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P.O. Box 1766  
Wilmington, N. C. 28402

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

STATE OF NORTH CAROLINA  
COUNTY OF NEW HANOVER

AMENDMENT TO  
DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS,  
HEADWATER COVE AT BRADLEY CREEK  
SECTION 1

000171 KNOW ALL MEN BY THESE PRESENTS THAT:

GTC PROPERTIES, LLC, a North Carolina limited liability company (hereinafter called "Declarant"), heretofore executed a Declaration of Covenants, Conditions and Restrictions, Headwater Cove at Bradley Creek, Phase I, and cause the same to be recorded in the New Hanover County Registry ("NHCR"), in Book 2227 at Page 0032, (herein, the "Declaration"); and

WHEREAS, the Declarant has been requested by the State of North Carolina Department of Environmental Health and Natural Resources, ("NCDEHNR") to amend the Declaration as hereinafter provided to comply its rules and regulations; and

WHEREAS, the Declaration provides, in Article XIII, Section 9, Paragraph D thereof, that it may be amended by the Declarant, without the joinder or consent of Headwater Cove at Bradley Creek HOA, Inc. (the "Association"), or its members, the owners of individual lots in the Subdivision to comply with laws or regulations of the State or an Agency of the State of North Carolina.

NOW, THEREFORE, in consideration of the premises, the Declaration is hereby amended as follows:

1. ARTICLE XIII, SECTION 4 of the Declaration is hereby amended to add the following new sentences at the end of the paragraph, with respect to Stormwater Management:

- "A. The maximum built-upon area is 4.05 acres, inclusive of that portion of the right-of-way between the front lot line and the edge of the pavement, structures, pavement, walkways of brick, stone, slate, but not including wood decking.
- "B. Construction of additional built-upon area in excess of 3.31 acres will require a permit modification.
- "C. The covenants pertaining to stormwater regulations may not be changed or deleted without concurrence of the State.
- "D. 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.

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"E. Projects within CAMA's Area of Environmental Concern (AEC) are subject to a reduction of the permitted amount of built-upon area due to CAMA jurisdiction with the AEC.

The foregoing amendment shall run with the real property and be binding on all parties, their heirs, successors and assigns, having any right, title or interest in any lots in Headwater Cove at Bradley Creek, Section 1, or subsequent sections hereinafter annexed by supplemental declaration, or any pari thereof, and shall inure to the benefit of each owner thereof.

IN WITNESS WHEREOF, the Declarant has caused this Declaration to be duly executed by its members who have set their hands and seals all as of the day and year first above written.

GTC PROPERTIES, LLC

By: James T. Cooke (SEAL)  
Member

By: Charles N. Egan, Jr. (SEAL)  
Member

By: [Signature] (SEAL)  
Member

STATE OF NORTH CAROLINA  
COUNTY OF NEW HANOVER

I, J. E. ALVIN, a Notary Public of the aforesaid County and State, hereby certify that JAMES T. COOKE, CHARLES N. EGAN, JR. AND [Signature], being all of the Members of GTC PROPERTIES, LLC, a North Carolina Limited Liability Company, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for and as the act and deed of said limited liability company.



In witness my hand and notarial seal, this the 11<sup>th</sup> day of JUNE, 1998.

[Signature]  
Notary Public

My Commission Expires:

MY COMMISSION EXPIRES  
MAY 11, 1999

(NOTARIAL SEAL)

STATE OF NORTH CAROLINA  
COUNTY OF NEW HANOVER

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The foregoing certificate of I. E. Blekin 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.

MARY SUE OOTS  
REGISTER OF DEEDS - NEW HANOVER COUNTY

BY: Linda P. Olsch  
Deputy Assistant

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