

BCET FILE #42518.JLE

PREPARED BY:
DENNIS M. MARQUARDT
BESWICK, COYNE, ERWIN & TAYLOR, P.L.L.C.
407 N. 35TH STREET
MOREHEAD CITY, NC 28557

STATE OF NORTH CAROLINA
COUNTY OF CRAVEN

FIRST AMENDMENT TO
DECLARATION OF PROTECTIVE
COVENANTS OF
THE MOORINGS

THIS AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS, made and entered into this the 26th day of September, 1996, by Duncan Harrison, (hereinafter referred to as "Developer").

W I T N E S S E T H T H A T:

WHEREAS, DEVELOPER is the owner of the majority of Lots 1 through 17, Section One in THE MOORINGS SUBDIVISION located in Craven County, North Carolina, which is more particularly shown and described on that map recorded in Plat Cabinet G, Slides 9 D & E, Craven County Registry, plat Cabinet G, Slides 16 F and G, Craven County Registry; and

WHEREAS, DEVELOPER to insure the use of said property for attractive residential purposes only, to prevent the impairment of the attractiveness of the property, to maintain the desired tone of the community, and thereby to secure to each lot owner the full benefit and enjoyment of each lot owner's home with no greater restriction upon the free and undisturbed use of each lot than is necessary to insure the same advantages to the other lot owners caused to be recorded that Declaration of Protective Covenants of THE MOORINGS IN Book 1522, pages 430-450, Craven County Registry.

NOW, THEREFORE the undersigned pursuant to Article 14 of said covenants amends them as follows:

1. The Declaration of Protective Covenants of record in Book 1522, pages 430-450, Craven County registry shall apply to the lots shown on the revised Maps of THE MOORINGS Section One as shown in Plat Cabinet G Slides 16 F & G.

2. Article 9 E of the Declaration of Protective Covenants is amended to reflect the easements for ingress, egress and regress being recorded in Book 1517 pages 779-782 Craven County Registry and Plat Cabinet G Slides 9 B & C Craven County Registry.

PREPARED BY:
BENNETT, BESWICK, McCONKEY & MARQUARDT, L.L.P.
1007 SHEPARD STREET
MOREHEAD CITY, NC 28557

STATE OF NORTH CAROLINA
COUNTY OF CRAVEN

SECOND AMENDMENT TO
DECLARATION OF PROTECTIVE
COVENANTS OF THE MOORINGS

THIS SECOND AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS OF THE MOORINGS made and entered into this the 15 day of May, 1997, by Duncan Harrison (hereinafter referred to as "DEVELOPER").

WITNESSETH THAT:

WHEREAS, DEVELOPER has previously recorded a Declaration of Protective Covenants of THE MOORINGS in Book 1522, Page 430, et seq, and an Amendment to Declaration of Protective Covenants of THE MOORINGS in Book 1535, Page 052, et seq, both of the Craven County Registry; and

WHEREAS, said Covenants contemplate and provide for making additional properties subject thereto, by Amendment, to the end that all of THE MOORINGS shall be developed in a uniform manner to the benefit of all present and future owners; and

WHEREAS, to this end, Developer now desires to subject additional property to the said Declaration of Protective Covenants.

NOW, THEREFORE, the above described Declaration of Protective Covenants of THE MOORINGS shall govern the use of all property described in Exhibit "A" hereto, which properties are specifically subjected to said Declaration of Protective Covenants.

WHEREAS, pursuant to Article 14 of the Declaration of Protective Covenants of THE MOORINGS recorded in Book 1522, Page 430 et seq, Craven County Registry, a majority of owners may amend said Declaration; and

WHEREAS, Developer is the owner of a majority of the lots and has voted to amend said Declaration as relates to THE MOORINGS, SECTION ONE, SECTION TWO, and all other further Sections thereof, said amendment being effective as of the recordation hereof as is set forth as follows:

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

The foregoing certificate of Julia L. Estew is certified to be correct. This instrument was presented for registration and recorded in this office in Book 1567, page 533.

This 15 day of May, 1997 at 3:00 o'clock p.m.

Becky Thompson
Register of Deeds

Alice Sue Deptz

BBMM FILE #42518.JLE

PREPARED BY:
BENNETT, BESWICK, McCONKEY & MARQUARDT, L.L.P.
1007 SHEPARD STREET
MOREHEAD CITY, NC 28557

STATE OF NORTH CAROLINA
COUNTY OF CRAVEN

SECOND AMENDMENT TO
DECLARATION OF PROTECTIVE
COVENANTS OF THE MOORINGS

THIS SECOND AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS OF THE MOORINGS made and entered into this the 15 day of May, 1997, by Duncan Harrison (hereinafter referred to as "DEVELOPER").

WITNESSETH THAT:

WHEREAS, DEVELOPER has previously recorded a Declaration of Protective Covenants of THE MOORINGS in Book 1522, Page 430, et seq, and an Amendment to Declaration of Protective Covenants of THE MOORINGS in Book 1535, Page 052, et seq, both of the Craven County Registry; and

WHEREAS, said Covenants contemplate and provide for making additional properties subject thereto, by Amendment, to the end that all of THE MOORINGS shall be developed in a uniform manner to the benefit of all present and future owners; and

WHEREAS, to this end, Developer now desires to subject additional property to the said Declaration of Protective Covenants.

NOW, THEREFORE, the above described Declaration of Protective Covenants of THE MOORINGS shall govern the use of all property described in Exhibit "A" hereto, which properties are specifically subjected to said Declaration of Protective Covenants.

WHEREAS, pursuant to Article 14 of the Declaration of Protective Covenants of THE MOORINGS recorded in Book 1522, Page 430 et seq, Craven County Registry, a majority of owners may amend said Declaration; and

WHEREAS, Developer is the owner of a majority of the lots and has voted to amend said Declaration as relates to THE MOORINGS, SECTION ONE, SECTION TWO, and all other further Sections thereof, said amendment being effective as of the recordation hereof as is set forth as follows:

1. The Declaration of Protective Covenants of THE MOORINGS of record in Book 1522, page 430, et seq, and the First Amendment to Declaration of Protective Covenants of THE MOORINGS of record in Book 1535, page 052, et seq, both of the Craven County Registry shall apply to the lots shown on the map of THE MOORINGS, SECTION TWO, as shown in Plat Cabinet G, Slides 29 D & E, Craven County Registry.

2. Article 1 L of the Declaration of Protective Covenants is amended to reflect the revised map of THE MOORINGS, SECTION ONE, as shown in Plat Cabinet G, Slides 16 F & G, Craven County Registry.

IN TESTIMONY WHEREOF, Duncan Harrison, the DEVELOPER, has caused this instrument to be executed and the undersigned Owner has put his hand and seal as of the day and year first above written.

Duncan Harrison 5/15/97 (SEAL)
DUNCAN HARRISON

STATE OF NORTH CAROLINA
COUNTY OF Currit

I, a Notary Public of the county and state aforesaid, certify that DUNCAN HARRISON, Developer, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 15th day of May, 1997.

Julia L. Eshen
Notary Public



My commission expires: 9/28/99

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

The foregoing certificate of Julia S. Estew is certified to be correct. This instrument was presented for registration and recorded in this office in Book 1387, page 533.

This 15 day of May, 1997 at 5:00 o'clock p.m.

Bochy Thompson
Register of Deeds
By Alia Sue Deptz

bx 1567 pg 536

EXHIBIT A

In Township Number Five, Craven County, North Carolina, being all of Lots 39 through 42, inclusive, as shown on that map of record in Plat Cabinet G, Slides 29 D & E, Craven County Registry.

PREPARED BY:
BENNETT, BESWICK, McCONKEY & MARQUARDT, L.L.P.
1007 SHEPARD STREET
MOREHEAD CITY, NC 28557

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

THIRD AMENDMENT TO
DECLARATION OF PROTECTIVE
COVENANTS OF THE MOORINGS

THIS THIRD AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS OF THE MOORINGS made and entered into this the 3rd day of July, 1997, by Duncan Harrison (hereinafter referred to as "DEVELOPER").

WITNESSETH THAT:

WHEREAS, DEVELOPER has previously recorded a Declaration of Protective Covenants of THE MOORINGS in Book 1522, Page 430, et seq, and an Amendment to Declaration of Protective Covenants of THE MOORINGS in Book 1535, Page 052, et seq, and an Amendment to the Declaration of Protective Covenants of THE MOORINGS in Book 1567, Page 533, et seq, all of the Craven County Registry; and

WHEREAS, said Covenants contemplate and provide for making additional properties subject thereto, by Amendment, to the end that all of THE MOORINGS shall be developed in a uniform manner to the benefit of all present and future owners; and

WHEREAS, to this end, Developer now desires to subject additional property to the said Declaration of Protective Covenants pursuant to Article 9 Section H of said Declaration.

The Declaration of Protective Covenants of THE MOORINGS of record in Book 1522, page 430, et seq, and all Amendments thereto of record in the Craven County Registry shall apply to Lots 20 through 27 inclusive and Lots 43 and 44 as shown on the map of THE MOORINGS, SECTION THREE, as shown in Plat Cabinet G, Slides 31 F & G, Craven County Registry.

PREPARED BY:
BENNETT, BESWICK, McCONKEY & MARQUARDT, L.L.P.
1007 SHEPARD STREET
MOREHEAD CITY, NC 28557

STATE OF NORTH CAROLINA
COUNTY OF CRAVEN

FOURTH AMENDMENT TO
DECLARATION OF PROTECTIVE
COVENANTS OF THE MOORINGS

THIS FOURTH AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS OF THE MOORINGS made and entered into this the 30th day of October, 1997, by Duncan Harrison (hereinafter referred to as "DEVELOPER").

WITNESSETH THAT:

WHEREAS, DEVELOPER has previously recorded a Declaration of Protective Covenants of THE MOORINGS in Book 1522, Page 430, et seq, and an Amendment to Declaration of Protective Covenants of THE MOORINGS in Book 1535, Page 052, et seq, and an Amendment to the Declaration of Protective Covenants of THE MOORINGS in Book 1567, Page 533, et seq, and an Amendment to the Declaration of Protective Covenants of THE MOORINGS in Book 1576, Page 071, et seq, all of the Craven County Registry; and

WHEREAS, said Covenants contemplate and provide for making additional properties subject thereto, by Amendment, to the end that all of THE MOORINGS shall be developed in a uniform manner to the benefit of all present and future owners; and

WHEREAS, to this end, Developer now desires to subject additional property to the said Declaration of Protective Covenants pursuant to Article 9 Section H of said Declaration.

The Declaration of Protective Covenants of THE MOORINGS of record in Book 1522, page 430, et seq, and all Amendments thereto of record in the Craven County Registry shall apply to Lots 18, 19 & 31 through 38 inclusive as shown on the map of THE MOORINGS, SECTION FOUR, as shown in Plat Cabinet G, Slides 41 C&D, Craven County Registry; except the square footage provided for in Article 3B of the original Declaration is amended to be 1500 square feet for a one story house and 1700 square feet for any house in excess of one story.

The amended square footage for homes in SECTION FOUR, THE MOORINGS, shall also be applicable to SECTIONS TWO and THREE, THE MOORINGS, as hereinbefore platted and recorded in the Craven County Registry.

BBMM FILE #42518.JLE

PREPARED BY:
BENNETT, BESWICK, McCONKEY & MARQUARDT, L.L.P.
1007 SHEPARD STREET
MOREHEAD CITY, NC 28557

STATE OF NORTH CAROLINA
COUNTY OF CRAVEN

FOURTH AMENDMENT TO
DECLARATION OF PROTECTIVE
COVENANTS OF THE MOORINGS

THIS FOURTH AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS OF THE MOORINGS made and entered into this the 30th day of October, 1997, by Duncan Harrison (hereinafter referred to as "DEVELOPER").

WITNESSETH THAT:

WHEREAS, DEVELOPER has previously recorded a Declaration of Protective Covenants of THE MOORINGS in Book 1522, Page 430, et seq, and an Amendment to Declaration of Protective Covenants of THE MOORINGS in Book 1535, Page 052, et seq, and an Amendment to the Declaration of Protective Covenants of THE MOORINGS in Book 1567, Page 533, et seq, and an Amendment to the Declaration of Protective Covenants of THE MOORINGS in Book 1576, Page 071, et seq, all of the Craven County Registry; and

WHEREAS, said Covenants contemplate and provide for making additional properties subject thereto, by Amendment, to the end that all of THE MOORINGS shall be developed in a uniform manner to the benefit of all present and future owners; and

WHEREAS, to this end, Developer now desires to subject additional property to the said Declaration of Protective Covenants pursuant to Article 9 Section H of said Declaration.

The Declaration of Protective Covenants of THE MOORINGS of record in Book 1522, page 430, et seq, and all Amendments thereto of record in the Craven County Registry shall apply to Lots 18, 19 & 31 through 38 inclusive as shown on the map of THE MOORINGS, SECTION FOUR, as shown in Plat Cabinet G, Slides 41 C&D, Craven County Registry; except the square footage provided for in Article 3B of the original Declaration is amended to be 1500 square feet for a one story house and 1700 square feet for any house in excess of one story.

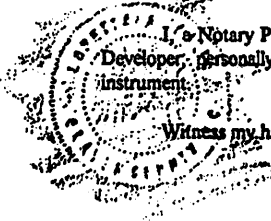
The amended square footage for homes in SECTION FOUR, THE MOORINGS, shall also be applicable to SECTIONS TWO and THREE, THE MOORINGS, as hereinbefore platted and recorded in the Craven County Registry.

IN TESTIMONY WHEREOF, Duncan Harrison, the DEVELOPER, has caused this instrument to be executed and the undersigned Owner has put his hand and seal as of the day and year first above written.

Duncan Harrison (SEAL)
DUNCAN HARRISON

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN



I, a Notary Public of the county and state aforesaid, certify that DUNCAN HARRISON, Developer, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 30TH day of ~~September~~ ^{OCTOBER}, 1997

[Signature]
Notary Public

My commission expires: 11/19/2000

STATE OF NORTH CAROLINA

COUNTY OF CRAVEN

The foregoing certificate of Saretta G. Palko is certified to be correct. This instrument was presented for registration and recorded in this office in Book 1595 page 462.

This 31 day of Oct., 1997 at 4:00 o'clock P.m.

Becky Thompson
Register of Deeds

By: Maria M. Williams Deputy

RETURN TO:
STRICKLIN LAW FIRM, P.A.
448 WESTBROOKE SHOPPING CENTER
HAVELOCK, NC 28532

Craven NC - Document Stamp
Becky Thompson, Register of Deeds
Date 01/07/2002 Time 13:49:31 1 of 4 Pgs
No: 2002-00037211

Book **1879** Page **633**

Fee Amt : 23.00
Excise Tax: .00

STATE OF NORTH CAROLINA
COUNTY OF CRAVEN

FIFTH AMENDMENT TO
DECLARATION OF PROTECTIVE
COVENANTS OF
THE MOORINGS

THIS AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS, made
and entered into this the 27th day of December, 2001.

W I T N E S S E T H T H A T :

WHEREAS, the undersigned are the owners of the majority of
the lots in Sections One through Four in THE MOORINGS SUBDIVISION
located in Craven, County, North Carolina, which is more
particularly shown and described on that map recorded in Plat
Cabinet G, Slides 9 D & E, Craven County Registry, plat Cabinet
G, Slides 16 F and G, Craven County Registry, plat Cabinet G,
Slides 29 D & G, Craven County Registry, plat Cabinet G, Slides
31 F & G, Craven County Registry, plat Cabinet G, Slides 41 C &
D, Craven County Registry; and

WHEREAS, to insure the use of said property for attractive
residential purposes only, to prevent the impairment of the
attractiveness of the property, to maintain the desired tone of
the community, and thereby to secure to each lot owner the full
benefit and enjoyment of each lot owner's home with no greater
restriction upon the free and undisturbed use of each lot than is
necessary to insure the same advantages to the other lot owners
caused to be recorded that Declaration of Protective Covenants of
THE MOORINGS IN Book 1522, pages 430-450, Craven County Registry;
and

WHEREAS, said Covenants contemplate and provide for making
amendments thereto upon the vote of a majority of the lot owners;
and

WHEREAS, a majority of the lot owners have voted to amend
the covenants, a memorandum of said vote being marked as Exhibit
"A" attached hereto and incorporated herein by reference.

Book F
Doc No: 9998-0183418

Date 01/07/2002 Time 13:49:31 3 of 4 Pgs
No: 2002-00037211

EXHIBIT "A"

Book 1879 Page 635

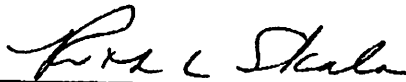
MEMORANDUM OF VOTE
THE MOORINGS PROPERTY OWNERS' ASSOCIATION, INC.

This Memorandum of Vote is made this 31 day of December, 2001.

On September 2, 2001, at a regularly called meeting of THE MOORINGS PROPERTY OWNERS' ASSOCIATION, INC. a motion was made to amend the protective covenants for The Moorings subdivision to allow the placing of "for sale" signs on vacant lots located within The Moorings subdivision. The motion passed with 27 votes in favor of the motion which represents a majority of the lot owners in the subdivision. A record of said vote has been placed with the corporate minutes of the referenced meeting.

THE MOORINGS PROPERTY OWNERS' ASSOCIATION, INC.

By:



Secretary

NORTH CAROLINA

CRAVEN COUNTY

SIXTH AMENDMENT TO DECLARATION
OF PROTECTIVE COVENANTS OF THE MOORINGS

THIS SIXTH AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS OF THE MOORINGS, is made and entered into this the 5th day of October, 2007, by THE MOORINGS PROPERTY OWNERS' ASSOCIATION, INC., a North Carolina nonprofit corporation, hereinafter "Association"

WITNESSETH:

WHEREAS, Philip Odom and wife, Debra A. Odom (hereinafter "Odom"), are the owners of that certain real property shown as Lot 50 on that plat recorded in Plat Cabinet G, Slide 58 G & H of The Moorings, Section Five" in the Craven County Registry; and

WHEREAS, said Lot 50 is subject to certain Declaration of Protective Covenants recorded in Book 1522, Page 430 as amended in Book 1535, Page 52, Book 1567, Page 533, Book 1576, Page 71, Book 1595, Page 462, Book 1614, Page 59 and Book 1879, Page 633, in the Craven County Registry (hereinafter "Declaration"); and

WHEREAS, Odom has requested the Association and all other owners of lots within The Moorings Subdivision, which are subject to the Declaration, to release a portion of said Lot 50 from the Declaration, said portion of Lot 50 is more particularly described on the attached Exhibit A; and

✓ Henderson, Baxter, Taylor & Gatchel, P.A.
Attorneys at Law
Post Office Drawer U
New Bern, North Carolina 28563

24198 & 31389

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WHEREAS, it is Odom's intent that said portion of Lot 50 be used as an entrance way to other property owned by Odom, said property being described in Deed Book 2402, Page 2, Craven County Registry; and

WHEREAS, pursuant to Article 14 of the Declaration entitled "Duration, Amendment and Termination", a vote of not less than a majority of the Owners is required to amend the Declaration; and

WHEREAS, a majority of the lot owners have voted to amend the Declaration, a memorandum of said vote being marked as Exhibit B attached hereto and incorporated herein by reference; and

WHEREAS, the portion of Lot 50 as described in Exhibit A shall neither be subject to, nor benefited, by the Declaration recorded in Book 1522, Page 430 as amended in Book 1535, Page 52, Book 1567, Page 533, Book 1576, Page 71, Book 1595, Page 462, Book 1614, Page 59, and Book 1879, Page 633, in the Craven County Registry. Said portion of Lot 50 shall be released from any obligation to be a member of or obligated to pay any dues or assessments to the Association, which relate to such portion of Lot 50; and

WHEREAS, the remaining portion of Lot 50 owned by Odom shall not be released from the Declaration.

NOW, THEREFORE, the undersigned pursuant to Article 14 of the Declaration, amends the Declaration such that the portion of Lot 50 as described on the attached Exhibit A shall not be subject to, nor benefited by, the Declaration whatsoever and that said portion of Lot 50 is hereby released from any obligation to be a member of or obligated to pay any dues or assessments to the Association, which relate to such portion of Lot 50.

Furthermore, the remaining portion of Lot 50 owned by Odom shall not be released from Declaration.

IN WITNESS WHEREOF, the Association have caused this Sixth Amendment to Declaration of Protective Covenants of the Moorings to be executed in its corporate name by their duly authorized officer as of the day and year first above written.

THE MOORINGS PROPERTY OWNERS'
ASSOCIATION, INC.

By: 
KENNETH A. TYMINSKI, President



Image ID: 000001316763 Type: CRP
Page 2 of 5

BK 2654 PG 314



NORTH CAROLINA

Craven COUNTY

I, Brian Z. Taylor, a Notary Public, do hereby certify that KENNETH J. TYMINISKI personally came before me this day and acknowledged that he/she is President of THE MOORINGS PROPERTY OWNERS' ASSOCIATION, INC., a North Carolina nonprofit corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by him/her as its President.

Witness my hand and notarial seal, this the 5th day of October, 2007.



NOTARY PUBLIC

My Commission Expires: 11-19-2011

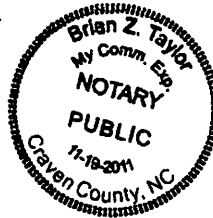




EXHIBIT A

Being all of that certain tract or parcel of land lying and being in Number Five (5) Township, Craven County, North Carolina, and more particularly described as follows:

Beginning at the southernmost corner of Lot 50 as shown on that map entitled, " Final Plan of The Moorings, Section Five" as recorded in Plat Cabinet G, Slides 58 G & H, Craven County Registry; thence with the western line of said Lot 50, North 20° 33' 00" West 161.11 feet to a set iron pipe; thence leaving said western line of Lot 50, North 85° 12' 10" East 41.81 feet to a set iron pipe located in the western right of way line of Anchorage Drive (NCSR 1864); thence with the western right of way line of Anchorage Drive, being a curve to the left, having a radius of 270.00 feet, an arc length of 38.09 feet, a delta angle of 08° 04' 55" and a chord bearing and distance of South 02° 27' 32" East 38.05 feet to a set iron pipe; thence continuing with the western right of way line of Anchorage Drive, South 06° 30' 00" East 117.09 feet to the POINT OF BEGINNING.



EXHIBIT B
Memorandum of Vote
The Moorings Property Owners' Association, Inc.

THIS MEMORANDUM OF VOTE is made this 5th day of OCTOBER, 2007.

Upon request by Philip Odom and wife, Debra A. Odom, to THE MOORINGS PROPERTY OWNERS' ASSOCIATION, INC., to amend the protective covenants for the Moorings Subdivision to allow the release of a portion of Lot 50 from the Declaration and upon motion and vote, the motion was passed by twenty-four (24) votes in favor of the motion which represents a majority of the lot owners in the Subdivision. A record of said vote has been placed with the corporate minutes of the referenced meeting.

THE MOORINGS PROPERTY OWNERS'
ASSOCIATION, INC.

By:


Kenneth Tyminski, President