



FOR REGISTRATION REGISTER OF DEEDS
REBECCA T. CHRISTIAN
NEW HANOVER COUNTY, NC
2004 APR 16 12:17:01 PM
BK:4278 PG:749-753 FEE:\$23.00

INSTRUMENT # 2004019097

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
OF OTTER CREEK LANDING LANDING YACHT CLUB, INC.
AS RECORDED IN BOOK 1240, PAGE 1849
BOOK 1284, PAGE 1683 and BOOK 1284, PAGE 1692
and BOOK 2084, PAGE 373 and BOOK 2253, PAGE 193
ALL OF THE NEW HANOVER COUNTY REGISTRY

THIS AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS OF OTTER CREEK LANDING YACHT CLUB, made this 6
day of April, 2004, by OTTER CREEK LANDING YACHT CLUB, INC., a
North Carolina Non-Profit Corporation, with Articles of Amendment being recorded in
Book 1284 at Page 1677 of the New Hanover County Registry.

WITNESSETH:

WHEREAS, the Declaration of Covenants, Conditions and Restrictions of Otter
Creek Landing Yacht Club and the Amendments thereto as recorded in the New Hanover
County Registry as hereinabove referenced, provide that the Declaration and the
Amendments thereto may be further amended by instrument duly recorded in the Office
of the Register of Deeds of New Hanover County if signed by not less than two-thirds of
the owners; and

WHEREAS, Otter Creek Landing Yacht Club wishes to amend the following
portions of the Declaration of Covenants, Conditions and Restrictions of Otter Creek
Landing Yacht Club as recorded in Book 1240 at Page 1849, et seq. : Article IX,
INSURANCE.

WHEREAS, pursuant to Article VIII of the Declaration of Covenants, Conditions
and Restrictions of Otter Creek Landing Yacht Club, Inc. as recorded in Book 1240, Page
1849, et seq., entitled "Amendment of Declaration", Section 4, "Amendment of
Declaration" the Covenants and Restrictions of the Declaration may be amended by an

instrument duly recorded in the Office of the Register of Deeds of New Hanover County signed by not less than two-thirds of the owners as certified by the Secretary of the Yacht Club; and

WHEREAS, more than two-thirds of the owners have consented to the amendment as hereinbelow set out as evidenced by Exhibit "A" attached hereto and incorporated herein by reference; and

NOW, THEREFORE, OTTER CREEK LANDING YACHT CLUB, INC. hereby amends the Declaration of Covenants, Conditions and Restrictions of Otter Creek Yacht Club, Inc. as recorded in Book 1240, Page 1849 as amended as hereinabove described, all as recorded in the New Hanover County Registry, as follows:

1. By the addition of a new section to Article IX, as follows:
"In the event that commercial insurance is unavailable or in the event that commercial insurance becomes fiscally impractical, the association may become self-insured, wherein any damages in excess of the amount of funds on reserve shall be obtained by the assesment of the slip owners.

Except as amended hereby, the Declaration of Covenants Conditions and Restrictions of Otter Creek Landing Yacht Club as hereinabove referenced shall remain in full force and effect.

IN TESTIMONY WHEREOF, OTTER CREEK LANDING YACHT CLUB, INC. has caused this AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS to be signed in its corporate name and duly attested and sealed with its corporate seal on the day and year first above written.

OTTER CREEK LANDING YACHT CLUB, INC.

BY: Wayne Rhodes
President

ATTEST: Chris Keff
Secretary

(Corporate Seal)

STATE OF NORTH CAROLINA

COUNTY OF New Hanover

I, V.A. Beury-Helms, a Notary Public in and for the State and County aforesaid, hereby certify that Chris Kelly personally appeared before me this day and acknowledged that ~~she~~ is _____ Secretary of OTTER CREEK LANDING YACHT CLUB, 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 her/him as its _____ Secretary.

WITNESS my hand and notarial stamp or seal, this the 6 day of April, 2004.

V.A. Beury-Helms

Notary Public

My Commission Expires: 8/5/04

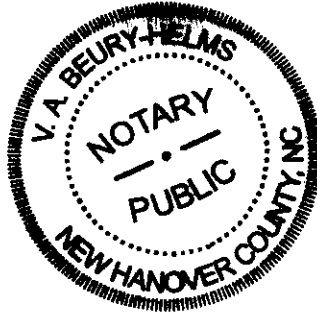


EXHIBIT A

I, Chris Kelly, Secretary of Otter Creek Landing Yacht Club, Inc., after being first duly sworn, do depose and state that on the 2/6/2004 a vote by the association was held as the same relates to the attached amendment and of the total possible votes of 97, there were 90 votes cast, of which 66 voted in approval and 24 voted against, said vote constitute the majority as required for an amendment as so provided in the By-Laws and Declaration and Restrictions for Otter Creek Landing Yacht Club.

This the 6 day of April, 2004.

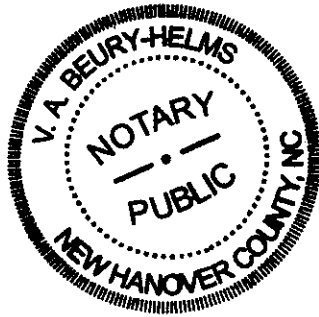
Chris Kelly
_____, Secretary
OTTER CREEK LANDING YACHT CLUB, INC.

Sworn to and subscribed before me,
this the 6 day of April, 2004.

Wally W.

Notary Public

My Commission Expires: 8/5/04





REBECCA T. CHRISTIAN
REGISTER OF DEEDS, NEW HANOVER
216 NORTH SECOND STREET

WILMINGTON, NC 28401

Filed For Registration: 04/16/2004 12:17:01 PM
Book: RE 4278 Page: 749-753
Document No.: 2004019097
AMD DECL 5 PGS \$23.00

Recorder: JACQUELINE NELSON

State of North Carolina, County of New Hanover

The foregoing certificate of V A BEURY-HELMS Notary is certified to be correct. This 16TH of April 2004

REBECCA T. CHRISTIAN, REGISTER OF DEEDS

By: 
~~Deputy/Assistant Register of Deeds~~

YELLOW PROBATE SHEET IS A VITAL PART OF YOUR RECORDED DOCUMENT.
PLEASE RETAIN WITH ORIGINAL DOCUMENT AND SUBMIT FOR RE-RECORDING.

2004019097

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