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RECORDED & VERIFIED
MARY BUE OOTS ✓
REGISTER OF DEEDS
NEW HANOVER CO. NC

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR BEACHWALK

THIS AMENDMENT OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF BEACHWALK, said restrictions being recorded in Book 2149, Page 710, et seq. of the New Hanover County Registry.

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W I T N E S S E T H:

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Beachwalk, are recorded in Book 2149 at Page 710 et seq. of the New Hanover County Registry having been recorded on March 7, 1997; and

WHEREAS, Article VI, AMENDMENTS of said Declaration of Covenants, Conditions and Restrictions provides, among other things, that the Developer may amend, at its discretion, the restrictions at any time without the consent of any lot owners any time prior to January 1, 2001.

NOW, THEREFORE, pursuant to an in compliance with Article VI of the Declaration of Covenants, Conditions and Restrictions of Beachwalk as recorded in Book 2149 at Page 710 of the New Hanover County Registry said covenants are amended, as follows:

By inserting an additional paragraph to ARTICLE V, USE RESTRICTIONS, Section 2, to read, as follows:

"C. Pursuant to and in compliance with a directive from the Department of Environment and Natural Resources, Division of Water Quality: No more than 4,000 square feet of any lot, including that portion of the right-of-way between the edge of pavement and the front lot line, shall be covered by impervious structures, including asphalt, gravel, concrete, brick, stone, slate or similar material, not including wood decking or the water surface of swimming pools. This covenant is intended to ensure continued compliance with the stormwater permit issued by the State of North Carolina. This covenant may not be changed or deleted without the consent of the State of North Carolina. No one may fill in or pipe any roadside or lot-line swale, except as necessary to provide a minimum driveway crossing. For curb and gutter projects, no one may pipe, fill in, or alter any lot line swale used to meet North Carolina Stormwater Management Permit requirements."

Except as amended hereby, the Declaration of Covenants, Conditions and Restrictions of Beachwalk as hereinabove referenced

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RETURN TO NED M. BARNES

shall remain in full force and effect.

IN TESTIMONY WHEREOF, BEACHWALK DEVELOPMENT, INC.,
Developer/Declarant and has caused this instrument to be executed
on this 10th day of December, 1997.

BEACHWALK DEVELOPMENT, INC.

By: [Signature] (SEAL)
President

ATTEST:

By: [Signature]
Asst. Secretary



STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

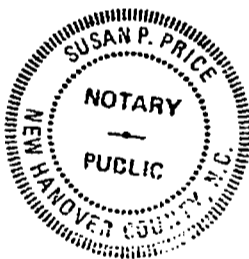
I, a Notary Public of the County and State aforesaid, certify that Stephanie L. Brewer personally came before me this day and acknowledged that she is Assistant Secretary of BEACHWALK DEVELOPMENT, INC., a North Carolina Corporation, and that by authority duly given and as the act of the Corporation, the foregoing instrument was signed in its corporate name by its President, sealed with its corporate seal and attested by her as its Assistant Secretary.

Witness my hand and notarial seal or stamp this 13 day of December, 1997.

[Signature]
NOTARY PUBLIC

My commission expires:

11-24-2001



STATE OF NORTH CAROLINA
New Hanover County

The foregoing/ Annexed Certificate(s) of
[Signature]

Notary (Notaries) Public is/ are certified to be correct.

This the 16 day of Feb 1998

Mary Sue Oats, Register of Deeds
by [Signature]
Deputy/Assistant