

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONSAND 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 623 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.,

THIS DOCUMENT IS BEING RE-RECORDED IN ORDER TO CORRECT THE PAGE REFERENCE IN PARAGRAPH 3 TO PAGE 623.

DEAN R. DAVIS

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LISA (LINE)  
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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: *Robert L. Murphy*

VICE President

Attest:

*Faydene S. Corbett*  
ASST. Secretary

(Corporate Seal)

*Robert L. Murphy* (Seal)  
ROBERT L. MURPHY

*Carol A. Murphy* (Seal)  
CAROL A. MURPHY

*Charles G. Nichols, Sr.* (Seal)  
CHARLES G. NICHOLS, SR.

*Elizabeth W. Nichols* (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.

*Lisa C. Cline*

Notary Public

My commission expires: 4/24/96

(Notarial Seal)



BOOK PAGE  
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BOOK PAGE  
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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 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



The foregoing Certificate(s) 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 OCTOBER, 1993.

**MARY SUE OOTS**  
Register of Deeds for New Hanover County

by: Robert N. Manderson, Deputy

RECORDED AND VERIFIED  
MARY SUE OOTS  
REGISTER OF DEEDS  
NEW HANOVER CO. NC.  
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RECORDED AND VERIFIED  
MARY SUE OOTS  
REGISTER OF DEEDS  
NEW HANOVER CO. NC.  
'93 OCT 4 AM 8 43

BOOK PAGE  
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STATEMENT OF EXPLANATION

THIS DOCUMENT IS BEING RE-RECORDED IN ORDER TO CORRECT THE  
PAGE REFERENCE IN PARAGRAPH 3 TO PAGE 623.

THIS THE 24 DAY OF OCTOBER, 1993.

Dean R. Davis  
DEAN R. DAVIS  
ORIGINAL DRAFTSMAN

This explanation statement together with the attached instrument  
duly rerecorded at 1241 o'clock P m this the 27 day of  
Oct., 1993 in the book and page shown on  
the first page hereof.

**MARY SUE OOTS**  
NEW HANOVER COUNTY REGISTER OF DEEDS

BY: Helene R. Mason  
DEPUTY/ASSISTANT REGISTER OF DEEDS

RETURNED TO:

Dean Davis