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BY: ANDREA CRESWELL  
ASSISTANT

**NEW HANOVER COUNTY,**  
TAMMY THEUSCH PIVER  
REGISTER OF DEEDS

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**AMENDMENT TO THE  
DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS  
FOR HALCYON FOREST**

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Prepared and Return to:  
MURCHISON, TAYLOR, & GIBSON, PLLC  
1979 Eastwood Road, Suite 101, Wilmington, NC 28403

**NORTH CAROLINA**

**NEW HANOVER COUNTY**

THIS AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HALCYON FOREST ("Amendment") is made on the date hereinafter set forth by Halcyon Forest Association, Inc., a/k/a Halcyon Forest Homeowners' Association, Inc. (the "Association") on behalf of its members.

**WITNESSETH:**

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Halcyon Forest (as amended and supplemented, the "Declaration") is duly recorded in Book 2014 at Page 328 in the Office of the Register of Deeds for New Hanover County, North Carolina (the "Register of Deeds") (Except as otherwise noted, all capitalized terms shall have the same meaning and effect as specified in the Declaration); and

WHEREAS, the Declaration has been supplemented by a Supplemental Declaration of Covenants, Conditions, and Restrictions of Halcyon Forest duly recorded in Book 2128 at Page 435 of the Register of Deeds and amended by Amendments to Declaration of Covenants, Conditions, and Restrictions of Halcyon Forest duly recorded in Book 4870 at Page 1748 and Book 5904 at Page 2044 of the Register of Deeds; and

WHEREAS, the Owners of more than two-thirds (2/3) of the Lots subject to the Declaration, as previously supplemented and amended, wish to amend the Declaration as provided below; and

Submitted electronically by "Murchison, Taylor & Gibson, PLLC"  
in compliance with North Carolina statutes governing recordable documents  
and the terms of the submitter agreement with the New Hanover County Register of Deeds.

WHEREAS, Article VIII, Section 5 of the Declaration provides that the covenants may be amended by an instrument duly recorded in the Office of the Register of Deeds executed by the duly authorized officers of the Association upon the vote of not less than two-thirds (2/3) of the Lot Owners; and

WHEREAS, the Owners of more than two-thirds (2/3) of the Lots have voted to authorize the officer(s) executing this Amendment to do so and to record it with the Register of Deeds.

NOW, THEREFORE, the Declaration is amended as follows:

Article VI, Section 2, Paragraph D shall be replaced with the following:

No structure shall be erected, altered, placed or permitted to remain on any Lot, except one single family dwelling and one, Board-approved, non-permanent building, which will be subject to restrictions such as, but not limited to: Total footprint, maximum height, material type, quality, color. Approved structures will contribute to square footage of impervious surfaces on Lot.

Except as specifically amended herein, all provisions of the Declaration, as previously amended and supplemented, shall remain in full force and effect.

(SIGNATURE PAGE FOLLOWS)

IN WITNESS WHEREOF, the undersigned have set their hands and seals this 16<sup>th</sup> day of July, 2021.

Halcyon Forest Association, Inc.  
A North Carolina Non-Profit Corporation

(corporate seal)

By: [Signature]  
Name: Tim D. Gill  
Title: President

Attested by:

[Signature]  
Name: James D. Jarvis  
Title: Secretary

STATE OF NORTH CAROLINA  
COUNTY OF NEW HANOVER

I, Dorothy M. Branston, a Notary Public in and for the State and County aforesaid, do certify that James D. Jarvis personally appeared before me this day and acknowledged that he is the Secretary of Halcyon Forest Association, Inc., a corporation, and that by authority duly given and as the act of Halcyon Forest Association, Inc., the foregoing instrument was signed in its name by its President, sealed with its corporate seal, and attested by herself as its Secretary.

Witness my hand and official seal this 16<sup>th</sup> day of July, 2021.

[Signature]  
Notary Public  
Print Name: Dorothy M. Branston

My commission expires: 08.04.2024

