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BY: ANDREA CRESWELL  
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NEW HANOVER COUNTY,

TAMMY THEUSCH BEASLEY  
REGISTER OF DEEDS

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EXTX \$0.00

ELECTRONICALLY RECORDED

AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
LOOKOUT POINTE AT RIVER OAKS, PHASE 2

Prepared by: MURCHISON, TAYLOR, & GIBSON, PLLC/Faison Sutton  
1979 Eastwood Road, Suite 101, Wilmington, NC 28403

Return to: Ned M. Barnes, Attorney  
NORTH CAROLINA

NEW HANOVER COUNTY

This AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR LOOKOUT POINTE AT RIVER OAKS, PHASE 2 (this "Amendment") is made as of the 10 day of July 2020, by **Signature River Oaks NC, Ltd.** a Texas Limited Partnership registered to do business in North Carolina as **Signature River Oaks NC, Limited Partnership** ("Declarant"). **DeMill Builders, LLC**, a North Carolina limited liability company ("DeMill") and **James A. Williams, Jr and spouse, Wendy N. Williams** (collectively, "Williams") join herein for the purpose of consenting to this Amendment and subjecting its respective properties to the restrictions, terms and conditions provided herein.

WITNESSETH:

WHEREAS, Declarant heretofore executed that certain Declaration of Covenants, Conditions and Restrictions for Lookout Pointe at River Oaks, Phase 2 and caused the same to be recorded in **Book 6209, Page 2698** in the New Hanover County Registry (as the same may be amended and/or supplemented, the "Declaration");

WHEREAS, capitalized terms used in this Amendment shall have the same meanings ascribed to such terms in the Declaration (unless otherwise defined herein);

WHEREAS, in Article V, Section 3 of the Declaration, the Declarant reserved the right to amend the Declaration to correct and/or modify situations or circumstances which may arise during the course of development;

WHEREAS, DeMill owns Lots 16 and Lot 21 within the property subject to the Declaration and Williams owns Lot 20 within the property subject to the Declaration, and while owner consent is not required for Declarant to make the foregoing amendment, DeMill and Williams are joining herein nonetheless to evidence their consent; and

Submitted electronically by "Ned M. Barnes, Attorney"  
in compliance with North Carolina statutes governing recordable documents  
and the terms of the submitter agreement with the New Hanover County Register of Deeds.

NOW THEREFORE, in accordance with its rights under the Declaration (and with the consent of DeMill and Williams), DECLARANT does hereby amend the Declaration as follows:

A. Declarant hereby deletes Article VI, Section 2(c) entirely and replaces with the following:

“(c) The exterior of all dwellings and other structures must be completed within **eighteen (18) months** from the date that the applicable plans and specifications were approved by the Architectural Control Committee as provided in Article VI, Section 1, except where such completion is impossible or would result in great hardship to the Owner or builder, due to strikes, fires, national emergency, natural calamities, or the complexity of design and construction.”

B. Declarant hereby revises the first sentence of Article VI, Section 2(d) as follows:

“(d) All, service utilities, fuel tanks, wood piles, and trash cans and other waste/recycling receptacles are to be enclosed within a wall or plant screen of a type and size approved by the Architectural Control Committee so as to preclude the same from causing an unsightly view from any highway, street or way within the Planned Community, or from any other residence within the Planned Community.”

C. Declarant hereby deletes Article VI, Section 2(e) entirely and replaces with the following:

“(e) Off-street parking for a minimum of two (2) passenger automobiles must be provided on each Lot prior to the occupancy of any dwelling constructed on said Lot, which parking areas and the driveways thereto shall be constructed of concrete, brick, or turf stone, or any other comparable material (other than asphalt) as may be approved by the Architectural Control Committee in its reasonable discretion. In addition to the parking areas, each house must also include an enclosed garage for a minimum of two (2) passenger automobiles.”

D. Declarant hereby adds a new Section 2(h) to Article VI as follows:

“(h) All homes must be constructed with metal roofs.”

E. DECLARANT hereby declares that the Property shall be held, sold, and conveyed subject to the Declaration, as amended hereby, which Declaration shall run with title to the Property and shall be binding on all parties having any right, title, or interest in the described Property or any part thereof, and shall inure to the benefit of each owner thereof.

F. DeMill and Williams hereby consent to the amendments and terms and conditions provided herein, and join in the execution hereof to the extent necessary to accomplish the same.

EXCEPT AS AMENDED HEREIN, the Declaration shall be and remain in full force and effect.

IN TESTIMONY WHEREOF, Declarant has caused this Amendment to be executed and delivered effective as of the day and year first above written.

Signature River Oaks NC, Ltd, a Texas Limited Partnership registered to do business in North Carolina as Signature River Oaks NC, Limited Partnership

By: Signature River Oaks GP, LLC, its General Partner

By: [Signature]  
Name: MICHAEL H POLLAK  
Title: MANAGER

STATE OF North Carolina  
COUNTY OF New Hanover  
(County where acknowledgment taken)

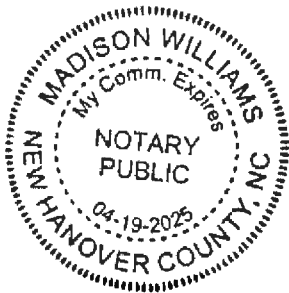
I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purposes stated therein and in the capacity(ies) indicated above: Michael H Pollak  
[NOTE: Insert the name of the party executing document, not their title].

Today's Date: 7/14/2020

Official Signature of Notary: [Signature]  
[As name appears on seal]

Printed Name of Notary: Madison Williams  
[As name appears on seal]

My commission expires: 4/19/2025



[Affix Notary Seal in Space Above]

By: DeMill Builders, LLC

By: *Stephen M. Miller*  
Name: Stephen M. Miller  
Title: Manager

STATE OF NC

COUNTY OF New Hanover  
(County where acknowledgment taken)

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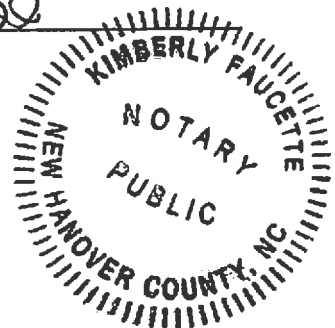
[NOTE: Insert the name of the party executing document, not their title].

Date: 7/10/20

Official Signature of Notary: *Kimberly Faucette*  
[As name appears on seal]

Printed Name of Notary: Kimberly Faucette  
[As name appears on seal]

My commission expires: 11/14/20



[Affix Notary Seal in Space Above]

James A. Williams, Jr.

*James A. Williams, Jr.*

By:

Wendy N. Williams

*Wendy N Williams*

STATE OF NC

COUNTY OF New Hanover

(County where acknowledgment taken)

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purposes stated therein and in the capacity(ies) indicated above: James A. Williams, Jr. and Wendy N. Williams

Date:

*7/13/20*

*Kimberly Faucette*  
Official Signature of Notary:

[As name appears on seal]

*Kimberly Faucette*

Printed

Name

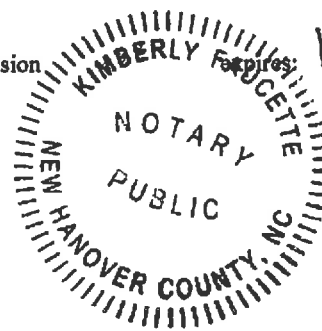
of

Notary:

[As name appears on seal]

My

commission



Expires: *11/14/20*

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**AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS FOR  
LOOKOUT POINTE AT RIVER OAKS, PHASE 2**

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1979 Eastwood Road, Suite 101, Wilmington, NC 28403

Return to: Ned M. Barnes, Attorney  
NORTH CAROLINA

NEW HANOVER COUNTY

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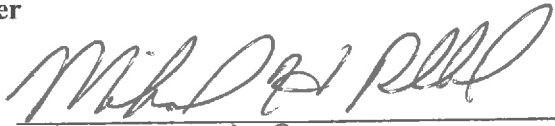
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**Signature River Oaks NC, Ltd, a Texas Limited Partnership registered to do business in North Carolina as Signature River Oaks NC, Limited Partnership**

**By: Signature River Oaks GP, LLC, its General Partner**

By:   
Name: MICHAEL H POLLAK  
Title: MANAGER


STATE OF North Carolina

COUNTY OF New Hanover  
(County where acknowledgment taken)

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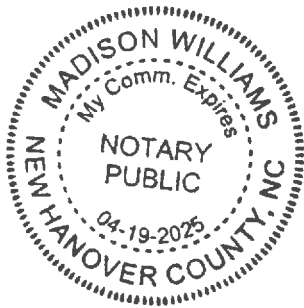
\_\_\_\_\_ [NOTE: Insert the name of the party executing document, not their title].

Today's Date: 7/14/2020

Official Signature of Notary:   
[As name appears on seal]

Printed Name of Notary: Madison Williams  
[As name appears on seal]

My commission expires: 4/19/2025



[Affix Notary Seal in Space Above]

By: DeMill Builders, LLC

By: *Stephen M. Miller*  
Name: Stephen M. Miller  
Title: Manager

STATE OF NC

COUNTY OF New Hanover  
(County where acknowledgment taken)

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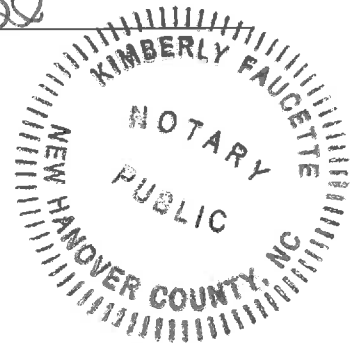
[NOTE: Insert the name of the party executing document, not their title].

Date: 7/10/20

Official Signature of Notary: *Kimberly Faucette*  
[As name appears on seal]

Printed Name of Notary: Kimberly Faucette  
[As name appears on seal]

My commission expires: 11/14/20



[Affix Notary Seal in Space Above]

James A. Williams, Jr.

*James A. Williams, Jr.*

By:

Wendy N. Williams

*Wendy N Williams*

STATE OF

NC

COUNTY OF

New Hanover

(County where acknowledgment taken)

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purposes stated therein and in the capacity(ies) indicated above: James A. Williams, Jr. and Wendy N. Williams

Date:

7/13/20

*Kimberly Faucette*  
Official Signature of Notary:

[As name appears on seal]

*Kimberly Faucette*

Printed

Name

of

Notary:

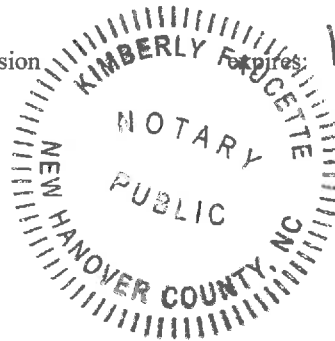
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