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FOR REGISTRATION REGISTER OF DEEDS
REBECCA T CHRISTIAN
NEW HANOVER COUNTY, NC
2001 AUG 21 11 09 48 AM
BK 3022 PG 618-622 FEE \$14 00
INSTRUMENT # 2001037395

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

AMENDMENT TO DECLARATION OF
COVENANTS CONDITIONS AND
RESTRICTIONS FOR SEA WATCH
AT KURE BEACH

This Amendment to Declaration, Made the 21 day of Aug, 2001, by SEA WATCH, LLC, hereinafter referred to as "Declarant" or "Developer" for the purposes hereinafter stated,

WITNESSETH

Whereas, a Declaration of Covenants, Conditions and Restrictions for Sea Watch at Kure Beach (the "Declaration") has been recorded in Book 2726 at Page 0912, New Hanover County Registry, and

Whereas, the Declarant, being the owner of lots to which at least 67% of the votes in Sea Watch at Kure Beach Homeowners' Association, Inc are allocated, thereby being entitled, pursuant to Article VIII, Section 5, of the Declaration, to amend the Declaration, desires to amend Article VI, Section 2 B of the Declaration for the purpose of redefining the side setback footage

Now, therefore, Declarant amends Article VI, Section 2 B of the Declaration to read as follows

B Since the establishment of inflexible building setback lines for location of houses on lots tends to force construction of houses directly to the side of other homes with detrimental effects on privacy, view, preservation of important trees and other vegetation, ecological and related considerations, no specific setback lines shall be established by this Declaration In order to assure, however, that the foregoing considerations are given maximum effect, the site and location of any house or dwelling or other structure upon any lot shall be controlled by and must be approved absolutely by the Declarant, the Board, or the Architectural Control Committee, as the case may be, provided, however, that no structure shall be constructed closer than 5 feet to any side property line, 20 feet from the front property line and 10 feet from the rear property line The height of buildings shall not exceed 35 feet, measured in accordance with the current height regulations of the Zoning Ordinance of the Town of Kure Beach


Developer confirms that the Declaration, as hereby amended, shall remain in full force and effect All capitalized terms used herein shall have the meaning defined in the Declaration



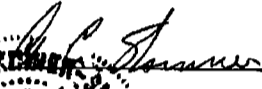
IN WITNESS WHEREOF, SEA WATCH, LLC, the Declarant herein, has caused this Amendment to Declaration to be executed in its corporate name and its corporate seal affixed by its duly authorized officers as of the day and year first above written


SEA WATCH, LLC (SEAL)

By
SKINNER-SMITH DEVELOPMENT CORP
Member/Manager

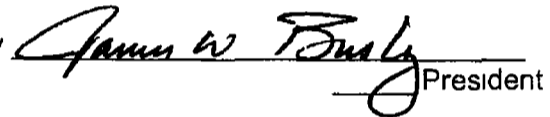
By 
____ President

ATTEST

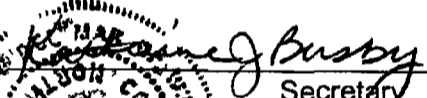

____ Secretary
(CORPORATE SEAL)




DEL MAR OF WILMINGTON, INC
Member/Manager

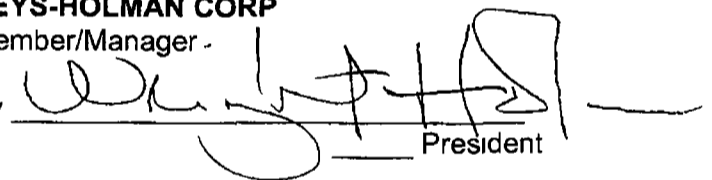
By 
____ President

ATTEST

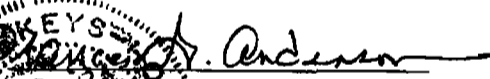

____ Secretary
(CORPORATE SEAL)




KEYS-HOLMAN CORP
Member/Manager -

By 
____ President

ATTEST


____ Secretary
(CORPORATE SEAL)



STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

I, V. M. Strachen, a Notary of said county do hereby certify that A.C. Skinner personally appeared before me this day and acknowledged that (s)he is Secretary of **SKINNER-SMITH DEVELOPMENT CORP**, a North Carolina corporation, member/manager of Sea Watch, LLC, 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 him/herself as its Secretary

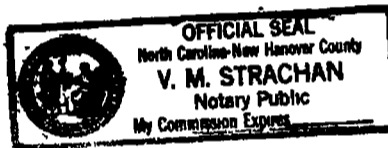
Witness my hand and official stamp or seal, this 21 day of Aug., 2000

V. M. Strachen

Notary Public

My Commission expires 2-20-2006

(SEAL)



STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

I, V. M. Strachen, a Notary of said county do hereby certify that Katherine J. Busby personally appeared before me this day and acknowledged that (s)he is Secretary of **DEL MAR OF WILMINGTON, INC.**, a North Carolina corporation, member/manager of Sea Watch, LLC, 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 him/herself as its Secretary

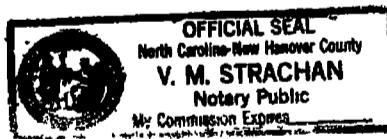
Witness my hand and official stamp or seal, this 21 day of Aug, 2000

V. M. Strachen

Notary Public

My Commission expires 2-20-2006

(SEAL)



STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

I, V. M. Strachen, a Notary of said county do hereby certify that Frances G. Anderson personally appeared before me this day and acknowledged that (s)he is Secretary of **KEYS-HOLMAN CORP.**, a North Carolina corporation, member/manager of Sea Watch, LLC, 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 him/herself as its Secretary

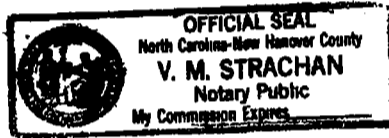
Witness my hand and official stamp or seal, this 21 day of Aug, 2000

V. M. Strachen

Notary Public

My Commission expires 2-20-2006

(SEAL)





REBECCA T CHRISTIAN
REGISTER OF DEEDS, NEW HANOVER
JUDICIAL BUILDING
316 PRINCESS STREET
WILMINGTON, NC 28401

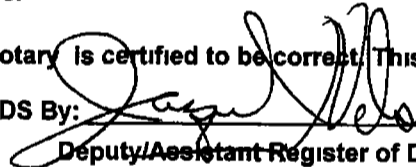
Filed For Registration. 08/21/2001 11.09:48 AM
Book. RE 3022 Page 618-622
Document No : 2001037395
AMEND 5 PGS \$14.00

Recorder: JACQUELINE NELSON

State of North Carolina, County of New Hanover

The foregoing certificate of VM STRACHAN Notary is certified to be correct This 21 ST of August 2001

REBECCA T. CHRISTIAN , REGISTER OF DEEDS By:


Deputy/Assistant Register of Deeds

2001037395

2001037395