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NEW HANOVER COUNTY,

TAMMY THEUSCH PIVER

REGISTER OF DEEDS

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ELECTRONICALLY RECORDED

**AMENDMENT TO THE
DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
FOR HALCYON FOREST**

Prepared and Return to:
MURCHISON, TAYLOR, & GIBSON, PLLC
1979 Eastwood Road, Suite 101, Wilmington, NC 28403

NORTH CAROLINA

NEW HANOVER COUNTY

THIS AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HALCYON FOREST ("Amendment") is made on the date hereinafter set forth by Halcyon Forest Association, Inc., a/k/a Halcyon Forest Homeowners' Association, Inc. (the "Association") on behalf of its members.

WITNESSETH:

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for Halcyon Forest (as amended and supplemented, the "Declaration") is duly recorded in Book 2014 at Page 328 in the Office of the Register of Deeds for New Hanover County, North Carolina (the "Register of Deeds") (Except as otherwise noted, all capitalized terms shall have the same meaning and effect as specified in the Declaration); and

WHEREAS, the Declaration has been supplemented by a Supplemental Declaration of Covenants, Conditions, and Restrictions of Halcyon Forest duly recorded in Book 2128 at Page 435 of the Register of Deeds and amended by Amendments to Declaration of Covenants, Conditions, and Restrictions of Halcyon Forest duly recorded in Book 4870 at Page 1748 and Book 5904 at Page 2044 of the Register of Deeds; and

WHEREAS, the Owners of more than two-thirds (2/3) of the Lots subject to the Declaration, as previously supplemented and amended, wish to amend the Declaration as provided below; and

Submitted electronically by "Murchison, Taylor & Gibson, PLLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the New Hanover County Register of Deeds.

WHEREAS, Article VIII, Section 5 of the Declaration provides that the covenants may be amended by an instrument duly recorded in the Office of the Register of Deeds executed by the duly authorized officers of the Association upon the vote of not less than two-thirds (2/3) of the Lot Owners; and

WHEREAS, the Owners of more than two-thirds (2/3) of the Lots have voted to authorize the officer(s) executing this Amendment to do so and to record it with the Register of Deeds.

NOW, THEREFORE, the Declaration is amended as follows:

Article VI, Section 2, Paragraph E shall be replaced with the following:

All service utilities, fuel tanks and wood piles are to be enclosed within a wall or plant screen of a type and size approved by the Declarant, the Board or the Architectural Control Committee, so as to preclude the same from causing an unsightly view from any highway, street or way within the subdivision, or from any other residence within the subdivision. All mail and newspaper boxes shall be uniform in design. Design for mail and newspaper boxes shall be furnished by the Declarant. Fences shall be permitted on any Lot; provided, however, that the design and materials of any fence are approved by the Declarant, the Board, or the Architectural Committee, as the case may be, and provided further, that no street-facing front fence shall be over six feet. Furthermore, side and rear fencing shall not exceed eight feet in height and shall not be forward of a point located three feet to the rear of the front elevation of the dwelling on the lot. Clothes lines are not permitted on any Lot.

Except as specifically amended herein, all provisions of the Declaration, as previously amended and supplemented, shall remain in full force and effect.

(SIGNATURE PAGE FOLLOWS)

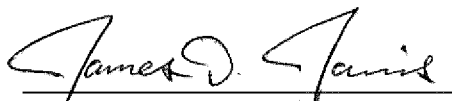
IN WITNESS WHEREOF, the undersigned have set their hands and seals this 16th day of July, 2021.

(corporate seal)

Halcyon Forest Association, Inc.
A North Carolina Non-Profit Corporation

By: 
Name: Tim D. Gill
Title: President

Attested by:


Name: James D. Jarvis
Title: Secretary

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

I, Dorothy M. Branston, a Notary Public in and for the State and County aforesaid, do certify that James D. Jarvis personally appeared before me this day and acknowledged that (s)he is the Secretary of Halcyon Forest Association, Inc., a corporation, and that by authority duly given and as the act of Halcyon Forest Association, Inc., the foregoing instrument was signed in its name by its President, sealed with its corporate seal, and attested by herself as its Secretary.

Witness my hand and official seal this 16th day of July, 2021.


Notary Public
Print Name: Dorothy M. Branston

My commission expires: 08 04 - 2024

