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 Ck \$ \_\_\_\_\_ Ck # \_\_\_\_\_ Cash \$ 26  
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 Portions of document are illegible due to condition of original.  
 Document contains seals verified by original instrument that cannot be reproduced or copied.

**AMENDED COVENANTS,  
 CONDITIONS, RESTRICTIONS, AND  
 EASEMENTS FOR LAKES OF LOCKWOOD**

THIS AMENDMENT ("Amendment") made and entered into this 19<sup>TH</sup> day of MARCH, 2018 with the authorization of the affirmative vote by lot owners of lots to which at least sixty-seven percent (67%) of votes in the Association are allocated by the **LAKES OF LOCKWOOD PROPERTY OWNERS ASSOCIATION, INC.**, a North Carolina non-profit corporation (hereinafter referred to as "Association").

**WITNESSETH:**

WHEREAS, on or about July 25, 2002, Lakes of Lockwood, Inc. ("The Developer"), a North Carolina Corporation, executed its "Declaration of Covenants, Conditions, Restrictions, and Easements of Lakes of Lockwood", ("The Declaration") the same of which is recorded in Deed Book 1610 at Page 141 of the Brunswick County Registry; and

WHEREAS, by and through the execution and recording of The Declaration in Deed Book 1610 at Page 141 of the Brunswick County Registry, The Developer placed those certain Covenants, Conditions, Restrictions, embodied in The Declaration on the real property described therein; and

WHEREAS, The Declaration of the Association has been amended from time to time by instruments duly recorded in Deed Book 1656 at Page 616, Deed Book 1690 at Page 660, Deed Book 1777 at Page 873, Deed Book 2016 at Page 242, Deed Book 2839 at Page 1234, Deed Book 2850 at Page 476, Deed Book 3072 at Page 933, and Deed Book 3141 at Page 510, all of the Brunswick County Registry, North Carolina; and



WHEREAS, the property subject to The Declaration has been divided into 125 residential lots (collectively the "Lots" and singularly at "Lot"); and

WHEREAS, Section 3 of Article IX of The Declaration provided in part that the "Declaration may be amended during the first twenty (20) year period by an instrument signed by not less than ninety percent (90%) of the Lots Owners, and thereafter by an instrument signed by not less than seventy-five percent (75%) of the Lot Owners." Section 3 of Article IX (General Provisions) of the Declaration was deleted in its entirety pursuant to the amendment to The Declaration recorded in Deed Book 3072 at Page 934 of the Brunswick County Registry, with the homeowners intending that The Declaration be amended pursuant to North Carolina General Statutes Chapter 47F-2-117(a), which provides:

(a) Except in cases of amendments that may be executed by a declarant under the terms of the declaration or by certain lot owners under G.S. 47F-2-118(b), the declaration may be amended only by affirmative vote or written agreement signed by lot owners of lots to which at least sixty-seven percent (67%) of the votes in the association are allocated, or any larger majority the declaration specifies or by the declarant if necessary for the exercise of any development right. The declaration may specify a smaller number only if all of the lots are restricted exclusively to nonresidential use;" and

WHEREAS, after notice was duly given to all lot owners by the Association, the Association by affirmative vote by lots owners of lots to which at least sixty-seven percent of the votes in the Association are allocated has consented to the amendment to The Declaration set forth herein; and

WHEREAS, the amendment to The Declaration set forth herein applies to all of the lot owners equally; and

WHEREAS, the Association, pursuant to the provisions of The Declaration and with the consent of at least sixty-seven percent of the lot owners, does hereby amend and modify The Declaration as follows:

**ARTICLE I, RESTRICTIONS FOR STORM WATER REGULATIONS**, as is stated in the Supplemental Covenants, Conditions, Restrictions and Easements for Lakes of Lockwood and is recorded in Deed Book 1656 at Page 616 of the Brunswick County Registry, is stricken, deleted, and amended as follows and instead the following is substituted in the place of existing Article I, Restrictions for Storm Water Regulations:

1. The following covenants are intended to ensure ongoing compliance with State Stormwater Management Permit Number **SW8 01020**, as issued by the Division of Water Quality under the Stormwater Management Regulations.
2. The State of North Carolina is made a beneficiary of these covenants to the extent necessary to maintain compliance with the stormwater management permit.



3. These covenants are to run with the land and be binding on all persons and parties claiming under them.
4. The covenants pertaining to stormwater may not be altered or rescinded without the express written consent of the State of North Carolina, Division of Water Quality.
5. Alteration of the drainage as shown on the approved plan may not take place without the concurrence of the Division of Water Quality; said plan being attached hereto as Attachment B.
6. The maximum allowable built-upon area per lot is listed on Attachment A, Lakes of Lockwood - Lot BUA Allocation. This allotted amount includes any built-upon area constructed within the lot property boundaries, and that portion of the right-of-way between the front lot line and the edge of the pavement. Built-upon area includes, but it is not limited to, structures, asphalt, concrete, gravel, brick, stone, slate, and coquina, but does not include raised, open wood decking or the water surface of swimming pools.
7. In the case of a lot within CAMA's regulated AEC, where the Division of Coastal Management calculates a different maximum allowable built-upon area for that lot than is shown herein, the governing maximum built-upon area for that lot shall be the most restrictive of the two.
8. Filling in or piping of any vegetative conveyances (ditches, swales, etc.) associated with the development except for average driveway crossings is strictly prohibited by any persons.
9. Each lot will maintain a fifty (50) foot wide vegetated buffer between all impervious areas and surface waters.
10. All roof drains shall terminate at least fifty (50) foot from the mean high water mark of surface waters.



END OF AMENDMENTS

**EXCEPT AS AMENDED HEREIN, the Declaration of Covenants, Conditions, Restrictions and Easements of Lakes of Lockwood shall remain in full force and effect.**

The undersigned, being the President of the Association, does, by his/her execution hereof, certify that this Amendment was duly adopted by the affirmative vote of at least sixty-seven percent (67%) of the Owners on the 19<sup>TH</sup> day of MARCH, 2018, and that all procedures, steps, and requirements necessary to amend said Declaration and Supplemental Covenants, Conditions, Restrictions and Easements for Lakes of Lockwood have been complied with, the day and year first above written.

This the 19<sup>TH</sup> day of MARCH, 2018.

**LAKES OF LOCKWOOD, INC.**

BY: John W. Rhoades

**PRINTED NAME: John W. Rhoades**

**TITLE: President**



STATE OF NORTH CAROLINA  
COUNTY OF BRUNSWICK

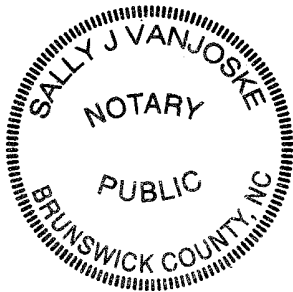
I, Sally J. Vanjoske, certify that John W. Rhoades,  
either being personally known to me or proven by satisfactory evidence (said evidence being \_\_\_\_\_), personally appeared before me this day, and acknowledged to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

John W. Rhoades, President, Lakes of Lockwood, Inc.  
*Name(s) of principal(s)*

Witness my hand and official seal, this the 19<sup>th</sup> day of March, 2018.

Sally J. Vanjoske  
Notary Public  
My Commission Expires 9-13-2020

(SEAL)



**Attachment A  
LAKES OF LOCKWOOD - Lot BUA Allocation**

LOT NUMBER	BUA	LOT NUMBER	BUA	LOT NUMBER	BUA	LOT NUMBER	BUA
1	4,500	33	4,500	65	6,758	97	4,500
2	5,340	34	4,500	66	4,500	98	5,510
3	4,500	35	4,500	67	4,500	99	4,500
4	4,658	36	4,500	68	6,535	100	5,887
5	4,500	37	4,500	69	5,584	101	4,500
6	5,116	38	4,500	70	5,155	102	6,732
7	4,885	39	4,567	71	5,237	103	4,500
8	4,552	40	6,000	72	4,921	104	4,781
9	4,500	41	6,000	73	5,406	105	4,500
10	4,500	42	4,500	74	5,839	106	4,500
11	4,871	43	5,003	75	4,500	107	7,685
12	4,500	44	5,539	76	5,734	108	4,500
13	5,603	45	5,021	77	4,500	109	4,500
14	4,500	46	6,211	78	6,000	110	4,500
15	4,500	47	5,348	79	6,000	111	4,500
16	4,500	48	4,500	80	6,000	112	4,500
17	4,500	49	5,307	81	6,000	113	4,500
18	4,500	50	5,124	82	6,000	114	4,500
19	5,833	51	5,660	83	6,000	115	4,500
20	4,500	52	4,500	84	6,000	116	4,500
21	8,670	53	4,500	85	6,000	117	4,500
22	4,500	54	4,500	86	6,000	118	4,500
23	4,500	55	4,500	87	6,000	119	4,500
24	4,500	56	4,500	88	6,000	120	4,500
25	4,500	57	5,332	89	6,000	121	5,672
26	4,500	58	7,505	90	6,000	122	4,500
27	4,500	59	4,500	91	6,000	123	4,500
28	4,546	60	4,500	92	6,000	124	5,391
29	4,500	61	4,714	93	6,000	125	6,276
30	4625	62	4,500	94	6,000		
31	4500	63	6,992	95	4,500		
32	4708	64	5,121	96	4,500	Total	637,454

Legend:

Low Density Lots not draining to Stormwater Pond

Lots draining to stormwater pond



Brunswick County, NC Register of Deeds

**B4030 P1353**

03-21-2018

09:36:18.000

Brenda M. Clemmons

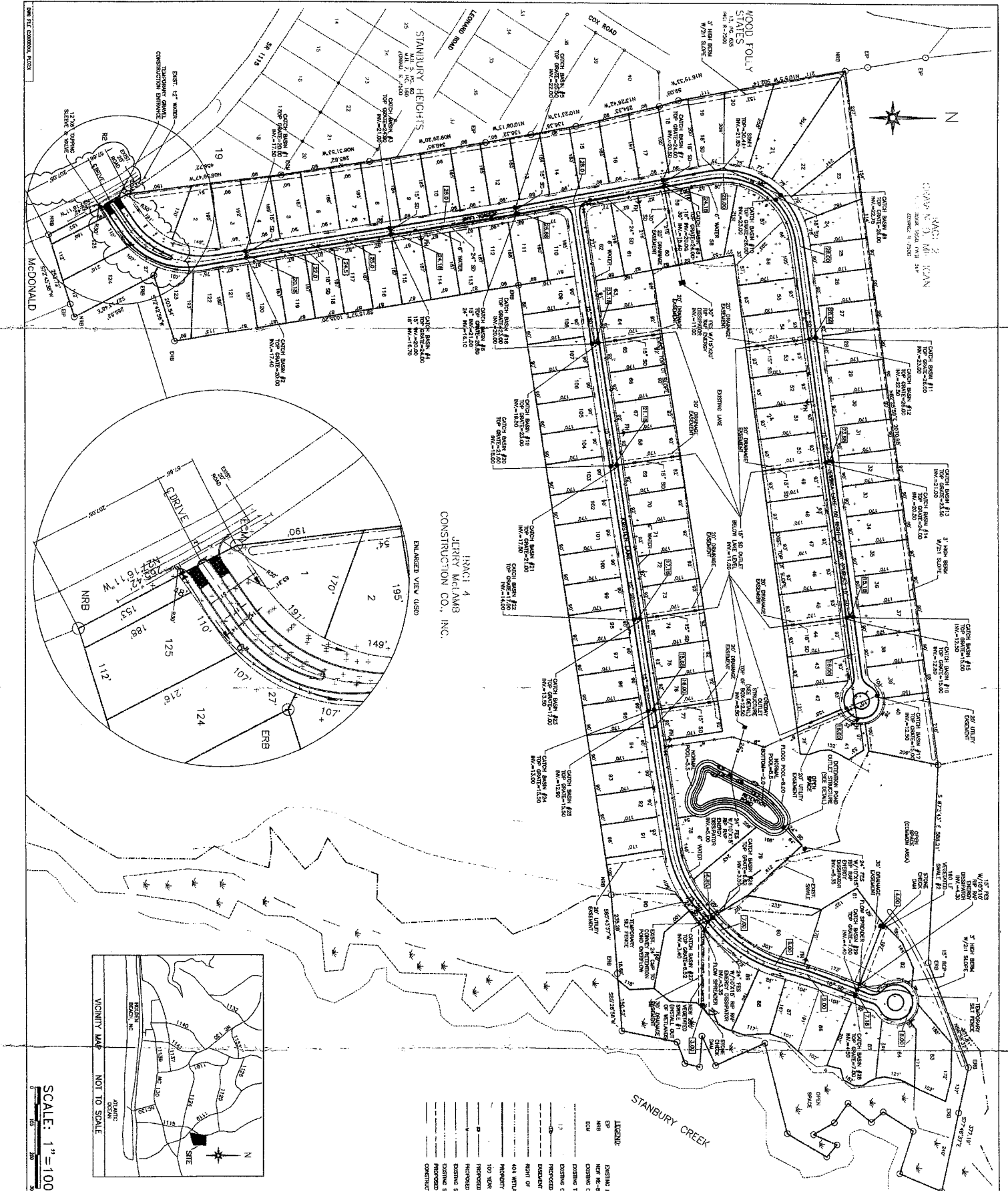
PROP

page 6 of 7

# ATTACHMENT B



**B4030 P1354** 03-21-2018  
 09:36:18.000  
 Brenda M. Clemmons PROP  
 Brunswick County, NC Register of Deeds page 7 of 7



IRACI 4  
 JERRY McLAUGHLIN  
 CONSTRUCTION CO., INC.

- LEGEND**
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SCALE: 1" = 100'

