

Prepared by/mail to: James H. Slaughter, Law Firm Carolinas 3623 N Elm Street, Suite 200 Greensboro, NC 27455

CURRITUCK COUNTY

AMENDMENT TO RESTRICTIVE

NORTH CAROLINA

COVENANTS—

FOST ESTATES

This AMENDMENT TO RESTRICTIVE COVENANTS—FOST ESTATES is made this 15 day of JUNE, 2023, by FOST ESTATES, LLC, a North Carolina limited liability company (henceforth, "Declarant").

WITNESSETH:

WHEREAS, the Declarant subjected FOST ESTATES (the "Property") to the Restrictive Covenants Fost Estates, recorded on July 29, 2022, in Deed Book 1704, Page 602 of the Currituck County Registry (the "Declaration");

WHEREAS, the Declaration applies to and runs with the land described in the Plat Books and Pages of the Currituck County Register of Deeds, including but not limited to the following:

- a) Plat Book R, Pages 250-255;

WHEREAS, Section 24 of the Declaration provides that Declarant has the right to amend the Declaration for any reason satisfactory to Declarant at any time within five (5) years of the date of recordation of the Declaration;

WHEREAS, Declarant desires and finds it satisfactory to amend the Declaration in order to establish additional uniform aesthetic standards for the Property, and to prohibit certain types and numbers of poultry in order to maintain optimal property values within the Property;

NOW THEREFORE, the Declaration is amended as follows:

1. Section 8 of the Declaration is hereby amended to read as follows:

8. ANIMALS: No animals may be kept on any lot except usual household pets (dogs, cats or fish), so long as they are not kept for breeding or any other commercial purposes. Notwithstanding anything provided herein to the contrary, the keeping of up to a total of six (6) chickens is permitted on any one lot, provided that any roosters are prohibited and that such animals must not be kept for breeding or any other commercial purposes.

2. Section 18 of the Declaration is hereby amended to read as follows:

18. FENCES: In order to retain the aesthetic qualities of the neighborhood, the following restrictions relating to fencing will be enforced:

- a. All fencing shall be of vinyl material and white in color.
- b. If the fencing is a picket fence, the space between the pickets must no more than 4 inches.
- c. On all Lots other than corner Lots, no fence shall be installed in front of the midway point of the side of house on which the fence sits.
- d. On all corner Lots, no fence shall be installed in front of any rear line of any house, nor shall any fence be installed closer to the side street curb than the side-line of any house.
- e. All fence sections, where permissible, shall not exceed six (6) feet in height.
- f. All fencing otherwise permitted herein shall be required to observe a two (2) foot setback from all boundary lines on a Lot.

3. New Section 25 is added to the Declaration to read as follows:

25. SHEDS: All sheds shall match the existing home (at a minimum) or may be specially designed in a unique style, to the extent that it enhances the overall design of the house and lot in the opinion of the Board of Directors, or in the opinion of the Architectural Review Board. Any construction of a shed shall require the prior approval of the Association in accordance with Section 23 of this Declaration. The Board of Directors and the Architectural Review Board are empowered to promulgate further guidelines related to shed construction, however minimum requirements include:

- a. Shed siding color, profile, size and texture must match the home,
- b. Shed roof shingles must match the house in type and color,

- c. Shed door color matches the trim or the door color on the home,
- d. Shed door and windows match style of those on the home. Alternate styles of shed doors may be approved at the discretion of the Board of Directors.
- e. All portions of the shed must be located at least 10' from adjacent property lines and 10' away from the home and other accessory structures.

All other terms and conditions contained in the Declaration shall remain unchanged.

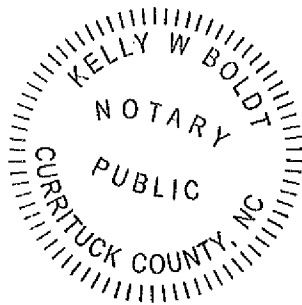
FOST ESTATES, LLC,
a North Carolina limited liability company

BY: [Signature]
 NAME: Justin M Old
 ITS: Managing member

STATE OF NORTH CAROLINA
COUNTY OF Currituck

I, a Notary Public of the County and State aforesaid, certify that Justin M Old personally came before me this day and acknowledged that (s)he is managing member of FOST ESTATES, LLC, a North Carolina limited liability company, and that (s)he, Justin M Old being authorized to do so, executed the foregoing on behalf of FOST ESTATES, LLC, a North Carolina limited liability company.

WITNESS my hand and official stamp or seal, this 15 day of June, 2023.



Kelly W Boldt
Notary Public

Kelly W Boldt
Printed Name

My commission expires: Nov 17, 2023