

For second Am. Inst. of Prop. L. 1255 pg 499 10-2-95

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BOOK 1255 PAGE 775

STATE OF NORTH CAROLINA
COUNTY OF ONSLOW

AUG 23 1995

AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS
AND RESTRICTIONS

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS is made this 23rd day of August, 1995 by William H. Bodenhamer, Jr.,
hereinafter referred to as "Declarant";

WITNESSETH:

WHEREAS, the Declarant did execute a Declaration of Covenants, Conditions and
Restrictions (the "Declaration") which were recorded in Book 969, Page 488, Onslow County
Registry affecting certain property described as "Northeast Office Park, Section I" as shown on
a map recorded in Map Book 27, Page 48, Slide E-316, Onslow County Registry; and

WHEREAS, additional property was made subject to the Declaration by the execution
of a Declaration of Restrictive Covenants, Conditions and Restrictions recorded in Book 992,
Page 294, Onslow County Registry affecting certain real property described as "Northeast Office
Park, Section II" as shown on a map recorded in Map Book 27, Page 130, Slide E-398, Onslow
County Registry, and by execution of a Declaration of Restrictive Covenants, Conditions and
Restrictions recorded in Book 1094, Page 920, Onslow County Registry, affecting certain real
property described as "Northeast Office Park, Section III", recorded in Map Book 28, page 62,
Slide F-170, Onslow County Registry; and

WHEREAS, ARTICLE VIII, General Provisions, Section 3. Amendment provides that
"This Declaration may be amended by an instrument signed by not less than Seventy-Five
percent (75%) of the Lot Owners."; and

WHEREAS, the Declarant is the owner of at least Seventy-Five percent (75%) of the lots
in Northeast Office Park, Section I, II and III; and

WHEREAS, in accordance with the provisions in the Declaration of Covenants,
Conditions and Restrictions and the Declarations of Restrictive Covenants, Conditions and

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Restrictions recorded in Book 969, Page 488, Book 992, Page 294 and Book 1094, Page 920,
Onslow County Registry, the Declarant desires to amend said Declarations of Covenants,
Conditions and Restrictions.

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NOW, THEREFORE, the Declarant hereby declares that the Declaration of Covenants, Conditions and Restrictions recorded in Book 969, Page 488 and the Declaration of Restrictive Covenants, Conditions and Restrictions recorded in Book 992, Page 294, and the Declaration of Restrictive Covenants, Conditions and Restrictions recorded in Book 1094, Page 920, all in the Onslow County Registry, be and are hereby amended by adding to said Declaration the following covenants and restrictions:

ARTICLE VII, USE RESTRICTIONS, is amended by adding the following paragraph:

No lot, other than Lots 3 and 4 Northeast Office Park, Section I, as shown on a map recorded in Map Book 27, Page 48, Onslow County Registry, shall be used for the operation of a financial institution. A "financial institution" is defined as any entity, organization or institution that makes loans of money or deals with or handles loans, investments or financing or accepts deposits, including but not limited to state banks, national banks, savings and loan associations, savings bank, savings associations, trust companies, building and loan associations, credit unions, mortgage companies, finance companies, stock brokerage operations, financial services companies, credit card companies, investment businesses, check cashing companies, free standing teller machines and the like.

Provided however, this restriction shall not apply to Lot 2, Northeast Office Park, Section I for the duration of any lease between Declarant and Wheat First Butcher Singer Securities.

ARTICLE IX
ARCHITECTURAL CONTROL

No building, fence, wall, sign or other structure shall be commenced, erected or maintained upon the Properties, nor shall any exterior addition to or change or alteration therein be made until the plans and specifications showing the nature, kind, shape, height, materials, and location of the same shall have been submitted to and approved in writing as to harmony of external design and location in relation to surrounding structures and topography by the Board of Directors of the Association, or by an architectural committee composed of three (3) or more representatives appointed by the Board. Two copies of a complete set of plans and specifications

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describing the proposed work requiring the approval of the Board of Directors or architectural committee shall be submitted to the Board or committee. The Board or committee shall either approve or disapprove the proposed work in writing within thirty (30) days of receipt of said

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plans and specifications. If the Board or committee disapproves the proposed work, the Board or committee shall state its reason or reasons for such disapproval in written notification. In the event said Board or committee, fails to approve or disapprove in writing any proposed work within said thirty (30) day period, approval shall be deemed granted.

ARTICLE X
BUILDING TYPE

No building shall be erected, altered, placed or permitted to remain on any Lot containing less than 1500 square feet or more than 2000 square feet of enclosed heated floor area, and shall not exceed thirty-five (35) feet in height.

ARTICLE XI
GARBAGE AND TRASH CONTAINERS

No lot shall be used or maintained as a dumping ground for rubbish, trash or other waste. All trash, garbage and other waste shall be kept in sanitary containers and, except during pickup, if required to be placed at the curb, all containers shall be kept within an enclosure which the Architectural Committee established under ARTICLE IX shall require to be constructed with each building.

ARTICLE IXX
PARKING AREAS

All parking areas upon each Lot shall be paved with asphalt or comparable material approved, in advance, by the Architectural Committee. The number of available parking spaces on each Lot shall equal or exceed the minimum requirements imposed under the City of Jacksonville ordinances. All parking areas shall be kept clean from debris and trash.

Each Lot owner shall keep such lot mowed regularly and clear of any unsightly objects, including the area from the front lot line to the edge of the paved street. If the Lot owner fails to initiate and diligently prosecute action to correct such condition within fourteen (14) days of receipt of such notice, then the Association or its authorized agent, may enter such lot without being deemed guilty of trespass and take such action as is necessary to correct such condition, and the Owner of said Lot shall be liable to the Association for the cost of this corrective action.

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Except as hereby modified the Declaration of Covenants, Conditions and Restrictions referred to herein shall remain in full force and effect.

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In Witness Whereof, the Declarant has hereunto set his hand and seal the day and year first above written.

William H Bodenhamer, Jr. (SEAL)
William H. Bodenhamer, Jr.

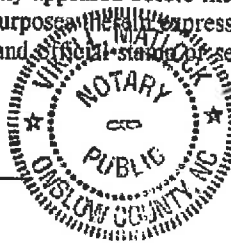
STATE OF NORTH CAROLINA
COUNTY OF ONSLOW

I, a Notary Public in and for said County and State do hereby certify that William H. Bodenhamer, Jr., personally appeared before me this day and acknowledged the due execution of the foregoing for the purpose therein expressed.

Witness my hand and seal this the 23rd day of August, 1995.

My Commission Expires:

5/30/97



Vikki L. Matlock
Notary Public

JASONVILLE, N. C. 28541-1057 • PHONE (919) 455-9494

NORTH CAROLINA, ONSLOW COUNTY
The foregoing certificate(s) of

Vikki L. Matlock

Notary(ies) Public in (are) certified to be correct. This instrument was presented for registration and recorded in this office in Book 1255 Page 775 This 23rd day of August

in 95 D. at 9:35 o'clock A. M.

Michael M. Thomas

By

Register of Deeds, Onslow County

Register of Deeds

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BOOK 1265 PAGE 499

STATE OF NORTH CAROLINA
COUNTY OF ONSLOW

000 OCT -2 PM 2:00

SECOND AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS
AND RESTRICTIONS

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS is made this 2nd day of October, 1995 by William H. Bodenhamer, Jr., hereinafter referred to as "Declarant";

WITNESSETH:

WHEREAS, the Declarant did execute a Declaration of Covenants, Conditions and Restrictions (the "Declaration") which were recorded in Book 969, Page 488, Onslow County Registry affecting certain property described as "Northeast Office Park, Section I" as shown on a map recorded in Map Book 27, Page 48, Slide E-316, Onslow County Registry; and

WHEREAS, additional property was made subject to the Declaration by the execution of a Declaration of Restrictive Covenants, Conditions and Restrictions recorded in Book 992, Page 294, Onslow County Registry affecting certain real property described as "Northeast Office Park, Section II" as shown on a map recorded in Map Book 27, Page 130, Slide E-398, Onslow County Registry, and by execution of a Declaration of Restrictive Covenants, Conditions and Restrictions recorded in Book 1094, Page 920, Onslow County Registry, affecting certain real property described as "Northeast Office Park, Section III", recorded in Map Book 28, page 62, Slide F-170, Onslow County Registry; and

WHEREAS, the Declaration was amended by an Amendment to Declaration of Covenants, Conditions and Restrictions recorded in Book 1255, Page 775, Onslow County Registry; and

WHEREAS, ARTICLE VIII, General Provisions, Section 3. Amendment provides that "This Declaration may be amended by an instrument signed by not less than Seventy-Five percent (75%) of the Lot Owners."; and

WHEREAS, the Declarant is the owner of at least Seventy-Five percent (75%) of the lots

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in Northeast Office Park, Section I, II and III; and

WHEREAS, in accordance with the provisions in the Declaration of Covenants, Conditions and Restrictions and the Declarations of Restrictive Covenants, Conditions and Restrictions recorded in Book 969, Page 488, Book 992, Page 294 and Book 1094, Page 920,

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Book. 1265 Page, 1977-Current. 499 Sec. 1

BOOK 1265 PAGE 500

Onslow County Registry, the Declarant desires to amend said Declarations of Covenants, Conditions and Restrictions.

NOW, THEREFORE, the Declarant hereby declares that the Declaration of Covenants, Conditions and Restrictions recorded in Book 969, Page 488 and the Declaration of Restrictive Covenants, Conditions and Restrictions recorded in Book 992, Page 294, and the Declaration of Restrictive Covenants, Conditions and Restrictions recorded in Book 1094, Page 920, and the Amendment to Declaration of Covenants, Conditions and Restrictions recorded in Book 1255, Page 775, all in the Onslow County Registry, be and are hereby amended as follows:

ARTICLE X, BUILDING TYPE, as set forth in the Amendment to Declaration of Covenants, Conditions and Restrictions recorded in Book 1255, Page 775, Onslow County Registry, is amended to delete any restriction on the maximum number of square feet allowed for any building and the following language substituted therefore:

No building shall be erected, altered, placed or permitted to remain on any Lot containing less than 1500 square feet of enclosed heated floor area, and shall not exceed thirty-five (35) feet in height.

In Witness Whereof, the Declarant has hereunto set his hand and seal the day and year first above written.

William H. Bodenhamer, Jr. (SEAL)
William H. Bodenhamer, Jr.

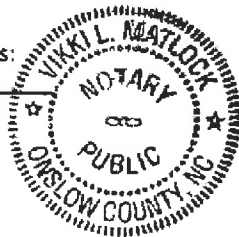
STATE OF NORTH CAROLINA
COUNTY OF ONSLOW

I, a Notary Public in and for said County and State do hereby certify that William H. Bodenhamer, Jr., personally appeared before me this day and acknowledged the due execution of the foregoing for the purposes therein expressed.

Witness my hand and official stamp or seal, this the 2nd day of October, 1995.

My Commission Expires:

5/20/97



Vikki L. Matlock
Notary Public

NORTH CAROLINA, ONSLOW COUNTY
The foregoing certificate(s) of _____

Vikki L. Matlock

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Book 1265 Page 499 This 2nd day of October
19 95 A.D. at 2:48 o'clock P. M.
Michael J. Hanan By _____
Register of Deeds

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Book 1265 Page, 1977-Current 499 Seq 2

For second amendment refer to Bd. 1265 Pgs. 499

BOOK 1094 PAGE 920

PREPARED BY: GAYLOR, EDWARDS, VATCHER & BELL

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STATE OF NORTH CAROLINA
COUNTY OF ONSLOW

DECLARATION OF RESTRICTIVE
COVENANTS, CONDITIONS AND
RESTRICTIONS

THIS DECLARATION is made this the 11th day of February, 1993, by WILLIAM H. BODENHAMER, JR., hereinafter referred to as "Declarant;"

WITNESSETH:

WHEREAS, Declarant is the owner of certain real property in Jacksonville Township, Onslow County, North Carolina more particularly described on a map entitled, "Final Plat, Northeast Office Park, Section III," as recorded in Map Book 28, Page 62, Slide F-170, of the Onslow County Registry.

NOW THEREFORE, Northeast Office Park is a staged development and the Declarant desires to subject Northeast Office Park, Section III to the Declaration of Covenants, Conditions, and Restrictions recorded in Book 969, Page 488, of the Onslow County Registry.

NOW, THEREFORE, Declarant hereby declares that all of the lots described on the map entitled, "Final Plat, Northeast Office Park, Section III," recorded in Map Book 28, Page 62, Slide F-170, of the Onslow County Registry, shall be held, sold and conveyed subject to the Declaration of Covenants, Conditions and Restrictions recorded in Book 969, Page 488, of the Onslow County Registry.

IN WITNESS WHEREOF, the undersigned being the Declarant herein, has hereunto set his hand and seal, this the day and year first above written.

William H. Bodenhamer, Jr., by his
attorney-in-fact Joan E. Bardin (SEAL)
William H. Bodenhamer, Jr.
by his attorney-in-fact
Joan E. Bardin

STATE OF NORTH CAROLINA
COUNTY OF ONSLOW

I, a Notary Public, do hereby certify that JOAN E. BARDIN, attorney-in-fact for WILLIAM H. BODENHAMER, JR. personally appeared before me this day and being by me duly sworn, says that she executed the foregoing instrument in behalf of WILLIAM H. BODENHAMER, JR. and that her authority to execute and acknowledge said instrument is contained in an instrument duly executed, acknowledged and recorded in the Office of the Register of Deeds of Onslow County, North Carolina, on the 1st day of June, 1990, recorded in Book 963, Page 568, of the Onslow County Registry, and that this instrument was executed under and by virtue of the authority given by said instrument granting her power of attorney, that the said JOAN E. BARDIN acknowledged the due execution of the foregoing instrument for the purposes therein expressed for and in behalf of the said WILLIAM H. BODENHAMER, JR.

Witness my hand and official stamp or seal, this the 11 day of February, 1993.

Carol Baker
Notary Public

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Book: 1094 Page: 1977-Current: 920 Seq: 1

BOOK 1094 PAGE 921

NORTH CAROLINA
ONSLow COUNTY

The foregoing certificate of Carol Baker
Notary Public is/are certified to be correct. This instrument
was presented for registration and recorded in this office in
Book 1094, Page 920. This 11th day of
February, 1993 A.D., at 4:00 o'clock P. m.

Mildred M. Thomas BY: _____
Register of Deeds/Onslow County

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