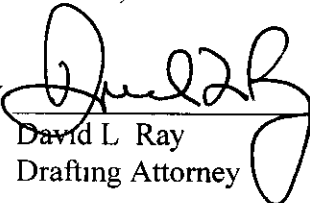
COUNTY OF NEW HANOVER

I, the undersigned, the attorney who drafted the original instrument, hereby certify that the following corrections are made in the above-named recorded instrument in accordance with the provisions of G S 47-36 1 ratified June 30, 1986

DESCRIPTION OF CORRECTION(S)      This document is being re-recorded to include Exhibit A referenced in the document

This the 07 day of March, 2001

FLETCHER, RAY & SATTERFIELD, L L.P

BY  (SEAL)  
David L Ray  
Drafting Attorney

This explanation statement together with the attached instrument duly rerecorded at 12.19 o'clock P M this 7 day of March, 2001 in the Book and Page shown on the first page hereof

**REBECCA T. CHRISTIAN**

Register of Deeds  
183001 • Statement to re record wpd • 3/6/01

By   
Deputy/Assistant Register of Deeds



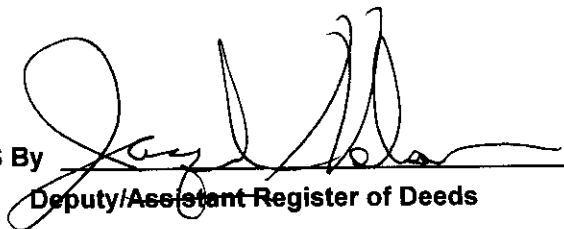
REBECCA T CHRISTIAN  
REGISTER OF DEEDS, NEW HANOVER  
JUDICIAL BUILDING  
316 PRINCESS STREET  
WILMINGTON, NC 28401

\*\*\*\*\*

Filed For Registration. 03/07/2001 12:19:14 PM  
Book RE 2893 Page 575-588  
Document No. 2001008283  
DECL 14 PGS \$30.00  
Recorder. JACQUELINE NELSON

State of North Carolina, County of New Hanover

REBECCA T CHRISTIAN , REGISTER OF DEEDS By

  
Deputy/Assistant Register of Deeds

**\*2001008283\***

2001008283