

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS OF KEY COLONY at COVIL ESTATES

THIS SECOND AMENDMENT TO DECLARATION, made and entered into this 28th day of September, 1993, by DALLAS HARRIS REAL ESTATE-CONSTRUCTION, INCORPORATED, a North Carolina corporation, herein referred to as Declarant, and Robert L. Murphy and wife, Carol A. Murphy (hereinafter referred to as Murphy) and Charles G. Nichols, Sr. and wife, Elizabeth W. Nichols (hereinafter referred to as Nichols).

W I T N E S S E T H:

000002

THAT, WHEREAS, Declarant is the owner of all of the lots in Key Colony at Covil Estates except for Lot 29 which is owned by Murphy and Lot 13 which is owned by Nichols; and,

WHEREAS, Declarant caused a Declaration of Covenants, Conditions and Restrictions of Key Colony at Covil Estates to be recorded in Book 1667, Page 0637 of the New Hanover County Registry (herein the "Declaration") which was amended by the Declarant by an Amendment to Declaration of Covenants, Conditions and Restrictions of Key Colony at Covil Estates recorded in Book 1702, Page 927 of the New Hanover County Registry; and,

WHEREAS, Declarant wishes to amend that Declaration as amended and has the authority to do so pursuant to the Declaration; and,

WHEREAS, Murphy and Nichols have agreed to join in this amendment in order to consent to its provisions and the application of those provisions to their lots.

NOW, THEREFORE, the Declarant does hereby with the consent and agreement of Murphy and Nichols amend the Declaration of Covenants, Conditions and Restrictions of Key Colony at Covil Estates recorded in Book 1667, Page 0637 of the New Hanover County Registry as amended as follows:

1. Add the following Section 12 to Article I:

Section 12. Covil Estates Amenities, Inc., shall mean and refer to an additional nonprofit corporation which has been established by the Declarant and which shall own, maintain, manage, operate and collect assessments for the operation of, the amenities at Covil Estates including the pool, tennis courts, and clubhouse and the common area relating thereto. All members of Key Colony at Covil Estates shall also be members of Covil Estates Amenities, Inc., and shall be subject to its Covenants, Conditions and Restrictions, By-Laws, Rules and Regulations. The owners of lots in other subdivisions in Covil Estates shall also be members of Covil Estates Amenities, Inc.

2. Add to Article VI a new Section 13 as follows:

Section 13. Assessments for Covil Estates Amenities, Inc. The association shall serve as the agent for Covil Estates Amenities, Inc., with regard to the collection of assessments from members of Key Colony at Covil Estates necessary to meet the financial needs of Covil Estates Amenities, Inc. The assessment structure and the collection procedures set out hereinabove in Sections 1 through 12 shall also apply to and have the same force and effect with regard to Covil Estates Amenities, Inc., assessments whether annual, special, working capital, or insurance. The Covil Estates Amenities, Inc.,

RETURNED TO

Lisa (1/1/94)  
726. 4443

UNIFORM COMMERCIAL CODE — FINANCING STATEMENT  
APPROVED FOR USE IN NORTH CAROLINA

UCC-1

CONTACT YOUR LOCAL STATE AUTHORITY FOR USE IN YOUR PARTICULAR STATE

This FINANCING STATEMENT is presented to a Filing Officer for filing pursuant to the Uniform Commercial Code.

No. of Additional  
Sheets Presented

RECORDED AND VERIFIED

MARY CLEMONTE  
REGISTER OF DEEDS  
NEW HANOVER CO. NC.

(1) Debtor(s) (Last Name First) and Address(es)  
(Please TYPE)

Yandle, Stephen R.  
Yandle, Margaret M.  
118 Oakcliff Drive  
Wilmington, NC 28409

(2) Secured Party(ies) (Name(s) And Address(es))

CAROLINA POWER & LIGHT CO.  
P.O. Box 1110  
Wilmington, NC 28402

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(3) (a) ☒ Collateral is or includes fixtures.  
(b) ☐ Timber, Minerals or Accounts Subject to G.S. 25-9-103(b) are covered  
(c) ☐ Crops Are Growing Or To Be Grown On Real Property Described In Section (5)  
(If either block 3(a) or block 3 (b) applies describe real estate, including record owner(s) in Section (5).)

(4) Assignee(s) of Secured Party, Address(es):

000001

For Filing Officer 93C-0005

(5) This Financing Statement Covers the Following types (or items) of property.

FIXTURE  
Heil Heat Pump  
Mfg No. NPH5036AKB

REAL ESTATE  
Lot 25 Pine Cliff S/D

RECORD OWNER OF REAL PROPERTY  
Stephen R. Yandle and wife  
Margaret M. Yandle

☐ Products of the Collateral Are Also Covered.

(6) Signatures: Debtor(s)

Stephen R. Yandle  
Margaret M. Yandle

Standard Form Approved by N.C. Sec. of State  
and other states shown above.

Corbett Hankins  
256-7264

Secured Party(ies) (or Assignees)  
CAROLINA POWER & LIGHT CO.

(By)

Signature of Secured Party Permitted in Lieu of Debtor's Signature:  
(1) Collateral is subject to Security Interest In Another Jurisdiction and ☐

☐ Collateral Is Brought Into This State  
☐ Debtor's Location Changed To This State  
(2) For Other Situations See: G.S. 25-9-402 (2)

UCC-1

(1) Filing Officer Copy Numbered

300196

CONTACT YOUR LOCAL STATE AUTHORITY FOR USE IN YOUR PARTICULAR STATE.

RECORDED AND VERIFIED

Presented to a Filing Officer for  
Commercial Code.

No. of Additional  
Sheets Presented:

MARY SUE DOTS  
REGISTER OF DEEDS  
NEW HANOVER CO. NO.

In R.  
et M.  
ive  
2809

Units Subject

(2) Secured Party(ies) (Name(s) And Address(es):

CAROLINA POWER & LIGHT CO.  
P.O. Box 1110  
Wilmington, NC 28402

OCT 4 AM 8 30

(4) Assignee(s) of Secured Party, Address(es):

000001

For  
Filing  
Office 93C-0005

for types (or items) of property.

REAL ESTATE

RECORD OWNER OF REAL PROPERTY

# 7-3 Pine Cliff S/D

Stephen R. Yandle and wife  
Margaret M. Yandle

Secured Party(ies) (or Assignee):

CAROLINA POWER & LIGHT CO.

(By)

Signature of Secured Party Permitted in Lieu of Debtor's Signature

(1) Collateral is subject to Security Interest in Another Jurisdiction

and

☐ Collateral is Brought Into This State

☐ Debtor's Location Changed To This State

(2) For Other Situations See: G.S. 25-9-402 (2)

UCC-1

Bett Hankins  
15-264

assessments shall be established by the Board of Directors of Covil Estates Amenities, Inc., and the Board's determination shall be final. Members of Key Colony at Covil Estates shall commence paying quarterly annual assessments to Covil Estates Amenities, Inc., when any of the amenities of Covil Estates Amenities, Inc., become available for general use by the Association's members.

Except as amended hereby, the Declaration of Covenants, Conditions and Restrictions of Key Colony at Covil Estates as amended shall remain in full force and effect.

IN TESTIMONY WHEREOF, Declarant has caused this instrument to be executed in its corporate name and its corporate seal affixed by its duly authorized officers all the day and year first above written.

DALLAS HARRIS REAL ESTATE-  
CONSTRUCTION, INCORPORATED

By: [Signature]

VICE President



ASST. Secretary

(Corporate Seal)

[Signature] (Seal)

ROBERT L. MURPHY

[Signature] (Seal)

CAROL A. MURPHY

[Signature] (Seal)

CHARLES G. NICHOLS, SR.

[Signature] (Seal)

ELIZABETH W. NICHOLS

STATE OF NORTH CAROLINA  
COUNTY OF NEW HANOVER

I, Lisa C. Cline, a Notary Public in and for the county aforesaid do hereby certify that Faydene S. Corbett personally came before me this day and acknowledged that she is Asst. Sec. 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 September, 1993.

[Signature]

Notary Public

My commission expires: 4/24/96

(Notarial Seal)





STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, Lisa C. Cline, Notary Public in and for aforesaid county and state, do hereby certify that Robert L. Murphy and wife, Carol A. Murphy personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

This the 30th day of September, 1993.

Lisa C. Cline  
Notary Public

My commission expires: 4-24-96

(Notarial Seal)

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER



I, Lisa C. Cline, Notary Public in and for aforesaid county and state, do hereby certify that and Charles G. Nichols, Sr. and wife, Elizabeth W. Nichols personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

This the 3rd day of September, 1993.

Lisa C. Cline  
Notary Public

My commission expires: 4-24-96

(Notarial Seal)

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER



The foregoing Certificate<sup>s</sup> of Lisa C. Cline, 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 4 day of <sup>OCTOBER</sup> September, 1993.

MARY SUE COTS

Register of Deeds for New Hanover County

by: Robert W. Mansfield, Deputy

RECORDED AND VERIFIED  
MARY SUE COTS  
REGISTER OF DEEDS  
NEW HANOVER CO. NC.  
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