

Melanie Arthur 3P
CARTERET COUNTY
JL Date 08/04/2004 Time 15:59:00
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NORTH CAROLINA, CARTERET COUNTY
The foregoing certificate(s) of Notary Public(s) is/are
certified to be correct. This instrument and this certi-
cate are duly registered at the date and time and in
the Book and Page shown on the first page hereof.

Melanie Arthur, Register of Deeds
By Laura J. Janner
Asst./Deputy, Register of Deeds

STATE OF NORTH CAROLINA)

COUNTY OF CARTERET)

Prepared by Harris Law Firm, PLLC ✓

**AMENDMENT TO RESTRICTIVE COVENANTS
JADE POINT SUBDIVISION**

THIS AMENDMENT is made this the 4 day of August, 2004, by **WES DON INVESTMENTS, INC.**, a North Carolina corporation and **CAROL CHADWICK** (formerly known as **CAROL C. LONG**), (hereinafter referred to as Declarants) and current and future Lot Owners of **JADE POINT SUBDIVISION**, as the same appears in that plat of record in Map Book 29, Page 763, Carteret County Registry.

KNOW ALL BY THESE PRESENTS:

THAT WHEREAS, Declarants have recorded Restrictive Covenants for the above reference subdivision in Book 888 at page 382, (hereinafter referred to as "The Covenants") and the Covenants in Section 25 provide that a majority of the lot owners my modify the Covenants;

and WHEREAS, Declarants own more than 50% of the Lots in Jade Point Subdivision and wish to modify the Covenants to correct typographical errors and to clarify certain portion of the Covenants that are contradictory;

NOW, THEREFORE, Declarants does hereby declare The Covenants are modified and amended and all of the lots located within JADE POINT SUBDIVISION, as the same appears in that plat of record in Map Book 29, Page 763, Carteret County Registry shall be held, conveyed, hypothecated, encumbered, used, occupied and improved subject to the original Covenants and this amendment and the Covenants and this amendment shall be deemed to run with the land and shall be a burden and a benefit to the Declarants, their successors and assigns, and any person or entity acquiring or owning an interest in the real property and improvements, or any subdivision thereof, their grantees, successors, devisees, heirs, executors, administrators and assigns. The Covenants shall be amended as follows:

1. Section 4 is amended by deleting the first sentence entirely and replacing it with the following 2 sentences:

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③

THIS DECLARATION prohibits mobile homes, trailers and habitable motor vehicles of any nature to be occupied on any property subject to this DECLARATION. THIS DECLARATION also prohibits the placement of any modular homes on any lot in the subdivision, unless said modular homes are approved by Developer in accordance with Section 16 herein.

The remainder of Section 4 shall not change.

2. Section 16. (a) is amended by deleting it entirely and replacing with it with the following:

(a) Every one (1) story dwelling constructed in the subdivision subject to this DECLARATION, which dwelling does not have an attached carport or garage must contain at least 1,400 square feet of enclosed living space.

In all other respects the Covenants and other restrictions and obligations contained therein shall remain as originally written and is incorporated herein by reference as if fully set forth herein.

IN WITNESS WHEREOF, the Declarants have hereunto set their hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers by authority of its Board of Directors, the day and year first above written.

WES DON INVESTMENTS, INC.

By:

President

Carol Chadwick (SEAL)
CAROL CHADWICK (formerly known as CAROL C. LONG)

STATE OF NORTH CAROLINA

COUNTY OF CARTERET

Elizabeth D. Horne, a Notary Public of the aforesaid County and State, do hereby certify that **CAROL CHADWICK (formerly known as CAROL C. LONG)** personally came before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official stamp or seal, this the 4 day of August, 2004.

Elizabeth D. Horne
NOTARY PUBLIC

My Commission Expires: 2-1-09

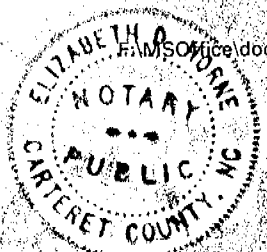
STATE OF NORTH CAROLINA
COUNTY OF CARTERET

I, Elizabeth D Horne, a Notary Public of the aforesaid County and State, do hereby certify that **WESLEY C. LONG**, personally came before me this day and acknowledged he is president of **WES DON INVESTMENTS, INC.**, a North Carolina corporation, and that he, as president being authorized to do so, executed the foregoing instrument on behalf of the corporation.

WITNESS my hand and official stamp or seal, this the 4th day of August, 2004.

Elizabeth D Horne
NOTARY PUBLIC

My Commission Expires: 2-1-09



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