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BENNIE MULLINIX

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Type of Document: FOURTH AMENDMENT TO DECLARATIONS OF
RESTRICTIONS, CONDITIONS AND EASEMENTS
OF HUNTERS RIDGE, PHASE I

Dated: August 25, 2022

Parties: Hunters Ridge of New Bern Homeowners' Association, Inc.

Prepared by: Sumrell Sugg, P.A.

Return to: Sumrell Sugg, P.A., 416 Pollock Street, New Bern, NC 28560

Prepared by:
Sumrell Sugg, P.A.
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**FOURTH AMENDMENT TO
DECLARATIONS OF RESTRICTIONS, CONDITIONS, AND EASEMENTS OF
HUNTERS RIDGE, PHASE I**

THIS FOURTH AMENDMENT TO THE DECLARATIONS OF RESTRICTIONS, CONDITIONS, AND EASEMENTS OF HUNTERS RIDGE, PHASE I effective this 25th day of August, 2022, by and between the undersigned property owners (hereinafter "Owners") subject to the Declaration described below in HUNTERS RIDGE, PHASE I subdivision, according to the plans of record in the Office of the Craven County Register of Deeds, North Carolina in Plat Cabinet F, Slides 184B, C, and D, revised in Plat Cabinet G, Slides 20B and 20C, and as more particularly described in the Declarations of Restrictions, Conditions, and Easements of Hunters Ridge (hereinafter the "Declaration") recorded in Book 1462, Page 487 of the Craven County Register of Deeds, pursuant to Chapter 47F of the North Carolina General Statutes (hereinafter "the North Carolina Planned Community Act") and the Declaration, do hereby amend the Declaration as follows:

WITNESSETH:

WHEREAS, Gerald Anderson, LLC (hereinafter "the Declarant") recorded the above-referenced plat and the original Declaration in Book 1462, Page 487 in the Office of the Register of Deeds of Craven County, North Carolina, thereby creating the subdivision known as Hunters Ridge Subdivision, Phase I (hereinafter "the Subdivision") and subjecting the numbered lots on the plat (being Lots 1 through 43) to the terms and conditions set forth in the Declaration; and,

WHEREAS, the Declaration was subsequently amended by a First Amendment recorded in Book 1465, Page 729, Craven County Registry, and as further amended by a Second Amendment recorded in Book 1523, Page 922, Craven County Registry, and as further amended by a Third Amendment recorded in Book 2847, Page 170, Craven County Registry; and,

WHEREAS, in conjunction with the Declaration, the Declarant filed Articles of Incorporation creating the Hunters Ridge of New Bern Homeowners' Association, Inc.

(hereinafter "the Association") for purposes including, but not limited to, enforcing all restrictions contained in the Declaration.

WHEREAS, record owners of a fee or undivided interest in any lot within the Subdivision are members of the Association pursuant to its Articles of Incorporation; and

WHEREAS, pursuant to Article 18 of the Declaration, the Declaration may be amended by the written agreement of a majority of lot owners subject to the Declaration; and

WHEREAS, a majority of lot owners have executed this Amendment to the Declaration; and

NOW, THEREFORE, Owners hereby amend the Declaration as follows:

1. By amending and restating in its entirety paragraph 3 of the Declaration to read as follows:

3. **Land Use and Building Type.** No structure shall be erected, altered, placed or permitted to remain on any Lot other than for use as a single-family residential dwelling, and only one single-family residential dwelling may be erected or permitted to remain upon any Lot. No mobile or modular home may be erected or permitted to remain upon any Lot. No outbuilding shall be erected upon a Lot unless said outbuilding is incidental to the residential use of said Lot. It is provided, however, that Developer and its designers, during the development stage, may maintain a dwelling for use as a model home to aid sales in the development. After development has been completed, no such model home may be maintained in the development. Additionally, no Lot owner shall lease or rent a residential dwelling constructed on any Lot to a tenant for a period lasting less than 90 consecutive days in duration. Any Lot owner who leases or rents a residential dwelling constructed on any Lot to a tenant must include the following provision in a written lease entered into between the Lot owner and the tenant(s): "Tenant shall abide by the terms of the Declarations of Restrictions, Conditions and Easements applicable to the property described in this lease, together with all amendments to same, all of which are of record in the office of the

Register of Deeds of Craven County (hereinafter collectively "Declarations"). Tenant's failure to abide by these Declarations constitutes a material breach of the lease agreement which shall entitle landlord to terminate the tenant's lease and retake possession of the property."

2. Except as expressly herein amended, all remaining provisions of the Declaration are hereby ratified and confirmed in their entirety.

IN WITNESS WHEREOF, the undersigned has executed this instrument in such form as to be binding, all on the 25 day of August, 2022.

Book 3739
Page 1202

HUNTERS RIDGE OF NEW BERN
HOMEOWNERS' ASSOCIATION, INC.

By: Benny Mullinix
President

ACKNOWLEDGEMENT

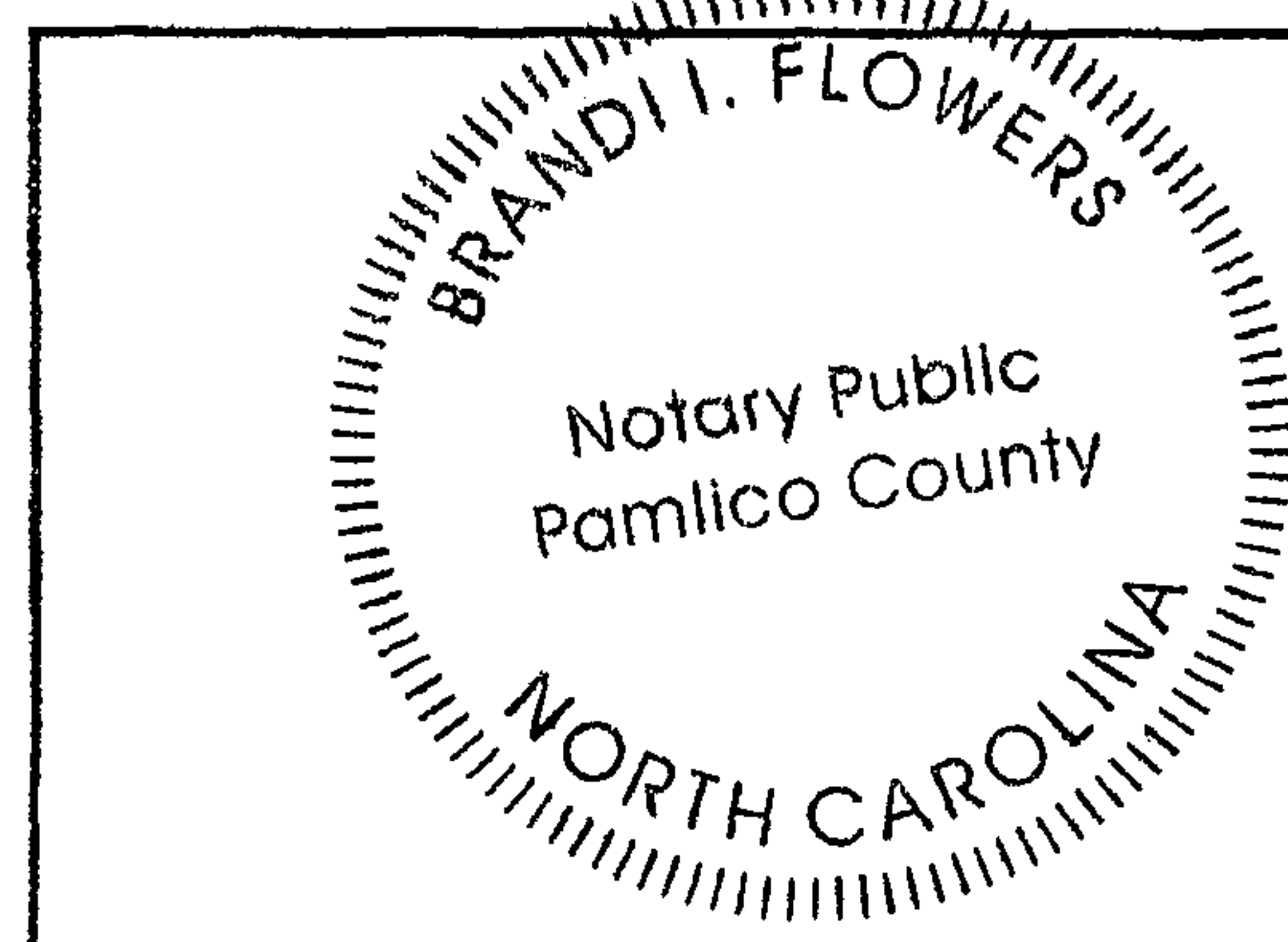
The undersigned Notary Public does hereby certify that Benny Mullinix personally appeared before such Notary Public this day in the State of NC and County of Craven and acknowledged (i) that he is the President of Hunters Ridge of New Bern Homeowners' Association, Inc., a corporation, and (ii) that by authority duly given and as the act of such corporation, he signed the foregoing instrument in the name of such corporation on such corporation's behalf as its act and deed.

WITNESS my hand and notarial seal, this 25 day of August, 2022.

My Commission Expires:
12-9-2026

Brandi I. Flowers
NOTARY PUBLIC

NOTARY SEAL/STAMP MUST APPEAR
LEGIBLY IN BOX TO RIGHT



CERTIFICATION OF VALIDITY OF ADOPTION OF AMENDMENT OF DECLARATIONS OF RESTRICTIONS, CONDITIONS, AND EASEMENTS

I have this day reviewed the attached Amendment to Declaration of Restrictions, Conditions, and Easements ("Declaration") and have found that the Owners of the required number of Lots have signed this instrument by indicating their consent to same. I have also found this amendment to be in compliance with the amendment procedures set forth in the Declaration, and also to be in compliance with the Bylaws of Hunters Ridge of New Bern Homeowners' Association, Inc.

Hunters Ridge of New Bern Homeowners' Association, Inc.

By: Benny Mullinix
President

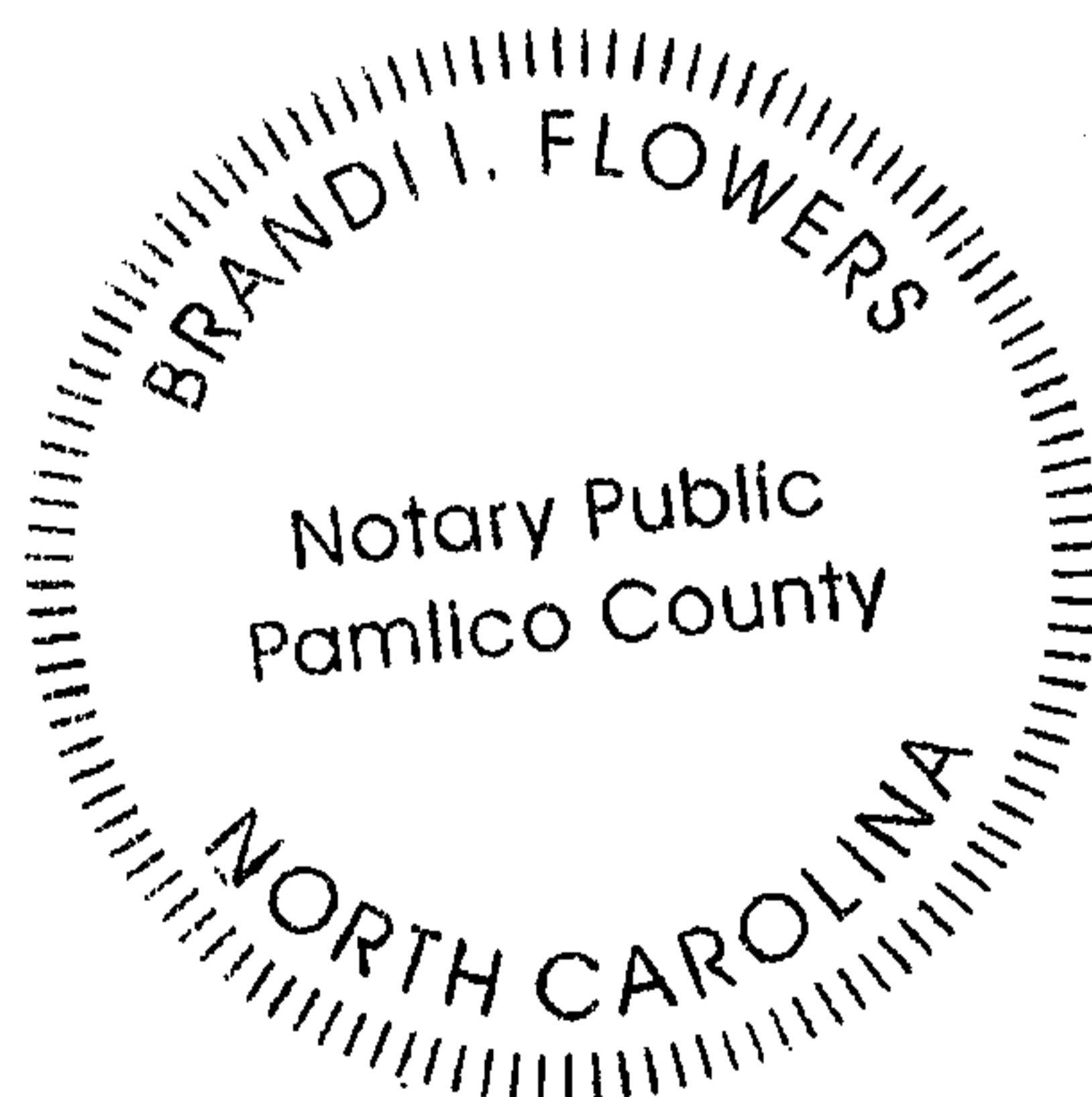
Attested to by:

Yvonne Bunn Wold
Secretary

STATE OF NORTH CAROLINA
COUNTY OF CRAVEN

I, a Notary Public of the County and State aforesaid, certify that Benny Mullinix personally came before me today and acknowledged that he/she is the Secretary of Hunters Ridge of New Bern Homeowners' Association, Inc., a North Carolina non-profit 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 Yvonne Bunn Wold, as its Secretary.

Witness my hand and official stamp or seal, this the 25 day of August, 2022.



Brandi I. Flowers
Notary Public
My Commission Expires 12-9-2026

Book 3739
Page 1203