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STATE OF NORTH CAROLINA  
COUNTY OF NEW HANOVER

RECORDED AND VERIFIED  
JULY SUE OOTS  
REGISTER OF DEEDS  
NEW HANOVER CO. NC ✓

'95 OCT 18 PM 3 36

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS, SECTION 1, PEPPER TREE

THIS AMENDMENT TO DECLARATION, made and entered into this \_\_\_ day of September, 1995, by DALLAS HARRIS REAL ESTATE-CONSTRUCTION INCORPORATED, a North Carolina corporation, herein referred to as "Declarant", DAL-HAR CONSTRUCTION, INC., a North Carolina corporation, herein referred to as "Dal-Har", DLH DEVELOPMENT CO., LLC, a North Carolina limited liability company, herein referred to as "DLH".

W I T N E S S E T H:

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THAT, 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 of the New Hanover County Registry and executed an Amendment To Declaration of Covenants, Conditions And Restrictions of Pepper Tree At Covil Estates and caused the same to be recorded in Book 1910, Page 598 of the New Hanover County Registry (both instruments being herein referred to as the "Declaration"); and

WHEREAS, in accordance with ARTICLE X, Section 2, of said Declaration, the Declarant has the absolute right to develop additional lands contiguous to Pepper Tree at Covil Estates, Section 1, and to annex the same to Pepper Tree at 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, Declarant, Dal-Har, and DLH are the owners 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 2, PEPPER TREE AT COVIL ESTATES as the same is shown on the map recorded in Map Book 34, Page 384 of the New Hanover County Registry, reference to which is hereby made for a more particular description.

AND, WHEREAS, the Declarant, Dal-Har, and DLH now desire to subject Section 2, Pepper Tree at Covil Estates to the Declaration and to officially annex the same to Pepper Tree at Covil Estates.

NOW, THEREFORE, the Declarant, Dal-Har, and DLH do hereby amend the Declaration and declare 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 1 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.

IN TESTIMONY WHEREOF, Declarant and Dal-Har have caused this instrument to be executed in their corporate names and their corporate seals affixed by their duly authorized officers all on the day and year first above written and DLH 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.

Returned To *[Signature]*

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DALLAS HARRIS REAL ESTATE-  
CONSTRUCTION INCORPORATED

By: *Paul D. [Signature]*  
Vice President

Attest:

*Melinda Kay Decco*  
Asst. Secretary

(Corporate Seal)



DAL-HAR CONSTRUCTION, INC.

By: *Paul D. [Signature]*

Attest:

*Melinda Kay Decco*  
Asst. Secretary

(Corporate Seal)

DLH DEVELOPMENT, LLC

By: *Paul D. [Signature]* (SEAL)  
Manager

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, *Phyllis E. Williams*, a Notary Public in and for the county aforesaid do hereby certify that *Melinda Kay Decco* personally came before me this day and acknowledged that she is *Asst.* 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 *the* President, sealed with its corporate seal and attested by her as its *Asst.* Secretary.

Witness my hand and official stamp or seal, this the *11th* day of ~~September~~, 1995.  
*October*

*Phyllis E. Williams*  
Notary Public

My commission expires: \_\_\_\_\_

(Notarial Seal)



STATE OF NORTH CAROLINA

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COUNTY OF NEW HANOVER

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I, Phyllis E. Williams, a Notary Public in and for the county aforesaid do hereby certify that Melinda Kay Beece personally came before me this day and acknowledged that she is <sup>Asst.</sup> Secretary of DAL-HAR CONSTRUCTION, INC., 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 <sup>Via</sup> President, sealed with its corporate seal and attested by her as its ~~Secretary~~ <sup>Asst.</sup>.

Witness my hand and official stamp or seal, this the 11th day of ~~September~~, 1995.

October

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 county aforesaid do hereby certify that Gregory D. Harris before me this day personally appeared, who being by me first duly sworn, says that he is a manager of DLH DEVELOPMENT, 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 official stamp or seal, this the 11th day of October, 1995.

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 18 day of October, 1995.

MARY SUE OOTS Register of Deeds for New Hanover County

by: Jackie Watson, Deputy