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STATE OF NORTH CAROLINA BOOK
COUNTY OF NEW HANOVER 1610

PAGE 0836 AMENDMENT TO
DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
COVE POINT SUBDIVISION

This Declaration, made the 15th day of June, 1992, by COVE POINT LIMITED PARTNERSHIP, a North Carolina Limited Partnership by its General Partner, CREEK'S EDGE, INC., hereinafter referred to as "Declarant" (whether one or more), and COVE POINT HOA, INC., a North Carolina non-profit corporation, hereinafter referred to as the "HOA";

WITNESSETH:

Whereas, Declarant is the owner of certain real property in Masonboro Township, New Hanover County, North Carolina, (hereinafter referred to as the "Properties") which is more particularly described as follows:

Being all of Cove Point Subdivision, as shown on the plats thereof recorded in Plat Book 32 at Pages 98 and 99 in the Office of the Register of Deeds of New Hanover County, North Carolina, to which plats reference is hereby made for a more particular description, **SAVE AND EXCEPTING THEREFROM** those lots conveyed by Declarant as same are shown by deeds duly recorded in the New Hanover County Registry; and

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Whereas, Declarant has placed certain easements, restrictions, covenants and conditions upon the Properties by virtue of that certain Declaration of Covenants, Conditions and Restrictions Cove Point Subdivision, dated December 31, 1991 and recorded in Book 1582, Page 311 of the New Hanover County Registry (hereinafter referred to as the "Declaration"), and;

Whereas, HOA is a North Carolina non-profit corporation, whose purposes include, *inter alia*, the maintenance and management, preservation and architectural control of Cove Point Subdivision; and

Whereas, Declarant, pursuant to Article XI, Section 6F of the Declaration desires to re-plate a portion of the Properties, being Lots 18 and 19 according to that certain map entitled Revision of Lots 18 and 19, Cove Point, recorded in Plat Book 32 at Page(s) 257 of the New Hanover county Registry, reference to which is hereby made for a more particular description (hereinafter referred to as the "Revision Plat");

Now, therefore, the Declaration is hereby amended as follows:

- 1) That portion of the Properties located between Lots 18 and 19 and designated as "18 Common Area" on that certain map of Cove Point Subdivision recorded in Plat Book 32 at Pages 98 and 99 of the New Hanover County Registry is hereby removed from the Common Area of Cove Point Subdivision; and

Draftsman: CAMILLA M. HERLEVICH
Barefoot & Kaufman
2002 Eastwood Road, Suite 202
Wilmington, N. C. 28403

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- 2) Declarant's interest in That certain "20' Public Sanitary Sewer Easement and H.O.A. Access Easement" as the same is shown on that Revision Plat recorded in Plat Book 32 at Page (*) 257 of the New Hanover County Registry is hereby added to and made a part of the "Properties" subject to the Declaration.

AND WITNESS FURTHER: HOA joins in the execution of this instrument for the purpose of consenting to the amendment of the Declaration hereinabove recited.

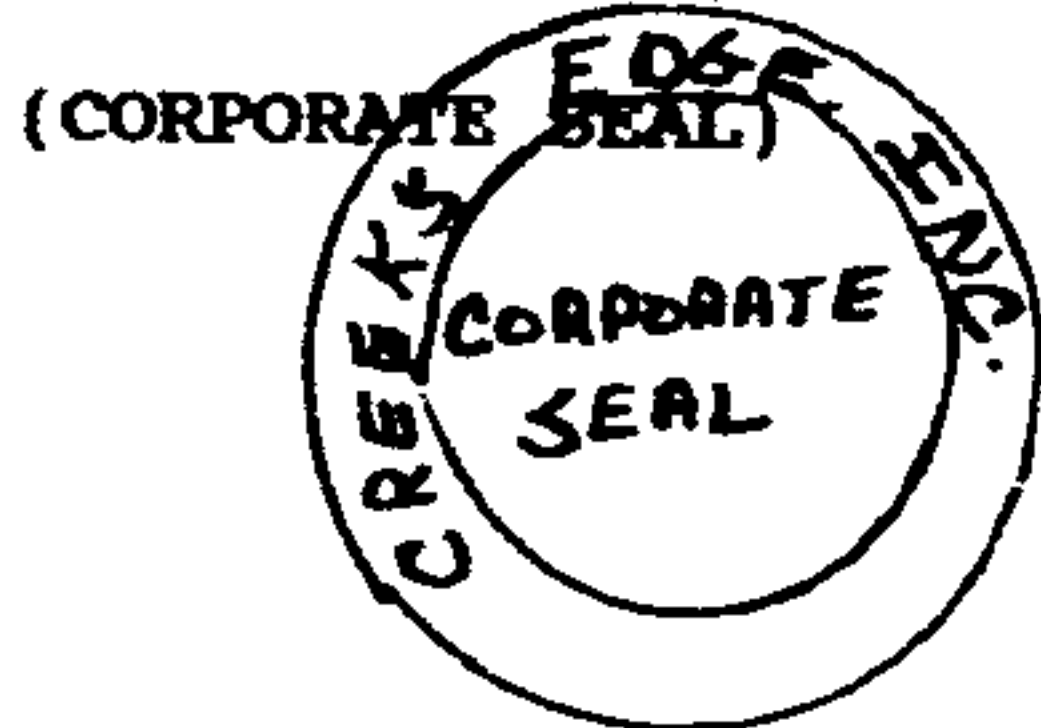
IN WITNESS WHEREOF, CREEK'S EDGE, INC., the Declarant herein, and COVE POINT HOA, INC., the HOA, each have caused this Amendment to Declaration of Covenants, Conditions and Restrictions Cove Point Subdivision; Joinder and Consent to Amendment, to be executed in their corporate names and their corporate seals affixed by their duly authorized officers this 4th day of March, 1992.

COVE POINT LIMITED PARTNERSHIP, a North Carolina Limited Partnership By CREEK'S EDGE, INC., its General Partner

By Tim F. Turner
President

ATTEST:

Paul Graham Jr
Secretary

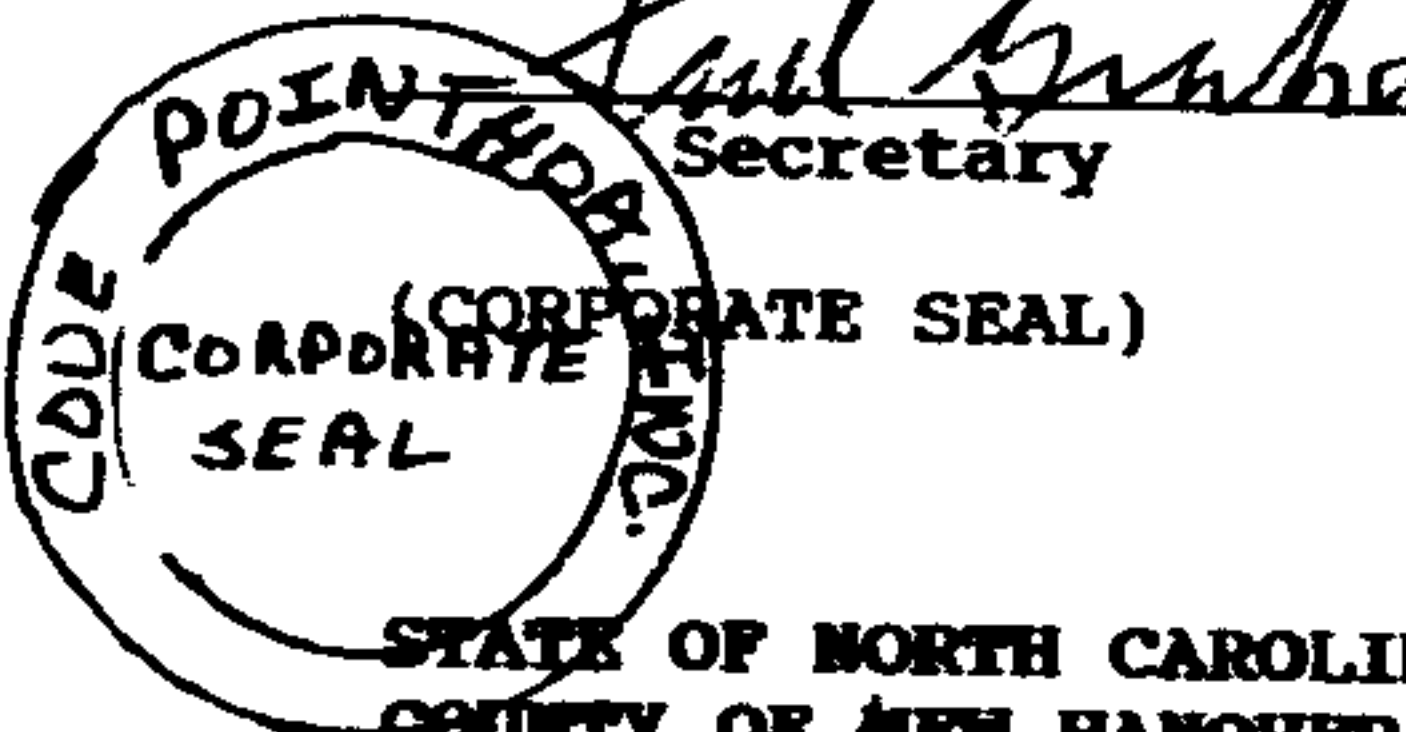


COVE POINT HOA, INC., a North Carolina non-profit Corporation,

By Tim F. Turner
President

ATTEST:

Paul Graham Jr
Secretary



STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

I, LINDA M. DODSON, a Notary Public of New Hanover County, North Carolina, certify that FRED GRAHAM JR. personally appeared before me this day and acknowledged that he is the Secretary of CREEK'S EDGE, INC., a North Carolina corporation, the General Partner of COVE POINT LIMITED PARTNERSHIP, and that by authority duly given and as the act of the said corporation, the foregoing Instrument was signed in its name by its President, sealed with its corporate seal and attested by himself as its Secretary on behalf of said Limited Partnership.

WITNESS my hand and notarial seal this 4th day of March, 1992.

My Commission Expires: 9-19-93 Linda M. Dodson
Notary Public

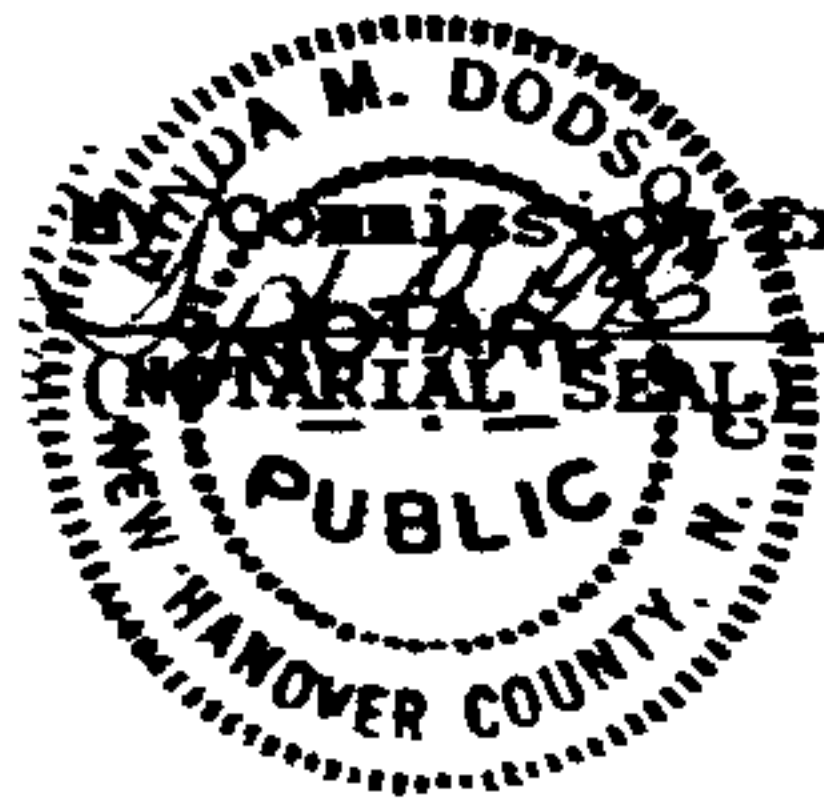


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STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

I, Linda M. Dodson, a Notary Public of New Hanover County, North Carolina, certify that Fred Graham Jr. personally appeared before me this day and acknowledged that he is the Secretary of Cove Point HOA, Inc., a North Carolina corporation, and that by authority duly given and as the act of the said 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 notarial seal this 14 day of March, 1992.



Expires: 9-19-93

Linda M. Dodson
Notary Public

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

The foregoing certificate of Linda M. Dodson, Notary Public is certified to be correct. This the 10 day of July, 1992.

REBECCA P. TUCKER
Register of Deeds-New Hanover County

By M. S. Oate
Deputy/Assistant

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

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RICHARD N. MORGAN, TRUSTEE, for CAMERON COMPANY LIMITED PARTNERSHIP, a North Carolina limited partnership, hereby joins in and consents to that certain Amendment to Declaration of Covenants, Conditions and Restrictions Cove Point Subdivision; recorded in Book 1610 at Page 836 in the Office of the Register of Deeds of New Hanover County, North Carolina, and does hereby subject and subordinate to said Declaration, as amended, the lien of that certain deed of trust and security agreement recorded in Book 1562 at page 851 in the Office of the Register of Deeds of New Hanover County, North Carolina.

Richard N. Morgan (SEAL)
RICHARD N. MORGAN, TRUSTEE

STATE OF NORTH CAROLINA

COUNTY OF New Hanover

I, Karen Byrd Gladden, a Notary Public, do hereby certify that RICHARD N. MORGAN, TRUSTEE personally appeared before me this day and acknowledged the due execution of the foregoing Instrument.

Witness my hand and notarial seal this 9th day of March, 1992.

my commission expires:

My Commission Expires May 21, 1994.

Karen Byrd Gladden
Notary Public

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

The foregoing certificate of Karen Byrd Gladden Notary Public, is certified to be correct. This the 10 day of July, 1992.

REBECCA P. TUCKER
Register of Deeds - New Hanover County

By: M. S. Oates
Deputy/Assistant

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Barefoot & Kaufman