Return to Dwight H. Wheless, Manteo, NC Prepared by Frank M. Bell, Jr.

STATE OF NORTH CAROLINA COUNTY OF DARE FIRST AMENDMENT TO DECLARATION OF TEDS COVENANTS, CONDITIONS AND RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS, that this First Amendment to Declaration of Covenants, Conditions and Restrictions, is made and entered into on this 19th day of June, A.D., 1983, by SANDERLING PROPERTY CANERS ASSOCIATION, INC., a North Carolina non-profit corporation with its principal office in Manteo, North Carolina (hereinafter referred to as the "Association").

WITNESSETH:

WHEREAS, the Association is the entity charged with the powers of maintaining and administering the Community Properties and facilities and with administrating and enforcing the covenants, conditions and restrictions of, and collecting and disbursing the assessments and charges created by, the Declaration of Covenants, Conditions and Restrictions dated May 8, 1981 (the "Declaration"), the Declaration being recorded in Book 310 at Page 557, et seq. in the Office of the Register of Deeds of Dare County, North Carolina;

WHEREAS, a Special Meeting of the Members of the Association (being the Owners of Lots constituting the Properties) was held, after due notice, on June 17, 1983; and at such meeting more than two-thirds of the Members, being present in person or by proxy, consented to the amendments to the Declaration hereinafter set forth.

NCW, THEREFORE, in accordance with the provisions of Article Ten of the Declaration, the Association does hereby amend the Declaration as follows:

A new Article Four (u) is hereby adopted and incorporated into the Declaration to the same extent and as if set forth in the original Declaration as follows:

Subdivision of Property; Time Sharing, Interval

Ownership. No unit of ownership or ownership interest may be subdivided to permit "Time Sharing" or other "devices" to effect interval ownership unless approved by the Association subject to conditions which may be imposed by the Association.

For purposes of this section "Time Sharing" or other "devices" to effect interval ownership shall include but not be limited to ownership arrangements, including uses of corporations, trusts, partnerships or tenancies in common, in which four or more persons not members of a single household have acquired, by means other than will, descent, inheritance or operation of law, an ownership interest (directly or indirectly, equitable or legal) in the same Dwelling Unit and such owners have a formal or informal right-to-use or similar agreement.

The undersigned officers of the Association do hereby certify that the Amendment to the Declaration set forth above has been duly adopted by the requisite percentages of Members and Lenders, as required in Article Ten of the Declaration.

IN WITNESS WHEREOF, the Association has caused this First Amendment to Declaration of Covenants, Conditions and Restrictions to be executed by its duly authorized officers and its corporate seal to be hereunto affixed, in accordance with Article Ten of the Declaration.

SANDERLING PROPERTY OWNERS ASSOCIATION, INC.

By: William E. Hollan, Jr., Fresident

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MORTH CAROLINA)
FORSYTH COUNTY)
This 19thday of June , 1983, personally came before me, Ann K. McMahan , a Notary Public, W. B. Cash , who being by me duly sworn, says that he knows the corporate seal of SACDERLING PROPERTY CAMERS ASSOCIATION, INC., and is acquainted with William E. Hallan, Jr. , who is the President of said corporation, and that he, the said W. B. Cash , is the Secretary of the said corporation, and saw the said President sign the foregoing instrument and saw the said corporate seal of said corporation affixed to said instrument by said President and that he, the said Secretary, signed his name in attestation of the execution of said instrument in the presence of said President said corporation.
WITNESS my hand and notarial seal or stamp, this the $\underline{19th}$ day of \underline{June} , 1983.
NOTARY RIBLIC
My commission expires:
September 15, 1985
OFFICIAL SEAL ANN K. MCMAHAN NOTARY PUBLIC—NORTH CARDLINA COUNTY OF DAVIDSON My Commission Expires Seate-titler 15, 1225
NORTH CAROLINA DARE COUNTY.
The foregoing certificate of Ann R. McMahan, a Notary Public of Davidson Count North Carolina, is certified to be correct.
This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.
REGISTER OF DEEDS
SY: ASSISTANT REGISTER OF DEEDS

RECORDED: AUG. Q,1973