

3-1002



2004019268

FOR REGISTRATION REGISTER OF DEED:
REBECCA T. CHRISTIAN
NEW HANOVER COUNTY, NC
2004 APR 16 04:33:44 PM
BK: 4280 PG: 138-141 FEE: \$20.00

INSTRUMENT # 2004019268

FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,
RESTRICTIONS AND EASEMENTS OF SUNSET SOUTH

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS, RESTRICTIONS AND EASEMENTS OF SUNSET SOUTH ("First
Amendment") made and entered into this 12th day of April, 2004 by HOUSING
AND ECONOMIC OPPORTUNITIES, INC., a North Carolina nonprofit corporation
(hereinafter called "Declarant").

WITNESSETH:

WHEREAS, Declarant has caused to be recorded that certain Declaration of
Covenants, Conditions, Restrictions and Easements of Sunset South in Book 4253, at Page 668
in the office of the Register of Deeds of New Hanover County, North Carolina, and rerecorded in
Book 4260, at Page 742 in the office of the Register of Deeds of New Hanover County, North
Carolina; and

WHEREAS, pursuant to Section 2 of Article XVII of the Declaration, the
Declarant may unilaterally amend the Declaration for any purpose; and

WHEREAS, Declarant desires to reduce the initial assessment for each Lot,
change certain provisions in the Declaration providing for the construction of fences on Lots, and
otherwise amend the Declaration as provided herein.

NOW, THEREFORE, Declarant acting pursuant to the provisions of Section 2 of
Article XVII of the Declaration, does hereby amend the Declaration as follows:

Prepared by WARD AND SMITH, P.A., 127 Racine Drive, Wilmington, NC 28406-7068
Please return to WARD AND SMITH, P.A., PO Box 7068, Wilmington, NC 28406-7068
Attention: Henry W. Gerock, III


1. Article XI, Section 10 is hereby deleted in its entirety and replaced with the following:

No fence shall be erected on any Lot nearer the front property or lot line than the front corners of the dwelling erected on said Lot, and all fences erected on Lots shall not exceed six (6) feet in height and shall be constructed of wood in a manner and design consistent with guidelines promulgated from by the Committee. No fence or structure of any kind shall be placed within utility and drainage easements shown on the Map or upon any Stormwater Management Facility except as permitted by the Permit.

2. Article IV, Section 1(b) is hereby amended as follows: The initial assessment for each Lot is One Hundred Eighty and No/100 Dollars (\$180.00) per year.

IN TESTIMONY WHEREOF, Declarant has caused this First Amendment to be executed in such form as to be binding, by authority duly given, this the day and year first written above.

HOUSING AND ECONOMIC
OPPORTUNITIES, INC., a North Carolina nonprofit
corporation

By: 
Benjamin J. Quattlebaum, II, President

STATE OF NORTH CAROLINA
COUNTY OF New Hanover

I, Karen A. Schraml, a Notary Public in and for said County and State, do hereby certify that BENJAMIN J. QUATTLEBAUM, II personally came before me this day and acknowledged that he is President of HOUSING AND ECONOMIC OPPORTUNITIES, INC., a North Carolina nonprofit corporation, and that he, as President being authorized to do so, executed the foregoing on behalf of the corporation.

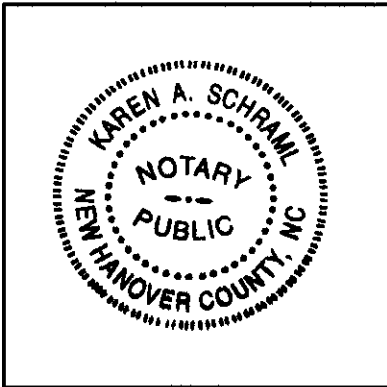
WITNESS my hand and official seal, this the 12th day of April, 2004.

Karen A. Schraml

Notary Public

My Commission Expires:

2/4/2009



Notary seal or stamp must appear within this box.

021074-0004-001
WLM\MAIN\107316\1



REBECCA T. CHRISTIAN
REGISTER OF DEEDS, NEW HANOVER
216 NORTH SECOND STREET

WILMINGTON, NC 28401


Filed For Registration: 04/16/2004 04:33:44 PM
Book: RE 4280 Page: 138-141
Document No.: 2004019268
DECL 4 PGS \$20.00

Recorder: ANDREA FULFORD

State of North Carolina, County of New Hanover

The foregoing certificate of KAREN A SCHRAML Notary is certified to be correct. This 16TH of April 2004

REBECCA T. CHRISTIAN , REGISTER OF DEEDS

By: 
Deputy/Assistant Register of Deeds

**YELLOW PROBATE SHEET IS A VITAL PART OF YOUR RECORDED DOCUMENT.
PLEASE RETAIN WITH ORIGINAL DOCUMENT AND SUBMIT FOR RE-RECORDING.**

2004019268

2004019268