

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

RECORDED AND VERIFIED
MARY GUE COUS
REGISTER OF DEEDS
NEW HANOVER CO. NC
96 JUN 27 PM 3 29

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS OF
PEPPER TREE AT COVIL ESTATES

THIS DECLARATION, made and entered into this 21st day of June, 1996, by DLH CONSTRUCTION CO., LLC, a North Carolina limited liability company, and DALLAS HARRIS REAL ESTATE-CONSTRUCTION INCORPORATED, a North Carolina corporation, herein collectively referred to as "Declarant".

WITNESSETH:

WHEREAS, Declarant is the owner of all of that certain property located in Harnett Township, New Hanover County, North Carolina, which is more particularly described as follows:

BEING all of Section 3, PEPPER TREE at COVIL ESTATES, as the same is shown on a map thereof recorded in Map Book 35, Page 192 in the Office of the Register of Deeds of New Hanover County, North Carolina, reference to which is hereby made for a more particular description.

WHEREAS, Declarant heretofore executed a Declaration of Covenants, Conditions and Restrictions of Pepper Tree at Covil Estates, and caused the same to be recorded in Book 1809, Page 550, and amended in Book 1910, Page 598 and Book 1940, Page 654, of the New Hanover County Registry (herein the "Declaration"); and,

WHEREAS, in accordance with ARTICLE X, Section 1, of said Declaration, the Declarant has the absolute right to develop additional lands contiguous to Pepper Tree at Covil Estates and to annex the same to Covil Estates without the joinder or assent of the Class A members of Pepper Tree at Covil Estates, by an amendment to the Declaration; and,

WHEREAS, the Declarant does hereby amend the Declaration and declares that all of the property described above shall be held, sold and conveyed subject to the same easements, restrictions, covenants, and conditions as are applicable to Pepper Tree at Covil Estates, Section 3, as more fully described in the Declaration which is hereby incorporated herein by reference and made a part hereof as though fully set out verbatim herein, but subject to the following changes:

ARTICLE I, Section 5 is modified by adding to the description of the common areas, the following:

BEING all of the common area on the map of SECTION 3, PEPPER TREE AT COVIL ESTATES, recorded in Map Book 35, Page 192 of the New Hanover County Registry.

IN WITNESS WHEREOF, the limited liability company Declarant has caused this instrument to be signed in its name by one of its duly authorized managers and its seal to be hereunto affixed on the day and year first above written; and the corporate Declarant has

[Handwritten Signature]

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.

DLH DEVELOPMENT CO., LLC [SEAL]

BY: Rodney Q. Harris [SEAL]
RODNEY Q. HARRIS, Manager

DALLAS HARRIS REAL ESTATE-
CONSTRUCTION INCORPORATED

BY: Rodney Q. Harris
RODNEY Q. HARRIS, Vice President

[CORPORATE SEAL] SEAL
1976

ATTEST:

Melinda Kay Reece
Assistant Secretary

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

I, PHYLLIS E. WILLIAMS, a Notary Public in and for the state and county aforesaid, do hereby certify that Rodney Q. Harris personally came before me this day and acknowledged that he is Manager of DLH Development Co., LLC, the North Carolina limited liability company described, and which executed the foregoing instrument; that he executed said instrument in the limited liability company name by subscribing his name thereto; and that the instrument is the act and deed of said limited liability company.

WITNESS my hand and notarial stamp or seal, this the 21st day of June, 1996.

Phyllis E. Williams
Notary Public

My Commission Expires:

(Notarial Seal)



STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

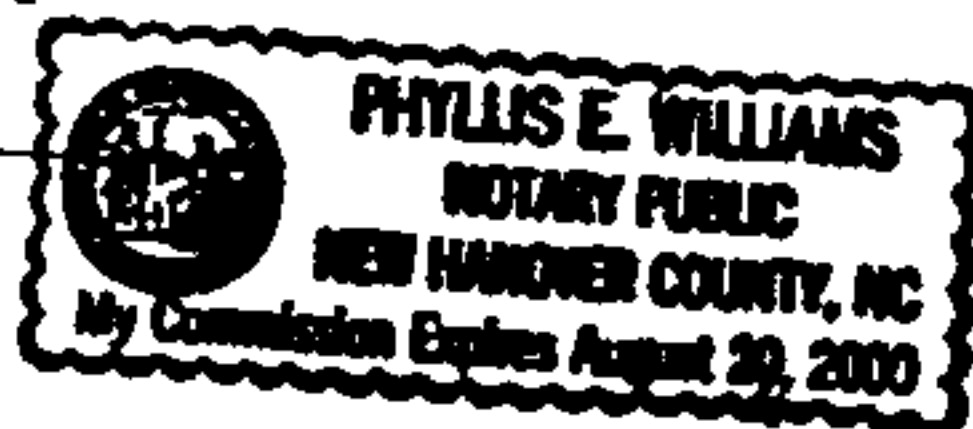
I, PHYLLIS E. WILLIAMS, a Notary Public in and for the state and county aforesaid, do hereby certify that Melinda Kay Reece personally came before me this day and acknowledged that she is Assistant Secretary of Dallas Harris Real Estate-Construction, Incorporated, a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Vice-President, sealed with its corporate seal and attested by her as its Assistant Secretary.

WITNESS my hand and notarial stamp or seal, this the 21st day of June, 1996.

Phyllis E. Williams
Notary Public

My Commission Expires:

(Notarial Seal)



STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

The foregoing Certificate(s) of Phyllis E. Williams,
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 27 day of June, 1995.

MARY SUE OOTS, Register of Deeds
for New Hanover County

BY: Phyllis E. Williams