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FOR REGISTRATION REGISTER OF DEEDS
REBECCA T. CHRISTIAN
NEW HANOVER COUNTY, NC
2002 OCT 02 01:40:22 PM
BK: 3458 PG: 569-575 FEE: \$29.00
INSTRUMENT # 2002049414

AMENDMENT TO DECLARATION OF GENERAL PROTECTIVE COVENANTS,
CONDITIONS, EASEMENTS AND RESTRICTIONS FOR
OLD BAYMEADE

THIS AMENDMENT TO DECLARATION OF GENERAL PROTECTIVE COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS OF OLD BAYMEADE is made and entered into this 16th day of August, 2002 by OLD BAYMEADE DEVELOPMENT COMPANY, LLC, a North Carolina Limited Liability Company (hereinafter referred to as the "Developer") and PETER JAMES PARSONS (hereinafter referred to as "Parsons");

WITNESSETH:

THAT, WHEREAS, Developer created a subdivision known as Old Baymeade as more particularly described on the map of same recorded in Map Book 38 at Page 237 in the New Hanover County Register of Deeds ("Map"); and

WHEREAS, the Developer submitted the property described on said Map to that Declaration of General Protective Covenants, Conditions, Easements and Restrictions of Old Baymeade (hereinafter the "Declaration"), said Declaration being recorded in Book 2504 at Page 528 of the New Hanover County Registry; and

WHEREAS, by virtue of that Supplemental Declaration and Submission of Real Property to Subdivision Restrictions recorded in Book 3458 at Page 564 in the New Hanover County Registry ("Supplemental Declaration") additional properties were submitted to the Declaration and made a part of said subdivision, said additional properties being that real property described in Deeds recorded in Book 2307 at Page 354 and in Book 1684 at Page 389, both in the New Hanover County Registry; and

WHEREAS, the owner of the property described in the Supplemental Declaration, Peter James Parsons, in submitting said property to the Declaration
RETURN TO JACKSON, MILLS & CARTER

reserved certain rights which were consented to by the Developer and which are not in strict adherence to the terms of the Declaration and the Declarant wishes to memorialize the existence of said variations and record the consent of the Developer to same;

NOW, THEREFORE, in consideration of the premises herein and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Developer and Parsons amend the Declaration as pertaining to the property added to Old Baymeade by virtue of the Supplemental Declaration as follows:

1. The present and successor owners of the house which exists on that property described in Book 2307 at Page 354 and in Book 1684 at Page 389 will not have to modify the house from the condition in which it existed on June 1, 2002 so far as complying with the Declaration and any rules or regulations or guidelines regarding Old Baymeade Subdivision. However, if any additions or modifications to the house are made, then such additions or modifications must conform to the Declaration and the Old Baymeade Property Owners Association guidelines. The Developer consents to the front entrance of the dwelling opening onto Old Baymeade Road. In addition, the Developer consents to the garage doors facing Old Baymeade Road, but they must be screened by landscaping.

2. Property on the side of the house not facing Old Baymeade Road will not be subject to the subdivision landscape requirements although it must be kept in an orderly condition or naturally wooded. Landscaping located along Old Baymeade Road must meet the guideline requirements of the subdivision, including submitting a plan of landscaping and development.

3. Boats and boat trailers may be kept on the property so long as they are shielded from Old Baymeade Road and do not materially detract from the value of the adjacent lots.

4. Domesticated dogs and cats may be kept on the property so long as they do not become a danger or nuisance to any other members of the Association.

5. Parsons may continue to use the existing entrance located on Middle Sound Loop Road and this shall be the entrance for boats and/or recreational trailers.

Except as herein amended the Declaration remains in full force and effect.

IN WITNESS WHEREOF, OLD BAYMEADE DEVELOPMENT COMPANY, LLC has caused this instrument to be signed and sealed in its company name by its duly authorized members/managers and PETER JAMES PARSONS has hereunto set his hand and seal, all the day and year first above written.

OLD BAYMEADE DEVELOPMENT COMPANY, LLC

BY: *Alfred J. Peterson*
Alfred J. Peterson, Member

By: *Dwight D. Peterson*
Dwight D. Peterson, Member

By: *Jeannie P. Whiteted*
Jeannie P. Whiteted, Member

Peter James Parsons (SEAL)
PETER JAMES PARSONS

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, *Rita J. Henry*, a Notary Public, do hereby certify that ALFRED J. PETERSON, DWIGHT D. PETERSON and JEANNIE P. WHITETED personally appeared before me this day and acknowledged that they are Members of OLD BAYMEADE DEVELOPMENT COMPANY, LLC, a North Carolina Limited Liability Company, and further acknowledged the due execution of the foregoing instrument on behalf of the Limited Liability Company.

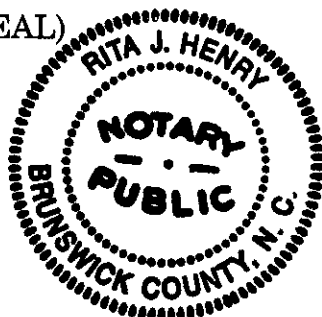
Witness my hand and notarial seal, this the 16th day of August, 2002.

Rita J. Henry
Notary Public

My Commission Expires:

7/8/2006

(AFFIX NOTARIAL SEAL)



STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, Rita J. Henry, a Notary Public of the County of Brunswick and State aforesaid, do hereby certify that PETER JAMES PARSONS personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

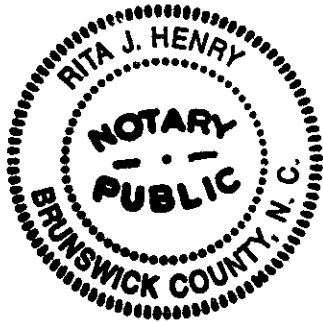
WITNESS my hand and official stamp or seal, this the 6th day of August, 2002.

Rita J. Henry
Notary Public

My Commission Expires:

7/8/2006

(AFFIX NOTARIAL SEAL)



**JOINDER AND CONSENT OF TRUSTEE
AND BENEFICIARY/MORTGAGEE**

SOUTHLAND ASSOCIATES, INC., Trustee and CENTRAL CAROLINA BANK AND TRUST COMPANY, Beneficiary, join in the execution of this Declaration for the sole purpose of subjecting, submitting and subordinating, and they, and each of them, do hereby subject, submit and subordinate any and all right, title and interest in the real property secured by a Deed of Trust recorded in Book 2274, at Page 222, in the New Hanover County Registry, that they have, or either of them has, or may have, by virtue of said Deed of Trust, and any subsequent modifications thereto, to this Amendment to Declaration of General Protective Covenants, Conditions, Easements and Restrictions and every provision thereof.


IN WITNESS WHEREOF, SOUTHLAND ASSOCIATES, INC., Trustee and CENTRAL CAROLINA BANK AND TRUST COMPANY, Beneficiary, have each caused this Joinder and Consent to be signed and sealed in their corporate names by their duly authorized officers and their corporate seals to be hereunto affixed all by authority of their Boards of Directors, all this 9 day of ~~August~~, 2002.

September

Trustee: SOUTHLAND ASSOCIATES, INC.

ATTEST:

Secretary

BY: 
Vice President

(AFFIX CORPORATE SEAL)

Beneficiary: CENTRAL CAROLINA BANK
AND TRUST COMPANY

ATTEST:

Secretary

BY: 
Vice President

(AFFIX CORPORATE SEAL)

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, Stella G. Norwood, a Notary Public of the County of New Hanover and State aforesaid, do hereby certify that Charles Davis, Vice Pres. personally came before me this day and acknowledged that ~~he~~she is Vice Pres~~Secretary~~ of SOUTHLAND ASSOCIATES, INC., and that, by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Vice President, ~~sealed with its corporate seal, and attested by himself/herself as its~~ Secretary.

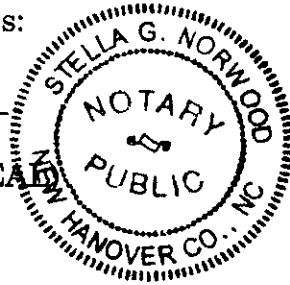
WITNESS my hand and notarial seal, this the 4 day of September, 2002.

Stella G. Norwood
Notary Public

My Commission Expires:

01-27-06

(AFFIX NOTARIAL SEAL)



STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, Stella G. Norwood, a Notary Public of the County of New Hanover, and State aforesaid, do hereby certify that Charles Davis personally came before me this day and acknowledged that ~~he~~she is Vice Pres. ~~Secretary~~ of CENTRAL CAROLINA BANK AND TRUST COMPANY, and that, by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Vice President, ~~sealed with its corporate seal, and attested by himself/herself as its~~ Secretary.

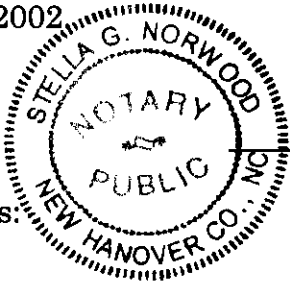
WITNESS my hand and notarial seal, this the 4 day of September, 2002.

Stella G. Norwood
Notary Public

My Commission Expires:

01-27-06

(AFFIX NOTARIAL SEAL)





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

Filed For Registration: 10/02/2002 01:40:22 PM
Book: RE 3458 Page: 569-575
Document No.: 2002049414
AMEND 7 PGS \$29.00
Recorder: MARVIS ANN STORER

State of North Carolina, County of New Hanover

The foregoing certificate of RITA J HENRY Notary is certified to be correct. This 2 ND of October 2002

REBECCA T. CHRISTIAN , REGISTER OF DEEDS

By Marvis Ann Storer
Deputy/Assistant Register of Deeds

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