



Prepared By and Return To: Jerry A. Mannen, Jr, Yow, Fox & Mannen, PLLC, 102 N. Fifth Avenue, Wilmington, NC 28401

STATE OF NORTH CAROLINA
COUNTY OF BRUNSWICK

THIRD AMENDMENT TO
DECLARATION OF COVENANTS
CONDITIONS AND RESTRICTIONS
FOR RIVER TIDE FARMS

THIS THIRD AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS for River Tide Farms ("Third Amendment") made this 20 day of November 2025, by Triple J Developers, LLC, a North Carolina limited liability company hereinafter referred to as "Declarant" whose mailing address is 2845 Livingston Chapel Road, Delco, North Carolina 28436 and Clayton Homes Properties Group, Inc. d/b/a Mungo Homes, a Tennessee corporation whose mailing address is 5000 Clayton Road, Maryville, TN 37804.

WITNESSETH:

WHEREAS, Declarant is the owner of certain property in Brunswick County, North Carolina known as "River Tide Farms", and being more particularly shown and described on that certain map entitled Survey of River Tide Farms, Phase 1 recorded in Map Book 156 at Pages 30-31 and Map Book 162 at Pages 22-23 at Pages 22-23 of the Brunswick County Registry to which reference is made for a more particular description (the "Property"); and,

WHEREAS, the Property is subject to that Certain Declaration of Covenants, Conditions and Restrictions for River Tide Farms recorded in Book 5171 at Page 1204 of the Brunswick County Registry as amended in Book 5195 at Page 75 and Book 5297 at Page 186 of the Brunswick County Registry (the "Declaration"); and,



WHEREAS, pursuant to the provisions of Chapter 47F of the General Statutes of North Carolina, Article V, Sections, 3 and 4 of the Declaration, and the reservation of rights to the Declarant, Declarant has the right and power to amend the Declaration to subject and add additional properties to the protective covenants, additional Common Elements and Limited Common Elements and to otherwise make complementary additions and modifications to the Declaration as may be required; and,

WHEREAS, the Declarant desires to add and subject additional properties to the Declaration and protective covenants and in particular Lots 30 through 42, Lots 98 through 105, Lot 90, and Lot 129 as shown on that plat recorded in Map Book 165 at Pages 54-55 of the Brunswick County Registry and Lots 70 through 89, Lot 146, Lot 147, and Lots 149-155 as shown on that plat recorded in Map Book 172 at Pages 85-86 of the Brunswick County Registry; and,

WHEREAS, Clayton Property Group, Inc. d/b/a Mungo Homes ("Mungo Homes") is the record owner of Lots 25-29, River Tide Farms, Phase 1, as shown on Map Book 156 at Pages 30-31 of the Brunswick County Registry, Lots 30-42, 90, Lots 98-105, and Lot 129, River Tide Farms Phase 2 as shown on Map Book 165 at Pages 54-55 of the Brunswick County Registry (all Lots being collectively referred to herein as the "Mungo Homes Lots" and being previously subjected to the Declaration by Deed Restriction). Clayton Property Group, Inc. d/b/a Mungo Homes joins in the execution of this Third Amendment for the purpose of reaffirming the Mungo Homes Lots are subject to the Declaration as amended and to evidence its consent and approval to the location and installation of fences to satisfy buffer or other legal requirements on Lots 25 through 29, Phase 1 and Lots 30 through 42, Phase 2, within the boundary lines of the aforesaid Lots, in a variable width as close to the rear property line as conditions shall allow.

NOW, THEREFORE, Declarant, with the consent and joinder of Mungo Homes as it pertains to the Mungo Homes Lots, declares as follows:

1. Additional Properties: The provisions of the Declaration, restrictions and protective shall apply fully to all numbered lots and those portions of the real property shown on the Plat recorded in Map Book 165 at Pages 54-55, and Map Book 172 at Pages 85-86 of the Brunswick County Registry as described on Exhibit A attached hereto. All the terms and conditions of the restrictions and protective covenants shall be fully binding and applicable to such lots.

2. Limited Common Elements. Article I, Section 12 titled Limited Common Elements is hereby amended to read as follows:

SECTION 12. Limited Common Elements shall mean areas and facilities within any Lot which are for the exclusive use of the Lot Owner but which the Association is obligated to maintain. Limited Common Elements include, but are not limited to, any fence installed by the Declarant or its agents and contractors within the boundary of any Lot to satisfy any buffer or other legal requirements for the Planned Community.



3. Definitions. Article I titled Definitions is hereby amended to add a new Section 22, Fence Maintenance Easement, as follows:

SECTION 22. Fence Maintenance Easement shall mean an easement for the installation, repair, maintenance, and/or replacement of any fence installed by the Declarant or its agents and contractors to satisfy any buffer or other legal requirements for the Planned Community.

Except as specifically amended or modified by this Amendment all the terms, covenants, conditions, and provisions of the Declaration shall be and remain in full force and effect.

IN WITNESS WHEREOF, the Declarant Triple J Developers, LLC and Clayton Homes Properties Group, Inc. d/b/a Mungo Homes have executed this Third Amendment to Declaration the day and year first written above.

DECLARANT:
Triple J Developers, LLC

Clayton Homes Properties Group, Inc.
d/b/a Mungo Homes

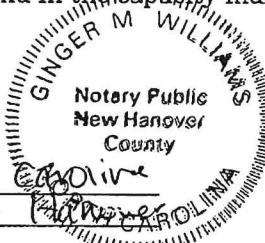
By: Jeffrey B. Malpass
Name: Jeffrey B. Malpass
Title: Manager

By: Tammy Spivey
Name: Tammy Spivey
Title: Asst. Secretary

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

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 indicated: Jeffrey B. Malpass.

Date: 11/20/25



Ginger M. Williams
GINGER M. WILLIAMS Notary Public
My Commission expires: July 24, 2026

STATE OF North Carolina
COUNTY OF New Hanover

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 indicated: Tammy Spivey

Date: NOV 20, 2025



Kirby Trundle
Kirby Trundle Notary Public
My Commission expires: Oct. 16, 2024



EXHIBIT A

BEING all the real property shown on a plat entitled "Survey of River Tide Farms Phase 2" prepared by Barry L. Barber, PLS and recorded in Map Book 165 at Pages 54-55 of the Brunswick County Registry reference to which is hereby made for a more particular description; and, all the real property shown on a plat entitled "Survey of River Tide Farms Phase 3" prepared by Barry L. Barber, PLS and recorded in Map Book 172 at Pages 85-86 of the Brunswick County Registry, reference to which is hereby made for a more particular description.