

Type: CONSOLIDATED REAL PROPERTY  
Recorded: 10/8/2019 3:55:59 PM  
Fee Amt: \$26.00 Page 1 of 3  
Onslow County, NC  
Rebecca L. Pollard Reg. of Deeds

**BK 5035 PG 133 - 135**

Prepared by and return to:  
Michael R. Ganley, Attorney  
Bagwell Holt Smith P.A.  
111 Cloister Court, Ste. 200, Chapel Hill, NC 27514

Declarant's Address:  
131 Racine Drive, Suite 201 Wilmington, NC 28403

**FIRST AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR EVERETT'S CREEK EAST**

This First Amendment to Declaration of Covenants, Conditions and Restrictions for Everett's Creek East (this "First Amendment") is made September 23 2019, by **Advance Design Build, LLC**, a North Carolina limited liability company, hereinafter referred to as the "Declarant." The Declarant states and declares as follows:

A. Declarant previously made that certain Declaration of Covenants, Conditions and Restrictions for Everett's Creek East recorded in Book 4995 Page 693, Onslow County Register of Deeds (the "Declaration").

B. Article 11, Section 10 of the Declaration states that during the Declarant Control Period, Declarant shall have the right to amend or rescind and restate the Declaration by a Recorded Document, without approval or joinder of the Association or any other Party.

C. As of the date of this First Amendment, the Declarant Control Period has not terminated.

NOW THEREFORE, the Declaration is hereby amended as follows:

1. Section 4.3, Subsection 12 of the Declaration is deleted in its entirety and replaced with the following:

4.3.12 Screening. Boats, boat trailers, golf carts, campers, antennae, clotheslines, pet enclosures and the like shall not be located on a Lot so as to be visible from any roadway or any other Lot. Boats and golf carts must be either parked in the garage or screened behind a fence at least six (6) feet in height.

2. Section 2(a) of Exhibit C of the Declaration is deleted in its entirety and replaced with the following:

(a) Parking any vehicles on streets or thoroughfares within the Community or parking of

submitted electronically by "Bagwell Holt Smith P.A."  
in compliance with North Carolina statutes governing recordable documents  
and the terms of the submitter agreement with the Onslow County Register of Deeds.

commercial vehicles or equipment, mobile homes, recreational vehicles, trailers, stored vehicles, or inoperable vehicles in places other than enclosed garages; however, construction, service, and delivery vehicles shall be exempt from this provision during daylight hours for such period of time as is reasonably necessary to provide service or to make a delivery to a Lot or the Common Areas. For the purposes of these Rules and Regulations, a "commercial vehicle" shall mean any vehicle with ladders, work equipment, or related storage on the exterior of the vehicle, or a vehicle greater than  $\frac{3}{4}$  of a ton;

3. Section 2(b) of Exhibit C of the Declaration is deleted in its entirety and replaced with the following:

(b) Raising, breeding or keeping animals, livestock or poultry of any kind, except that a reasonable number of dogs, cats or other usual and common household pets may be permitted on a Lot. Any animal which, makes objectionable noise or, in the Board's judgment, constitutes a nuisance or inconvenience to the Occupants of other Lots, shall be removed by the owner upon the Board's request. If the pet owner fails to honor such request, the Board may remove the pet. Dogs shall be kept on a leash or otherwise confined in a manner acceptable to the Board whenever outside the dwelling. Owners shall clean up behind any pet while walking such pet on any Common Property. Pets shall be registered, licensed, and inoculated as required by any applicable state, municipal or local law, ordinance, rule or regulation;

4. Section 2(x) of Exhibit C of the Declaration is deleted in its entirety.

5. Except as amended herein, all terms and provisions of the Declaration remain unmodified. As amended herein, the Declaration remains in full force and effect.

**[The Remainder of this Page Intentionally Left Blank.]**

IN WITNESS WHEREOF, Declarant has caused this First Amendment to be executed as of the date first stated above.

ADVANCE DESIGN BUILD, LLC,  
a North Carolina limited liability company

By: [Signature]  
Name: COLEMAN PARKS  
Its: MANAGER

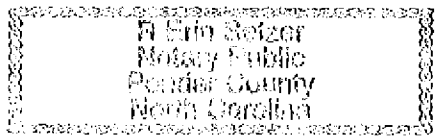
STATE OF NC

COUNTY OF NEW HAMPSHIRE

I, R ERIN SETZER, a Notary Public of the County and State aforesaid, certify that COLEMAN PARKS personally appeared before me this day and acknowledged that s/he is MEMBER/MANAGER of Advance Design Build, LLC, a North Carolina limited liability company, and that s/he, being duly authorized to do so, executed the foregoing for and on behalf of said limited liability company.

Witness my hand and official stamp or seal, this 23 day of SEPTEMBER, 2019.

NOTARY SEAL



[Signature]  
Signature of Notary Public

My Commission

Expires: 1/9/22

Prepared by and Return to:  
Colby & Mincey, PLLC  
1001 Military Cutoff Road, STE 204  
Wilmington, NC 28405

**STATE OF NORTH CAROLINA**

**COUNTY OF ONSLOW**

**AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR EVERETT’S CREEK EAST**

THIS AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR EVERETT’S CREEK EAST made this 11<sup>th</sup> day of November, 2020, by Advance Design Build, LLC, a North Carolina limited liability company, herein referred to as “Declarant.”

**WITNESSETH:**

WHEREAS, Declarant has developed a subdivision in Onslow County known as Everett’s Creek East (hereinafter “Subdivision”);

WHEREAS, Declarant caused a Declaration of Covenants, Conditions and Restrictions for Everett’s Creek East (hereinafter “Covenants”) for the Subdivision to be recorded in Book 4995 at Page 693 of the Onslow County Registry;

WHEREAS, the Covenants provide for the annexation of additional property into the Subdivision; and

WHEREAS, Declarant has recorded a map in Map Book 79 at Pages 27, 27A and 27B, Cabinet O of the Onslow County Registry showing additional lots which Declarant desires to annex into the Subdivision.

Submitted electronically by "Bagwell Holt Smith P.A."  
in compliance with North Carolina statutes governing recordable documents  
and the terms of the submitter agreement with the Onslow County Register of Deeds.

NOW, THEREFORE, Declarant, does hereby amend the Covenants recorded in Book 4995 at Page 693 of the Onslow County Registry as follows:

**ALL OF THE PROPERTY SHOWN ON MAP BOOK 79 AT PAGES 27, 27A and 27B, CABINET O, ONSLOW COUNTY REGISTRY IS HEREBY MADE SUBJECT TO THE COVENANTS SET OUT BY DECLARANT IN BOOK 4995 AT PAGE 693.**

IN WITNESS THEREOF, the parties have hereunto set their hand and seal.

Advance Design Build, LLC

By *Coleman Parks* (SEAL)  
Coleman Parks, Member/Manger

STATE OF NORTH CAROLINA, COUNTY OF New Hanover

I, a Notary Public of the County and State aforesaid, certify that Coleman Parks personally appeared before me this day and acknowledged that he is Member/Manager of Advance Design Build, LLC, and that by authority duly given and as the act of the limited liability company, the foregoing instrument was signed in its name by its Member/Manager.

Witness my hand and official stamp or seal, this 11<sup>th</sup> day of November, 2020.

*Carrie L. Mincey* Notary Public

My commission expires: 8/9/21

