



2005035481

HARRY STOVALL  
PO BOX 4577  
WILM NC 28406

FOR REGISTRATION REGISTER OF DEEDS  
REBECCA P. SMITH  
NEW HANOVER COUNTY, NC  
2005 JUN 29 12:13:30 PM  
BK:4870 PG:1748-1750 FEE:\$17.00

**Mailed To**

INSTRUMENT # 2005035481

STATE OF NORTH CAROLINA  
COUNTY OF NEW HANOVER

AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS AND  
RESTRICTIONS OF HALCYON FOREST

THIS AMENDMENT TO DECLARATION, made and entered into this 9th day of May, 2005, by HALCYON FOREST HOMEOWNERS' ASSOCIATION, INC., a North Carolina non-profit company, hereinafter referred to as "Association";

WITNESSETH:

WHEREAS, Halcyon Development of Wilmington, LLC (the "Declarant") recorded a Declaration of Covenants, Conditions and Restrictions for Halcyon Forest in Book 2014, Page 328, of the New Hanover County Registry (the "Declaration"); and

Whereas, the Declarant Control Period has expired; and

WHEREAS, Article V, Section 4 of the Declaration provides that the Declaration may be amended to conform to the requirements of any governmental agency and that a letter from such governmental agency shall be sufficient evidence necessitating such amendment; and

WHEREAS, by letter dated February 26, 2004, the North Carolina Department of Environment and Natural Resources, through the Division of Water Quality, requested that the provisions hereinafter stated be added to the Declaration.

NOW, THEREFORE, the Association hereby amends Article VIII, Section 2 of the Declaration by adding the following provisions thereto:

The covenants pertaining to storm water regulations may not be changed or deleted without the concurrence of the State of North Carolina. Filling in or piping of any vegetative conveyances (ditches, swales, etc.) associated with the development, except for average driveway crossings, is strictly prohibited by any persons.

As hereby amended, the Declaration remains in full force and effect.

IN WITNESS WHEREOF, the Association has caused this Amendment to Declaration to be signed in its corporate name by its president pursuant to authority of the Association's Board of Directors as of the day and year first above written.

HALCYON FOREST HOMEOWNERS'  
ASSOCIATION, INC

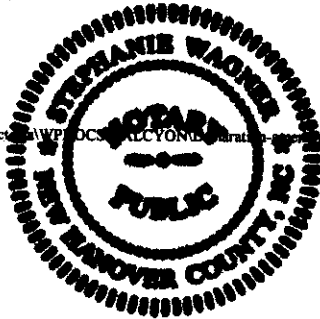
By: *Dustin*  
\_\_\_\_\_  
President

STATE OF NORTH CAROLINA  
COUNTY OF NEW HANOVER

I, *Stephanie Wagner*, a Notary Public of the county and state aforesaid, certify that *Dustin Wagner* personally came before me this day and acknowledged that he/she is the \_\_\_\_\_ President of Halcyon Forest Homeowners' Association, Inc., a corporation, and that he/she, as \_\_\_\_\_ President, being authorized to do so, executed the foregoing on behalf of said corporation.

Witness my hand and seal, this the 9 day of May, 2005.

My commission expires: 12/6/2009 *Stephanie Wagner* Notary Public  
(SEAL)





REBECCA P. SMITH  
REGISTER OF DEEDS, NEW HANOVER  
216 NORTH SECOND STREET

WILMINGTON, NC 28401

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Filed For Registration: 06/29/2005 12:13:30 PM  
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Document No.: 2005035481  
AMD DECL 3 PGS \$17.00

Recorder: JACQUELINE NELSON

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State of North Carolina, County of New Hanover

The foregoing certificate of STEPHANIE WAGNER Notary is certified to be correct. This 29TH of June 2005

REBECCA P. SMITH, REGISTER OF DEEDS

By:   
Deputy Assistant Register of Deeds

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PLEASE RETAIN WITH ORIGINAL DOCUMENT AND SUBMIT FOR RE-RECORDING.

**\*2005035481\***

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