

BOOK PAGE  
2218 0357

STATE OF NORTH CAROLINA  
COUNTY OF NEW HANOVER

'97 JUL 30 PM 3 43

RECORDED AND VERIFIED  
MARY SUE GOOTS  
REGISTERED DEEDS  
NEW HANOVER CO. NC

AMENDMENT TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS OF  
PLANTERS WALK

THIS DECLARATION, made and entered into this 29 day of July, 1997, by DALLAS HARRIS REAL ESTATE-CONSTRUCTION INCORPORATED, a North Carolina corporation, (herein referred to as "Declarant"); PLANTERS WALK HOA, INC., a North Carolina non-profit corporation (herein referred to as "Planters Walk") and by ROGER BLEE RUTHERFORD, II, of 7165 Ottawa Court, Wilmington, NC 28405, (herein referred to as "Individual Lot Owner").

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W I T N E S S E T H:

WHEREAS, Declarant and the Individual Lot Owner are the owners of all of that certain property located in Harnett Township, New Hanover County, North Carolina, which is more particularly described as follows:

BEING all of Section 3, PLANTERS WALK, as the same is shown on a map thereof recorded in Map Book 36, Page 346 in the Office of the Register of Deeds of New Hanover County, North Carolina, reference to which is hereby made for a more particular description.

WHEREAS, Declarant heretofore executed a Declaration of Covenants, Conditions and Restrictions of Planters Walk, and caused the same to be recorded in Book 1934, Page 161, amended in Book 1998, Page 515, Book 2028, Page 411 and in Book 2028, Page 983, of the New Hanover County Registry (herein the "Declaration"); and,

WHEREAS, in accordance with ARTICLE X, Section 2, of said Declaration, the Declarant has the absolute right to develop additional lands contiguous to Planters Walk and to annex the same to Planters Walk, Section 1, without the joinder or assent of the members of Planters Walk, by an amendment to the Declaration; and,

WHEREAS, the Individual Lot Owner joins in the Amendment and stipulates and agrees that its provisions shall be fully applicable to Lot 68.

NOW THEREFORE, the Declarant does hereby amend the Declaration and declares that all of the property described above shall be held, sold and conveyed subject to the same easements, restrictions, covenants, and conditions as are applicable to Planters Walk, Section 1, as more fully described in the Declaration which is hereby incorporated herein by reference and made a part hereof as though fully set out verbatim herein, but subject to the following changes:

ARTICLE 1, Section 5 is modified by adding to the description of the common areas, the following:

BEING all of the common area on the map of SECTION 3, PLANTERS WALK, recorded in Map Book 36, Page 346 of the New Hanover County Registry.

IN WITNESS WHEREOF, the limited liability company Declarant has caused this instrument to be signed in its name by one of its duly authorized managers and its seal to be hereunto affixed on the day and year first above written, the corporate Declarant has

RETI  
RETURNED TO

*He Me*

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STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, Phyllis E. Williams, a Notary Public in and for the county aforesaid do hereby certify that Malinda Kay Reece personally appeared before me this day and acknowledged that she is Secretary of PLANTERS WALK HOA, INC., a North Carolina non-profit corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by her as its Secretary.

Witness my hand and official stamp or seal, this the 27th day of July, 1997.

*Phyllis E. Williams*  
Notary Public

My commission expires:



STATE OF NORTH CAROLINA

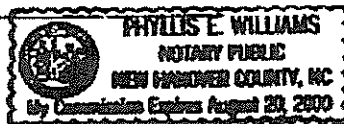
COUNTY OF NEW HANOVER

I, *Phyllis E. Williams*, a Notary Public in and for aforesaid county and state, do hereby certify that ROGER BLEE RUTHERFORD, II, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

This the 27th day of July, 1997.

*Phyllis E. Williams*  
Notary Public

My commission expires:



STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

The foregoing Certificate(s) of Phyllis E. Williams, Notary Public, 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.

This the 30 day of July, 1997.

MARY SUE OOTS, Register of Deeds for New Hanover County

BY: *Patricia Barnes Deputy*

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caused this instrument to be executed in its corporate name and its corporate seal affixed by its duly authorized officers, and the Individual Lot Owner has signed his name and affixed his seal, all the day and year first above written.

DECLARANT:

DALLAS HARRIS REAL ESTATE-CONSTRUCTION, INCORPORATED

[CORPORATE SEAL]

BY: *Dallas Harris*  
HARRIS, President

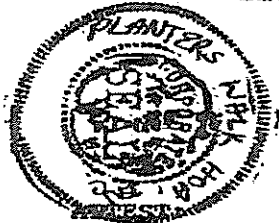
ATTEST:

*Kara S. Staradumsky*  
SECRETARY



PLANTERS WALK HOA, INC.

BY: *Dallas Harris*  
President



*Melinda Kay Price*  
SECRETARY

*Roger Blee Rutherford II* (SEAL)  
ROGER BLEE RUTHERFORD, II  
Individual Lot Owner

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, Phyllis E. Williams, a Notary Public in and for the county aforesaid do hereby certify that Kara S. Staradumsky personally appeared before me this day and acknowledged that she is Secretary of DALLAS HARRIS REAL ESTATE-CONSTRUCTION INCORPORATED, a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by her as its Secretary.

Witness my hand and official stamp or seal, this the 28th day of July, 1997.

*Phyllis E. Williams*  
Notary Public

My commission expires: \_\_\_\_\_

