

V BHN

★ BFM

BK 2066 PG 188

FILED

2003 March 12 PM 2:09 Jms

STATE OF NORTH CAROLINA

AMENDMENT TO RESTRICTIONS

COUNTY OF PENDER JOYCE M. SWICEGOOD  
REGISTER OF DEEDS  
PENDER COUNTY, NC

Recorded and Verified  
Joyce M. Swicegood  
Register of Deeds  
Pender County, NC

**KNOW ALL MEN BY THESE PRESENTS:**

WHEREAS the undersigned constitutes 75% or more of the property owners in the Charles Highsmith Division as recorded in Map Book 22, at Page 72, Map Book 23, at Page 22, and Map Book 23, at Page 66 of the Pender County Registry; with the original Declarations of Restrictions thereof being recorded in Book 668, Page 166, of the Pender County Register of Deeds; and

WHEREAS, the undersigned also includes the original subdividers of the property and this amendment is hereby executed pursuant to the terms contained in Paragraph 10 of the above referenced restrictions in that the amendment may be made at any time upon the approval of the subdividers plus at least 75% of the current property owners in said division; and

WHEREAS, it is in the best interests of this subdivision to make the amendment as stated below for the future growth, maintenance, and development of the subdivision as a desirable place to live.

NOW THEREFORE, the undersigned do hereby covenant, agree,

and declare to and with the requisite percentage of all persons, firms or corporations now owning and hereafter acquiring property shown on the above referenced map and that all tracts in said division are hereby imposed with and hereby made subject to the following restrictions as to the use thereof, running with the land by whomsoever owned, to wit:

1. Each lot in the subdivision shall be assessed annual dues as determined by the Highsmith Estates Property Owners Association, Inc., a North Carolina non-profit corporation formed for the purpose of administering the restrictive covenants, collection of dues, and disbursements therefrom for the purposes determined by these restrictions and by said association. It shall be determined by the association as to the amount of dues to be charged, and these dues shall be collected by said association in accordance with its bylaws, through due process in the organization of said association.

2. In all other respects, the original restrictions recorded in Book 668 Page 166, and any amendments prior to this amendment are hereby incorporated by reference and shall remain in full force and effect as originally written subject to this amendment.

3. These amended restrictions, together with the original restrictions, referred to above shall inure for the benefit of all lot owners and shall run with the land.

IN TESTIMONY WHEREOF, the undersigned property owners have and subdividers hereunto set their hands and seals for the purpose herein expressed.