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2015 MAR 10 01:41:17 PM
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INSTRUMENT # 2015006293

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STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

AMENDMENT TO DECLARATIONS OF RESTRICTIONS
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PINEHURST AT THE CAPE
SANCTUARY AT THE CAPE
COLONY GREEN GARDEN HOMES AT THE CAPE
BECKER WOODS AT THE CAPE
NAUTICAL GREENS AT THE CAPE

THIS AMENDMENT TO DECLARATIONS OF RESTRICTIONS, dated this 6th of March, 2015 by The Cape Homeowners Association (hereinafter the "Association"), a North Carolina nonprofit corporation formed pursuant to Chapter 55A of the North Carolina General Statutes

WITNESSETH

WHEREAS, At a special meeting of The Cape Homeowners Association, duly noticed and held on August 16, 2014, eligible voters within The Cape amended the declarations of restrictions for various sections and developments within The Cape as referenced in the above caption; and

WHEREAS, for each above referenced section or development within The Cape, more specific information is provided herein below regarding the amendment process, and the specific sections or paragraphs amended for each declaration of restrictions,

* Morgan & Carter

THE CAPE, CHANDLERS PLACE, SECTION 1

WHEREAS, the Declaration of Restrictions The Cape, Chandlers Place, Section 1 is recorded in Book 1223 at Page 1510 of the New Hanover County Registry, amended by that Amendment to Restrictions The Cape, Chandlers Place, Section 1 recorded in Book 1229 at Page 192 of the New Hanover County Registry, amended by that Amendment to Restrictions The Cape, Chandlers Place, Section 1 recorded in Book 1234 at Page 1999 of the New Hanover County Registry, amended by that Amendment to Restrictions The Cape, Chandlers Place, Section 1 recorded in Book 1244 at Page 383 of the New Hanover County Registry, amended by that Amendment to Restrictions The Cape, Chandlers Place, Section 1 recorded in Book 1284 at Page 805 of the New Hanover County Registry, amended by that amendment recorded in Book 2374 at Page 249 of the New Hanover County Registry, and amended by that Amendment to Restrictions The Cape, Chandlers Place, Section 1 recorded in Book 2379 at Page 256 of the New Hanover County Registry

WHEREAS, the TWENTY-FOURTH PARAGRAPH of said declaration provides

TWENTY-FOURTH At any time prior to April 15, 1985, these restrictions may be amended by the Developer at its discretion, but not to impair the property value of the owners Thereafter, these restrictions may be amended by vote of the owner of two-thirds (2/3's) of the lots in The Cape, Chandlers Place, all sections.

WHEREAS, there are 34 lots/members in The Cape, Chandlers Place, all sections of which 25 members were eligible voters on August 16, 2014 At a special meeting of The Cape Homeowners Association, duly noticed and held on August 16, 2014, 24 eligible voters of The Cape, Chandlers Place, all sections were present either in person or by proxy The board determined that a quorum of 2/3rds of the eligible voters of The Cape, Chandlers Place, all sections was present At said meeting, the five proposed amendments were submitted to the eligible voters for consideration Ballot #1 was not approved by 2/3rds of the eligible voters of The Cape, Chandlers Place, all sections Ballots #2, #3, #4, and #5 were approved by more than 2/3rds of the eligible voters of The Cape, Chandlers Place, all sections. The specific vote for each Ballot was as follows

Ballot #1 (Home Sites)	Failed	16 YES	8 NO
Ballot #2 (Yard Sales)	Passed	23 YES	1 NO
Ballot #3 (Fences)	Passed	23 YES	1 NO
Ballot #4 (Signage)	Passed	23 YES	1 NO
Ballot #5 (Antennas)	Passed	23 YES	1 NO

WHEREAS, based upon the approval by more than 2/3rds of the eligible voters of The Cape, Chandlers Place, all sections of Ballots #2, #3, #4, and #5, the following amendments to the declaration were approved

NOW THEREFORE, the SECOND PARAGRAPH of said declaration as amended is hereby amended by deleting the first subparagraph (6) of said SECOND PARAGRAPH (Book 1229 at Page 192) in its entirety and replacing the same with the following new subparagraph (6)

(6) No individual yard sale or garage sales shall ever be allowed on any lot in said subdivision EXCEPT that the first Saturday in May shall be designated as "The Cape Community Yard/Garage Sale Day" Rules and regulations relating to this activity shall be published annually by the CHOA Board of Directors

The SECOND PARAGRAPH of said declaration as amended is hereby amended by deleting *additional* subparagraph (6) of said SECOND PARAGRAPH (Book 1284 at Page 805) in its entirety and replacing the same with the following new additional subparagraph (6)

(6) No satellite dish in excess of twenty-four (24) inches in diameter shall be permitted on any residential lot in the subdivision

The EIGHTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new EIGHTH PARAGRAPH

EIGHTH No advertising signs or billboard shall be erected on any lot or displayed to the public on any lot subject to these Restrictions, except that one (1) sign of not more than five (5) square feet in area may be used to advertise a lot or complete dwelling for sale. On lots with golf course exposure in the rear, two signs may be used, one in the front of the lot and one in the rear. This covenant shall apply to any contractor for an item of work performed on a particular lot

The TENTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new TENTH PARAGRAPH

TENTH No fence, wall or other structure in excess of five (5) feet in height shall be erected or permitted on any lot. No fence, wall or hedge or any portion of a fence shall be erected closer to the front of any lot than the rear corner of the dwelling constructed on the lot. All fences shall be of wood, vinyl or wrought iron and no wire or chain link fences shall be permitted. Vinyl railings and/or security panels may be used on decks and porches, or to hide external propane tanks, refuse containers or air conditioning units

THE CAPE, SECTION 1-A

WHEREAS, the Declaration of Restrictions The Cape, Section 1-A is recorded in Book 1234 at Page 1978 of the New Hanover County Registry, amended by that Amendment to Restrictions The Cape, Section 1-A recorded in Book 1284 at Page 807 of the New Hanover County Registry, amended by that amendment recorded in Book 2374 at Page 249 of the New Hanover County Registry, and amended by that Amendment to Restrictions The Cape, Section 1-A recorded in Book 2379 at Page 258 of the New Hanover County Registry

WHEREAS, The TWENTY-FIFTH PARAGRAPH of said declaration provides

TWENTY-FIFTH At any time prior to December 31, 1985, these restrictions may be amended by the Developer at its discretion, but not to impair the property value of the owners Thereafter, these restrictions may be amended by vote of the owner of two-thirds (2/3's) of the lots in The Cape, all sections and phases

WHEREAS, there are 615 lots/members in The Cape of which 543 members were eligible voters on August 16, 2014 At a special meeting of The Cape Homeowners Association, duly noticed and held on August 16, 2014, 396 eligible voters of The Cape were present either in person or by proxy The board determined that a quorum of 2/3rds of the eligible voters of The Cape was present At said meeting, the five proposed amendments were submitted to the eligible voters for consideration Ballot #1 was not approved by 2/3rds of the eligible voters of The Cape Ballots #2, #3, #4, and #5 were approved by more than 2/3rds of the eligible voters of The Cape. The specific vote for each Ballot was as follows

Ballot #1 (Home Sites)	Failed	338 YES	54 NO
Ballot #2 (Yard Sales)	Passed	363 YES	28 NO
Ballot #3 (Fences)	Passed	378 YES	10 NO
Ballot #4 (Signage)	Passed	371 YES	17 NO
Ballot #5 (Antennas)	Passed	380 YES	10 NO

WHEREAS, based upon the approval by more than 2/3rds of the eligible voters of The Cape of Ballots #2, #3, #4, and #5, the following amendments to the declaration were approved

NOW THEREFORE, the SECOND PARAGRAPH of said declaration as amended is hereby amended by deleting subparagraph (6) of said SECOND PARAGRAPH in its entirety and replacing the same with the following new subparagraph (6)

(6) No individual yard sale or garage sales shall ever be allowed on any lot in said subdivision EXCEPT that the first Saturday in May shall be designated as "The Cape Community Yard/Garage Sale Day" Rules and regulations relating to this activity shall be published annually by the CHOA Board of Directors

The SECOND PARAGRAPH of said declaration as amended is hereby amended by deleting subparagraph (7) of said SECOND PARAGRAPH in its entirety and replacing the same with the following new subparagraph (7)

(7) No satellite dish in excess of twenty-four (24) inches in diameter shall be permitted on any residential lot in the subdivision

The EIGHTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new EIGHTH PARAGRAPH

EIGHTH. No advertising signs or billboard shall be erected on any lot or displayed to the public on any lot subject to these Restrictions, except that one (1) sign of not more than five (5) square feet in area may be used to advertise a lot or complete dwelling for sale. On lots with golf course exposure in the rear, two signs may be used, one in the front of the lot and one in the rear. This covenant shall apply to any contractor for an item of work performed on a particular lot

The TENTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new TENTH PARAGRAPH

TENTH. No fence, wall or other structure in excess of five (5) feet in height shall be erected or permitted on any lot. No fence, wall or hedge or any portion of a fence shall be erected closer to the front of any lot than the rear corner of the dwelling constructed on the lot. All fences shall be of wood, vinyl or wrought iron and no wire or chain link fences shall be permitted. Vinyl railings and/or security panels may be used on decks and porches, or to hide external propane tanks, refuse containers or air conditioning units.

THE CAPE, SECTION 2-A

WHEREAS, the Declaration of Restrictions The Cape, Section 2-A is recorded in Book 1234 at Page 1986 of the New Hanover County Registry, amended by that Amendment to Restrictions The Cape, Section 2-A recorded in Book 1284 at Page 809 of the New Hanover County Registry, amended by that amendment recorded in Book 2374 at Page 249 of the New Hanover County Registry, and amended by that Amendment to Restrictions The Cape, Section 2-A recorded in Book 2379 at Page 260 of the New Hanover County Registry

WHEREAS, the TWENTY-FIFTH PARAGRAPH of said declaration provides.

TWENTY-FIFTH At any time prior to December 31, 1985, these restrictions may be amended by the Developer at its discretion, but not to impair the property value of the owners Thereafter, these restrictions may be amended by vote of the owners of two-thirds (2/3's) of the lots in The Cape, all sections and phases

WHEREAS, there are 615 lots/members in The Cape of which 543 members were eligible voters on August 16, 2014 At a special meeting of The Cape Homeowners Association, duly noticed and held on August 16, 2014, 396 eligible voters of The Cape were present either in person or by proxy. The board determined that a quorum of 2/3rds of the eligible voters of The Cape was present At said meeting, the five proposed amendments were submitted to the eligible voters for consideration. Ballot #1 was not approved by 2/3rds of the eligible voters of The Cape Ballots #2, #3, #4, and #5 were approved by more than 2/3rds of the eligible voters of The Cape The specific vote for each Ballot was as follows

Ballot #1 (Home Sites)	Failed	338 YES	54 NO
Ballot #2 (Yard Sales)	Passed	363 YES	28 NO
Ballot #3 (Fences)	Passed	378 YES	10 NO
Ballot #4 (Signage)	Passed	371 YES	17 NO
Ballot #5 (Antennas)	Passed	380 YES	10 NO

WHEREAS, based upon the approval by more than 2/3rds of the eligible voters of The Cape of Ballots #2, #3, #4, and #5, the following amendments to the declaration were approved

NOW THEREFORE, the SECOND PARAGRAPH of said declaration as amended is hereby amended by deleting subparagraph (6) of said SECOND PARAGRAPH in its entirety and replacing the same with the following new subparagraph (6)

(6) No individual yard sale or garage sales shall ever be allowed on any lot in said subdivision EXCEPT that the first Saturday in May shall be designated as "The Cape Community Yard/Garage Sale Day" Rules and regulations relating to this activity shall be published annually by the CHOA Board of Directors

The SECOND PARAGRAPH of said declaration as amended is hereby amended by deleting subparagraph (7) of said SECOND PARAGRAPH in its entirety and replacing the same with the following new subparagraph (7)

(7) No satellite dish in excess of twenty-four (24) inches in diameter shall be permitted on any residential lot in the subdivision

The EIGHTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new EIGHTH PARAGRAPH

EIGHTH No advertising signs or billboard shall be erected on any lot or displayed to the public on any lot subject to these Restrictions, except that one (1) sign of not more than five (5) square feet in area may be used to advertise a lot or complete dwelling for sale. On lots with golf course exposure in the rear, two signs may be used, one in the front of the lot and one in the rear. This covenant shall apply to any contractor for an item of work performed on a particular lot

The TENTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new TENTH PARAGRAPH

TENTH No fence, wall or other structure in excess of five (5) feet in height shall be erected or permitted on any lot. No fence, wall or hedge or any portion of a fence shall be erected closer to the front of any lot than the rear corner of the dwelling constructed on the lot. All fences shall be of wood, vinyl or wrought iron and no wire or chain link fences shall be permitted. Vinyl railings and/or security panels may be used on decks and porches, or to hide external propane tanks, refuse containers or air conditioning units

THE CAPE, SECTION 2-B

WHEREAS, the Declaration of Restrictions The Cape, Section 2-B is recorded in Book 1244 at Page 1207 of the New Hanover County Registry, amended by that Amendment to Restrictions The Cape, Section 2-B recorded in Book 1284 at Page 811 of the New Hanover County Registry, amended by that amendment recorded in Book 2374 at Page 249 of the New Hanover County Registry, and amended by that Amendment to Restrictions The Cape, Section 2-B recorded in Book 2379 at Page 262 of the New Hanover County Registry

WHEREAS, the TWENTY-FIFTH PARAGRAPH of said declaration provides

TWENTY-FIFTH At any time prior to December 31, 1985, these restrictions may be amended by the Developer at its discretion, but not to impair the property value of the owners. Thereafter, these restrictions may be amended by vote of the owners of two-thirds (2/3's) of the lots in The Cape, all sections and phases

WHEREAS, there are 615 lots/members in The Cape of which 543 members were eligible voters on August 16, 2014. At a special meeting of The Cape Homeowners Association, duly noticed and held on August 16, 2014, 396 eligible voters of The Cape were present either in person or by proxy. The board determined that a quorum of 2/3rds of the eligible voters of The Cape was present. At said meeting, the five proposed amendments were submitted to the eligible voters for consideration. Ballot #1 was not approved by 2/3rds of the eligible voters of The Cape. Ballots #2, #3, #4, and #5 were approved by more than 2/3rds of the eligible voters of The Cape. The specific vote for each Ballot was as follows:

Ballot #1 (Home Sites)	Failed	338 YES	54 NO
Ballot #2 (Yard Sales)	Passed	363 YES	28 NO
Ballot #3 (Fences)	Passed	378 YES	10 NO
Ballot #4 (Signage)	Passed	371 YES	17 NO
Ballot #5 (Antennas)	Passed	380 YES	10 NO

WHEREAS, based upon the approval by more than 2/3rds of the eligible voters of The Cape of Ballots #2, #3, #4, and #5, the following amendments to the declaration were approved.

NOW THEREFORE, the SECOND PARAGRAPH of said declaration as amended is hereby amended by deleting subparagraph (6) of said SECOND PARAGRAPH in its entirety and replacing the same with the following new subparagraph (6)

(6) No individual yard sale or garage sales shall ever be allowed on any lot in said subdivision EXCEPT that the first Saturday in May shall be designated as "The Cape Community Yard/Garage Sale Day". Rules and regulations relating to this activity shall be published annually by the CHOA Board of Directors.

The SECOND PARAGRAPH of said declaration as amended is hereby amended by deleting subparagraph (7) of said SECOND PARAGRAPH in its entirety and replacing the same with the following new subparagraph (7)

(7) No satellite dish in excess of twenty-four (24) inches in diameter shall be permitted on any residential lot in the subdivision

The EIGHTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new EIGHTH PARAGRAPH.

EIGHTH No advertising signs or billboard shall be erected on any lot or displayed to the public on any lot subject to these Restrictions, except that one (1) sign of not more than five (5) square feet in area may be used to advertise a lot or complete dwelling for sale. On lots with golf course exposure in the rear, two signs may be used, one in the front of the lot and one in the rear. This covenant shall apply to any contractor for an item of work performed on a particular lot

The TENTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new TENTH PARAGRAPH

TENTH. No fence, wall or other structure in excess of five (5) feet in height shall be erected or permitted on any lot. No fence, wall or hedge or any portion of a fence shall be erected closer to the front of any lot than the rear corner of the dwelling constructed on the lot. All fences shall be of wood, vinyl or wrought iron and no wire or chain link fences shall be permitted. Vinyl railings and/or security panels may be used on decks and porches, or to hide external propane tanks, refuse containers or air conditioning units

THE CAPE, SECTION 3-A

WHEREAS, the Declaration of Restrictions The Cape, Section 3-A is recorded in Book 1244 at Page 1215 of the New Hanover County Registry, amended by that Amendment to Restrictions The Cape, Section 3-A recorded in Book 1284 at Page 813 of the New Hanover County Registry, amended by that amendment recorded in Book 2374 at Page 249 of the New Hanover County Registry, and amended by that Amendment to Restrictions The Cape, Section 3-A recorded in Book 2379 at Page 264 of the New Hanover County Registry

WHEREAS, the TWENTY-FIFTH PARAGRAPH of said declaration provides

TWENTY-FIFTH At any time prior to December 31, 1985, these restrictions may be amended by the Developer at its discretion, but not to impair the property value of the owners. Thereafter, these restrictions may be amended by vote of the owners of two-thirds (2/3's) of the lots in The Cape, all sections and phases

WHEREAS, there are 615 lots/members in The Cape of which 543 members were eligible voters on August 16, 2014. At a special meeting of The Cape Homeowners Association, duly noticed and held on August 16, 2014, 396 eligible voters of The Cape were present either in person or by proxy. The board determined that a quorum of 2/3rds of the eligible voters of The Cape was present. At said meeting, the five proposed amendments were submitted to the eligible voters for consideration. Ballot #1 was not approved by 2/3rds of the eligible voters of The Cape. Ballots #2, #3, #4, and #5 were approved by more than 2/3rds of the eligible voters of The Cape. The specific vote for each Ballot was as follows:

Ballot #1 (Home Sites)	Failed	338 YES	54 NO
Ballot #2 (Yard Sales)	Passed	363 YES	28 NO
Ballot #3 (Fences)	Passed	378 YES	10 NO
Ballot #4 (Signage)	Passed	371 YES	17 NO
Ballot #5 (Antennas)	Passed	380 YES	10 NO

WHEREAS, based upon the approval by more than 2/3rds of the eligible voters of The Cape of Ballots #2, #3, #4, and #5, the following amendments to the declaration were approved:

NOW THEREFORE, the SECOND PARAGRAPH of said declaration as amended is hereby amended by deleting subparagraph (6) of said SECOND PARAGRAPH in its entirety and replacing the same with the following new subparagraph (6):

(6) No individual yard sale or garage sales shall ever be allowed on any lot in said subdivision EXCEPT that the first Saturday in May shall be designated as "The Cape Community Yard/Garage Sale Day". Rules and regulations relating to this activity shall be published annually by the CHOA Board of Directors.

The SECOND PARAGRAPH of said declaration as amended is hereby amended by deleting subparagraph (7) of said SECOND PARAGRAPH in its entirety and replacing the same with the following new subparagraph (7)

(7) No satellite dish in excess of twenty-four (24) inches in diameter shall be permitted on any residential lot in the subdivision

The EIGHTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new EIGHTH PARAGRAPH

EIGHTH No advertising signs or billboard shall be erected on any lot or displayed to the public on any lot subject to these Restrictions, except that one (1) sign of not more than five (5) square feet in area may be used to advertise a lot or complete dwelling for sale. On lots with golf course exposure in the rear, two signs may be used, one in the front of the lot and one in the rear. This covenant shall apply to any contractor for an item of work performed on a particular lot

The TENTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new TENTH PARAGRAPH

TENTH No fence, wall or other structure in excess of five (5) feet in height shall be erected or permitted on any lot. No fence, wall or hedge or any portion of a fence shall be erected closer to the front of any lot than the rear corner of the dwelling constructed on the lot. All fences shall be of wood, vinyl or wrought iron and no wire or chain link fences shall be permitted. Vinyl railings and/or security panels may be used on decks and porches, or to hide external propane tanks, refuse containers or air conditioning units.

THE CAPE, SECTION 4-A

WHEREAS, the Declaration of Restrictions The Cape, Section 4-A is recorded in Book 1244 at Page 740 of the New Hanover County Registry, amended by that Amendment to Restrictions The Cape, Section 4-A recorded in Book 1284 at Page 815 of the New Hanover County Registry, amended by that amendment recorded in Book 2374 at Page 249 of the New Hanover County Registry, and amended by that Amendment to Restrictions The Cape, Section 4-A recorded in Book 2379 at Page 266 of the New Hanover County Registry

WHEREAS, the TWENTY-FIFTH PARAGRAPH of said declaration provides

TWENTY-FIFTH At any time prior to December 31, 1985, these restrictions may be amended by the Developer at its discretion, but not to impair the property value of the owners. Thereafter, these restrictions may be amended by vote of the owners of two-thirds (2/3's) of the lots in The Cape, all sections and phases

WHEREAS, there are 615 lots/members in The Cape of which 543 members were eligible voters on August 16, 2014. At a special meeting of The Cape Homeowners Association, duly noticed and held on August 16, 2014, 396 eligible voters of The Cape were present either in person or by proxy. The board determined that a quorum of 2/3rds of the eligible voters of The Cape was present. At said meeting, the five proposed amendments were submitted to the eligible voters for consideration. Ballot #1 was not approved by 2/3rds of the eligible voters of The Cape. Ballots #2, #3, #4, and #5 were approved by more than 2/3rds of the eligible voters of The Cape. The specific vote for each Ballot was as follows

Ballot #1 (Home Sites)	Failed	338 YES	54 NO
Ballot #2 (Yard Sales)	Passed	363 YES	28 NO
Ballot #3 (Fences)	Passed	378 YES	10 NO
Ballot #4 (Signage)	Passed	371 YES	17 NO
Ballot #5 (Antennas)	Passed	380 YES	10 NO

WHEREAS, based upon the approval by more than 2/3rds of the eligible voters of The Cape of Ballots #2, #3, #4, and #5, the following amendments to the declaration were approved

NOW THEREFORE, the SECOND PARAGRAPH of said declaration as amended is hereby amended by deleting subparagraph (6) of said SECOND PARAGRAPH in its entirety and replacing the same with the following new subparagraph (6)

(6) No individual yard sale or garage sales shall ever be allowed on any lot in said subdivision EXCEPT that the first Saturday in May shall be designated as "The Cape Community Yard/Garage Sale Day" Rules and regulations relating to this activity shall be published annually by the CHOA Board of Directors.

The SECOND PARAGRAPH of said declaration as amended is hereby amended by deleting subparagraph (7) of said SECOND PARAGRAPH in its entirety and replacing the same with the following new subparagraph (7)

(7) No satellite dish in excess of twenty-four (24) inches in diameter shall be permitted on any residential lot in the subdivision

The EIGHTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new EIGHTH PARAGRAPH

EIGHTH No advertising signs or billboard shall be erected on any lot or displayed to the public on any lot subject to these Restrictions, except that one (1) sign of not more than five (5) square feet in area may be used to advertise a lot or complete dwelling for sale. On lots with golf course exposure in the rear, two signs may be used, one in the front of the lot and one in the rear. This covenant shall apply to any contractor for an item of work performed on a particular lot

The TENTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new TENTH PARAGRAPH

TENTH No fence, wall or other structure in excess of five (5) feet in height shall be erected or permitted on any lot. No fence, wall or hedge or any portion of a fence shall be erected closer to the front of any lot than the rear corner of the dwelling constructed on the lot. All fences shall be of wood, vinyl or wrought iron and no wire or chain link fences shall be permitted. Vinyl railings and/or security panels may be used on decks and porches, or to hide external propane tanks, refuse containers or air conditioning units

THE CAPE, SECTION 5

WHEREAS, the Declaration of Restrictions The Cape, Section 5 is recorded in Book 1271 at Page 1590 of the New Hanover County Registry, amended by that Amendment to Restrictions The Cape, Section 5 recorded in Book 1284 at Page 817 of the New Hanover County Registry, amended by that amendment recorded in Book 2374 at Page 249 of the New Hanover County Registry, and amended by that Amendment to Restrictions The Cape, Section 5 recorded in Book 2379 at Page 268 of the New Hanover County Registry

WHEREAS, the TWENTY-FIFTH PARAGRAPH of said declaration provides

TWENTY-FIFTH At any time prior to December 31, 1985, these restrictions may be amended by the Developer at its discretion, but not to impair the property value of the owners. Thereafter, these restrictions may be amended by vote of the owners of two-thirds (2/3's) of the lots in The Cape, all sections and phases

WHEREAS, there are 615 lots/members in The Cape of which 543 members were eligible voters on August 16, 2014. At a special meeting of The Cape Homeowners Association, duly noticed and held on August 16, 2014, 396 eligible voters of The Cape were present either in person or by proxy. The board determined that a quorum of 2/3rds of the eligible voters of The Cape was present. At said meeting, the five proposed amendments were submitted to the eligible voters for consideration. Ballot #1 was not approved by 2/3rds of the eligible voters of The Cape. Ballots #2, #3, #4, and #5 were approved by more than 2/3rds of the eligible voters of The Cape. The specific vote for each Ballot was as follows

Ballot #1 (Home Sites)	Failed	338 YES	54 NO
Ballot #2 (Yard Sales)	Passed	363 YES	28 NO
Ballot #3 (Fences)	Passed	378 YES	10 NO
Ballot #4 (Signage)	Passed	371 YES	17 NO
Ballot #5 (Antennas)	Passed	380 YES	10 NO

WHEREAS, based upon the approval by more than 2/3rds of the eligible voters of The Cape of Ballots #2, #3, #4, and #5, the following amendments to the declaration were approved

NOW THEREFORE, the SECOND PARAGRAPH of said declaration as amended is hereby amended by deleting subparagraph (6) of said SECOND PARAGRAPH in its entirety and replacing the same with the following new subparagraph (6)

(6) No individual yard sale or garage sales shall ever be allowed on any lot in said subdivision EXCEPT that the first Saturday in May shall be designated as "The Cape Community Yard/Garage Sale Day" Rules and regulations relating to this activity shall be published annually by the CHOA Board of Directors

The SECOND PARAGRAPH of said declaration as amended is hereby amended by deleting subparagraph (7) of said SECOND PARAGRAPH in its entirety and replacing the same with the following new subparagraph (7)

(7) No satellite dish in excess of twenty-four (24) inches in diameter shall be permitted on any residential lot in the subdivision

The EIGHTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new EIGHTH PARAGRAPH

EIGHTH No advertising signs or billboard shall be erected on any lot or displayed to the public on any lot subject to these Restrictions, except that one (1) sign of not more than five (5) square feet in area may be used to advertise a lot or complete dwelling for sale. On lots with golf course exposure in the rear, two signs may be used, one in the front of the lot and one in the rear. This covenant shall apply to any contractor for an item of work performed on a particular lot

The TENTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new TENTH PARAGRAPH

TENTH No fence, wall or other structure in excess of five (5) feet in height shall be erected or permitted on any lot. No fence, wall or hedge or any portion of a fence shall be erected closer to the front of any lot than the rear corner of the dwelling constructed on the lot. All fences shall be of wood, vinyl or wrought iron and no wire or chain link fences shall be permitted. Vinyl railings and/or security panels may be used on decks and porches, or to hide external propane tanks, refuse containers or air conditioning units.

THE CAPE, SECTION 6

WHEREAS, the Declaration of Restrictions The Cape, Section 6 is recorded in Book 1384 at Page 371 of the New Hanover County Registry, amended by that amendment recorded in Book 2374 at Page 249 of the New Hanover County Registry, and amended by that Amendment to Restrictions The Cape, Section 6 recorded in Book 2379 at Page 270 of the New Hanover County Registry

WHEREAS, the TWENTY-FIFTH PARAGRAPH of said declaration provides

TWENTY-FIFTH At any time prior to December 31, 1988, these restrictions may be amended by the Developer at its discretion, but not to impair the property value of the owners. Thereafter, these restrictions may be amended by vote of the owners of two-thirds (2/3's) of the lots in The Cape, all sections and phases

WHEREAS, there are 615 lots/members in The Cape of which 543 members were eligible voters on August 16, 2014. At a special meeting of The Cape Homeowners Association, duly noticed and held on August 16, 2014, 396 eligible voters of The Cape were present either in person or by proxy. The board determined that a quorum of 2/3rds of the eligible voters of The Cape was present. At said meeting, the five proposed amendments were submitted to the eligible voters for consideration. Ballot #1 was not approved by 2/3rds of the eligible voters of The Cape. Ballots #2, #3, #4, and #5 were approved by more than 2/3rds of the eligible voters of The Cape. The specific vote for each Ballot was as follows:

Ballot #1 (Home Sites)	Failed	338 YES	54 NO
Ballot #2 (Yard Sales)	Passed	363 YES	28 NO
Ballot #3 (Fences)	Passed	378 YES	10 NO
Ballot #4 (Signage)	Passed	371 YES	17 NO
Ballot #5 (Antennas)	Passed	380 YES	10 NO

WHEREAS, based upon the approval by more than 2/3rds of the eligible voters of The Cape of Ballots #2, #3, #4, and #5, the following amendments to the declaration were approved

NOW THEREFORE, the SECOND PARAGRAPH of said declaration as amended is hereby amended by deleting subparagraph (6) of said SECOND PARAGRAPH in its entirety and replacing the same with the following new subparagraph (6)

(6) No individual yard sale or garage sales shall ever be allowed on any lot in said subdivision EXCEPT that the first Saturday in May shall be designated as "The Cape Community Yard/Garage Sale Day" Rules and regulations relating to this activity shall be published annually by the CHOA Board of Directors

The SECOND PARAGRAPH of said declaration as amended is hereby amended by deleting subparagraph (7) of said SECOND PARAGRAPH in its entirety and replacing the same with the following new subparagraph (7)

(7) No satellite dish in excess of twenty-four (24) inches in diameter shall be permitted on any residential lot in the subdivision

The EIGHTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new EIGHTH PARAGRAPH

EIGHTH No advertising signs or billboard shall be erected on any lot or displayed to the public on any lot subject to these Restrictions, except that one (1) sign of not more than five (5) square feet in area may be used to advertise a lot or complete dwelling for sale On lots with golf course exposure in the rear, two signs may be used, one in the front of the lot and one in the rear This covenant shall apply to any contractor for an item of work performed on a particular lot

The TENTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new TENTH PARAGRAPH

TENTH No fence, wall or other structure in excess of five (5) feet in height shall be erected or permitted on any lot No fence, wall or hedge or any portion of a fence shall be erected closer to the front of any lot than the rear corner of the dwelling constructed on the lot All fences shall be of wood, vinyl or wrought iron and no wire or chain link fences shall be permitted. Vinyl railings and/or security panels may be used on decks and porches, or to hide external propane tanks, refuse containers or air conditioning units

THE CAPE, SECTION 7

WHEREAS, the Declaration of Restrictions The Cape, Section 7 is recorded in Book 1287 at Page 1780 of the New Hanover County Registry, amended by that amendment recorded in Book 2374 at Page 249 of the New Hanover County Registry, and amended by that Amendment to Restrictions The Cape, Section 7 recorded in Book 2379 at Page 272 of the New Hanover County Registry

WHEREAS, the TWENTY-FIFTH PARAGRAPH of said declaration provides

TWENTY-FIFTH At any time prior to December 31, 1987, these restrictions may be amended by the Developer at its discretion, but not to impair the property value of the owners. Thereafter, these restrictions may be amended by vote of the owners of two-thirds (2/3) of the lots in The Cape, all sections and phases

WHEREAS, there are 615 lots/members in The Cape of which 543 members were eligible voters on August 16, 2014. At a special meeting of The Cape Homeowners Association, duly noticed and held on August 16, 2014, 396 eligible voters of The Cape were present either in person or by proxy. The board determined that a quorum of 2/3rds of the eligible voters of The Cape was present. At said meeting, the five proposed amendments were submitted to the eligible voters for consideration. Ballot #1 was not approved by 2/3rds of the eligible voters of The Cape. Ballots #2, #3, #4, and #5 were approved by more than 2/3rds of the eligible voters of The Cape. The specific vote for each Ballot was as follows

Ballot #1 (Home Sites)	Failed	338 YES	54 NO
Ballot #2 (Yard Sales)	Passed	363 YES	28 NO
Ballot #3 (Fences)	Passed	378 YES	10 NO
Ballot #4 (Signage)	Passed	371 YES	17 NO
Ballot #5 (Antennas)	Passed	380 YES	10 NO

WHEREAS, based upon the approval by more than 2/3rds of the eligible voters of The Cape of Ballots #2, #3, #4, and #5, the following amendments to the declaration were approved

NOW THEREFORE, the SECOND PARAGRAPH of said declaration as amended is hereby amended by deleting subparagraph (7) of said SECOND PARAGRAPH in its entirety and replacing the same with the following new subparagraph (7)

(7) No individual yard sale or garage sales shall ever be allowed on any lot in said subdivision EXCEPT that the first Saturday in May shall be designated as "The Cape Community Yard/Garage Sale Day" Rules and regulations relating to this activity shall be published annually by the CHOA Board of Directors

The SECOND PARAGRAPH of said declaration as amended is hereby amended by deleting subparagraph (5) of said SECOND PARAGRAPH in its entirety and replacing the same with the following new subparagraph (5):

(5) No satellite dish in excess of twenty-four (24) inches in diameter shall be permitted on any residential lot in the subdivision

The EIGHTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new EIGHTH PARAGRAPH

EIGHTH No advertising signs or billboard shall be erected on any lot or displayed to the public on any lot subject to these Restrictions, except that one (1) sign of not more than five (5) square feet in area may be used to advertise a lot or complete dwelling for sale. On lots with golf course exposure in the rear, two signs may be used, one in the front of the lot and one in the rear. This covenant shall apply to any contractor for an item of work performed on a particular lot

The TENTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new TENTH PARAGRAPH:

TENTH No fence, wall or other structure in excess of five (5) feet in height shall be erected or permitted on any lot. No fence, wall or hedge or any portion of a fence shall be erected closer to the front of any lot than the rear corner of the dwelling constructed on the lot. All fences shall be of wood, vinyl or wrought iron and no wire or chain link fences shall be permitted. Vinyl railings and/or security panels may be used on decks and porches, or to hide external propane tanks, refuse containers or air conditioning units.

THE CAPE, SECTION 8

WHEREAS, the Declaration of Restrictions The Cape, Section 8 is recorded in Book 1304 at Page 1008 of the New Hanover County Registry, amended by that amendment recorded in Book 2374 at Page 249 of the New Hanover County Registry, and amended by that Amendment to Restrictions The Cape, Section 8 recorded in Book 2379 at Page 274 of the New Hanover County Registry

WHEREAS, the TWENTY-FIFTH PARAGRAPH of said declaration provides

TWENTY-FIFTH At any time prior to December 31, 1987, these restrictions may be amended by the Developer at its discretion, but not to impair the property value of the owners. Thereafter, these restrictions may be amended by vote of the owners of two-thirds (2/3) of the lots in The Cape, all sections and phases

WHEREAS, there are 615 lots/members in The Cape of which 543 members were eligible voters on August 16, 2014. At a special meeting of The Cape Homeowners Association, duly noticed and held on August 16, 2014, 396 eligible voters of The Cape were present either in person or by proxy. The board determined that a quorum of 2/3rds of the eligible voters of The Cape was present. At said meeting, the five proposed amendments were submitted to the eligible voters for consideration. Ballot #1 was not approved by 2/3rds of the eligible voters of The Cape. Ballots #2, #3, #4, and #5 were approved by more than 2/3rds of the eligible voters of The Cape. The specific vote for each Ballot was as follows

Ballot #1 (Home Sites)	Failed	338 YES	54 NO
Ballot #2 (Yard Sales)	Passed	363 YES	28 NO
Ballot #3 (Fences)	Passed	378 YES	10 NO
Ballot #4 (Signage)	Passed	371 YES	17 NO
Ballot #5 (Antennas)	Passed	380 YES	10 NO

WHEREAS, based upon the approval by more than 2/3rds of the eligible voters of The Cape of Ballots #2, #3, #4, and #5, the following amendments to the declaration were approved

NOW THEREFORE, the SECOND PARAGRAPH of said declaration as amended is hereby amended by deleting subparagraph (7) of said SECOND PARAGRAPH in its entirety and replacing the same with the following new subparagraph (7)

(7) No individual yard sale or garage sales shall ever be allowed on any lot in said subdivision EXCEPT that the first Saturday in May shall be designated as "The Cape Community Yard/Garage Sale Day" Rules and regulations relating to this activity shall be published annually by the CHOA Board of Directors

The SECOND PARAGRAPH of said declaration as amended is hereby amended by deleting subparagraph (5) of said SECOND PARAGRAPH in its entirety and replacing the same with the following new subparagraph (5)

(5) No satellite dish in excess of twenty-four (24) inches in diameter shall be permitted on any residential lot in the subdivision.

The EIGHTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new EIGHTH PARAGRAPH.

EIGHTH No advertising signs or billboard shall be erected on any lot or displayed to the public on any lot subject to these Restrictions, except that one (1) sign of not more than five (5) square feet in area may be used to advertise a lot or complete dwelling for sale. On lots with golf course exposure in the rear, two signs may be used, one in the front of the lot and one in the rear. This covenant shall apply to any contractor for an item of work performed on a particular lot.

The TENTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new TENTH PARAGRAPH

TENTH No fence, wall or other structure in excess of five (5) feet in height shall be erected or permitted on any lot. No fence, wall or hedge or any portion of a fence shall be erected closer to the front of any lot than the rear corner of the dwelling constructed on the lot. All fences shall be of wood, vinyl or wrought iron and no wire or chain link fences shall be permitted. Vinyl railings and/or security panels may be used on decks and porches, or to hide external propane tanks, refuse containers or air conditioning units.

FAIRWAYS AT THE CAPE

WHEREAS, the Declaration of Restrictions Fairways at the Cape is recorded in Book 1608 at Page 185 of the New Hanover County Registry, amended by that amendment recorded in Book 2374 at Page 249 of the New Hanover County Registry, and amended by that Amendment to Restrictions Fairways at the Cape recorded in Book 2379 at Page 276 of the New Hanover County Registry

WHEREAS, the TWENTY-FIFTH PARAGRAPH of said declaration provides

TWENTY-FIFTH These restrictions may be amended by vote of the owners of two-thirds (2/3's) of the lots in The Cape, all sections and phases

WHEREAS, there are 615 lots/members in The Cape of which 543 members were eligible voters on August 16, 2014 At a special meeting of The Cape Homeowners Association, duly noticed and held on August 16, 2014, 396 eligible voters of The Cape were present either in person or by proxy The board determined that a quorum of 2/3rds of the eligible voters of The Cape was present At said meeting, the five proposed amendments were submitted to the eligible voters for consideration Ballot #1 was not approved by 2/3rds of the eligible voters of The Cape Ballots #2, #3, #4, and #5 were approved by more than 2/3rds of the eligible voters of The Cape The specific vote for each Ballot was as follows

Ballot #1 (Home Sites)	Failed	338 YES	54 NO
Ballot #2 (Yard Sales)	Passed	363 YES	28 NO
Ballot #3 (Fences)	Passed	378 YES	10 NO
Ballot #4 (Signage)	Passed	371 YES	17 NO
Ballot #5 (Antennas)	Passed	380 YES	10 NO

WHEREAS, based upon the approval by more than 2/3rds of the eligible voters of The Cape of Ballots #2, #3, #4, and #5, the following amendments to the declaration were approved

NOW THEREFORE, the SECOND PARAGRAPH of said declaration as amended is hereby amended by deleting subparagraph (6) of said SECOND PARAGRAPH in its entirety and replacing the same with the following new subparagraph (6)

(6) No individual yard sale or garage sales shall ever be allowed on any lot in said subdivision EXCEPT that the first Saturday in May shall be designated as "The Cape Community Yard/Garage Sale Day" Rules and regulations relating to this activity shall be published annually by the CHOA Board of Directors

The SECOND PARAGRAPH of said declaration as amended is hereby amended by adding the following new subparagraph (7) to said SECOND PARAGRAPH

(7) No satellite dish in excess of twenty-four (24) inches in diameter shall be permitted on any residential lot in the subdivision

The EIGHTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new EIGHTH PARAGRAPH

EIGHTH No advertising signs or billboard shall be erected on any lot or displayed to the public on any lot subject to these Restrictions, except that one (1) sign of not more than five (5) square feet in area may be used to advertise a lot or complete dwelling for sale. On lots with golf course exposure in the rear, two signs may be used, one in the front of the lot and one in the rear. This covenant shall apply to any contractor for an item of work performed on a particular lot

The TENTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new TENTH PARAGRAPH

TENTH No fence, wall or other structure in excess of five (5) feet in height shall be erected or permitted on any lot. No fence, wall or hedge or any portion of a fence shall be erected closer to the front of any lot than the rear corner of the dwelling constructed on the lot. All fences shall be of wood, vinyl or wrought iron and no wire or chain link fences shall be permitted. Vinyl railings and/or security panels may be used on decks and porches, or to hide external propane tanks, refuse containers or air conditioning units.

LAKESIDE AT THE CAPE

WHEREAS, the Declaration of Restrictions Lakeside at the Cape is recorded in Book 1687 at Page 554 of the New Hanover County Registry, and amended by that Amendment to Restrictions Lakeside at the Cape recorded in Book 2379 at Page 276 of the New Hanover County Registry

WHEREAS, the TWENTY-FIFTH PARAGRAPH of said declaration provides

TWENTY-FIFTH These restrictions may be amended by vote of the owners of two-thirds (2/3's) of the lots in The Cape, all sections and phases

WHEREAS, there are 615 lots/members in The Cape of which 543 members were eligible voters on August 16, 2014. At a special meeting of The Cape Homeowners Association, duly noticed and held on August 16, 2014, 396 eligible voters of The Cape were present either in person or by proxy. The board determined that a quorum of 2/3rds of the eligible voters of The Cape was present. At said meeting, the five proposed amendments were submitted to the eligible voters for consideration. Ballot #1 was not approved by 2/3rds of the eligible voters of The Cape. Ballots #2, #3, #4, and #5 were approved by more than 2/3rds of the eligible voters of The Cape. The specific vote for each Ballot was as follows

Ballot #1 (Home Sites)	Failed	338 YES	54 NO
Ballot #2 (Yard Sales)	Passed	363 YES	28 NO
Ballot #3 (Fences)	Passed	378 YES	10 NO
Ballot #4 (Signage)	Passed	371 YES	17 NO
Ballot #5 (Antennas)	Passed	380 YES	10 NO

WHEREAS, based upon the approval by more than 2/3rds of the eligible voters of The Cape of Ballots #2, #3, #4, and #5, the following amendments to the declaration were approved

NOW THEREFORE, the SECOND PARAGRAPH of said declaration as amended is hereby amended by deleting subparagraph (6) of said SECOND PARAGRAPH in its entirety and replacing the same with the following new subparagraph (6)

(6) No individual yard sale or garage sales shall ever be allowed on any lot in said subdivision EXCEPT that the first Saturday in May shall be designated as "The Cape Community Yard/Garage Sale Day" Rules and regulations relating to this activity shall be published annually by the CHOA Board of Directors

The SECOND PARAGRAPH of said declaration as amended is hereby amended by adding the following new subparagraph (7) to said SECOND PARAGRAPH

(7) No satellite dish in excess of twenty-four (24) inches in diameter shall be permitted on any residential lot in the subdivision

The EIGHTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new EIGHTH PARAGRAPH

EIGHTH No advertising signs or billboard shall be erected on any lot or displayed to the public on any lot subject to these Restrictions, except that one (1) sign of not more than five (5) square feet in area may be used to advertise a lot or complete dwelling for sale. On lots with golf course exposure in the rear, two signs may be used, one in the front of the lot and one in the rear. This covenant shall apply to any contractor for an item of work performed on a particular lot

The NINTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new NINTH PARAGRAPH

NINTH No fence, wall or other structure in excess of five (5) feet in height shall be erected or permitted on any lot. No fence, wall or hedge or any portion of a fence shall be erected closer to the front of any lot than the rear corner of the dwelling constructed on the lot. All fences shall be of wood, vinyl or wrought iron and no wire or chain link fences shall be permitted. Vinyl railings and/or security panels may be used on decks and porches, or to hide external propane tanks, refuse containers or air conditioning units

PINEHURST AT THE CAPE

WHEREAS, the Declaration of Restrictions Pinehurst at the Cape is recorded in Book 2056 at Page 157 of the New Hanover County Registry, amended by that Amendment to the Declaration of Restrictions Pinehurst at the Cape recorded in Book 2195 at Page 270 of the New Hanover County Registry, and amended by that Amendment of Declaration of Restrictions for Pinehurst at the Cape recorded in Book 2415 at Page 311 of the New Hanover County Registry

WHEREAS, the TWENTY-THIRD PARAGRAPH of said declaration provides

TWENTY-THIRD These restrictions may be amended by vote of the owners of two-thirds (2/3) of the lots in The Cape, all sections and phases

WHEREAS, there are 615 lots/members in The Cape of which 543 members were eligible voters on August 16, 2014 At a special meeting of The Cape Homeowners Association, duly noticed and held on August 16, 2014, 396 eligible voters of The Cape were present either in person or by proxy The board determined that a quorum of 2/3rds of the eligible voters of The Cape was present At said meeting, the five proposed amendments were submitted to the eligible voters for consideration Ballot #1 was not approved by 2/3rds of the eligible voters of The Cape Ballots #2, #3, #4, and #5 were approved by more than 2/3rds of the eligible voters of The Cape The specific vote for each Ballot was as follows:

Ballot #1 (Home Sites)	Failed	338 YES	54 NO
Ballot #2 (Yard Sales)	Passed	363 YES	28 NO
Ballot #3 (Fences)	Passed	378 YES	10 NO
Ballot #4 (Signage)	Passed	371 YES	17 NO
Ballot #5 (Antennas)	Passed	380 YES	10 NO

WHEREAS, based upon the approval by more than 2/3rds of the eligible voters of The Cape of Ballots #2, #3, #4, and #5, the following amendments to the declaration were approved

NOW THEREFORE, the SECOND PARAGRAPH of said declaration as amended is hereby amended by deleting subparagraph (6) of said SECOND PARAGRAPH in its entirety and replacing the same with the following new subparagraph (6)

(6) No individual yard sale or garage sales shall ever be allowed on any lot in said subdivision EXCEPT that the first Saturday in May shall be designated as "The Cape Community Yard/Garage Sale Day" Rules and regulations relating to this activity shall be published annually by the CHOA Board of Directors

The SECOND PARAGRAPH of said declaration as amended is hereby amended by adding the following new subparagraph (8) to said SECOND PARAGRAPH

(8) No satellite dish in excess of twenty-four (24) inches in diameter shall be permitted on any residential lot in the subdivision

The EIGHTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new EIGHTH PARAGRAPH

EIGHTH No advertising signs or billboard shall be erected on any lot or displayed to the public on any lot subject to these Restrictions, except that one (1) sign of not more than five (5) square feet in area may be used to advertise a lot or complete dwelling for sale. On lots with golf course exposure in the rear, two signs may be used, one in the front of the lot and one in the rear. This covenant shall apply to any contractor for an item of work performed on a particular lot

The NINTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new NINTH PARAGRAPH

NINTH No fence, wall or other structure in excess of five (5) feet in height shall be erected or permitted on any lot. No fence, wall or hedge or any portion of a fence shall be erected closer to the front of any lot than the rear corner of the dwelling constructed on the lot. All fences shall be of wood, vinyl or wrought iron and no wire or chain link fences shall be permitted. Vinyl railings and/or security panels may be used on decks and porches, or to hide external propane tanks, refuse containers or air conditioning units

SANCTUARY AT THE CAPE

WHEREAS, the Declaration of Articles of Covenants, Conditions and Restrictions The Sanctuary at the Cape is recorded in Book 1291 at Page 1845 of the New Hanover County Registry, and amended by that Amendment to Declaration of Articles of Covenants, Conditions and Restrictions The Sanctuary at the Cape recorded in Book 2402 at Page 244 of the New Hanover County Registry

WHEREAS, the TWENTY-FIFTH PARAGRAPH of said declaration provides

TWENTY-FIFTH These restrictions may be amended by vote of the owners of two-thirds (2/3's) of the lots in The Cape, all sections and phases

WHEREAS, there are 615 lots/members in The Cape of which 543 members were eligible voters on August 16, 2014 At a special meeting of The Cape Homeowners Association, duly noticed and held on August 16, 2014, 396 eligible voters of The Cape were present either in person or by proxy The board determined that a quorum of 2/3rds of the eligible voters of The Cape was present At said meeting, the five proposed amendments were submitted to the eligible voters for consideration Ballot #1 was not approved by 2/3rds of the eligible voters of The Cape Ballots #2, #3, #4, and #5 were approved by more than 2/3rds of the eligible voters of The Cape The specific vote for each Ballot was as follows

Ballot #1 (Home Sites)	Failed	338 YES	54 NO
Ballot #2 (Yard Sales)	Passed	363 YES	28 NO
Ballot #3 (Fences)	Passed	378 YES	10 NO
Ballot #4 (Signage)	Passed	371 YES	17 NO
Ballot #5 (Antennas)	Passed	380 YES	10 NO

WHEREAS, based upon the approval by more than 2/3rds of the eligible voters of The Cape of Ballots #2, #3, #4, and #5, the following amendments to the declaration were approved

NOW THEREFORE, the SECOND PARAGRAPH of said declaration as amended is hereby amended by deleting subparagraph (6) of said SECOND PARAGRAPH in its entirety and replacing the same with the following new subparagraph (6)

(6) No individual yard sale or garage sales shall ever be allowed on any lot in said subdivision EXCEPT that the first Saturday in May shall be designated as "The Cape Community Yard/Garage Sale Day" Rules and regulations relating to this activity shall be published annually by the CHOA Board of Directors

The SECOND PARAGRAPH of said declaration as amended is hereby amended by adding the following new subparagraph (7) to said SECOND PARAGRAPH

(7) No satellite dish in excess of twenty-four (24) inches in diameter shall be permitted on any residential lot in the subdivision

The NINTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new NINTH PARAGRAPH

NINTH No advertising signs or billboard shall be erected on any lot or displayed to the public on any lot subject to these Restrictions, except that one (1) sign of not more than five (5) square feet in area may be used to advertise a lot or complete dwelling for sale. On lots with golf course exposure in the rear, two signs may be used, one in the front of the lot and one in the rear. This covenant shall apply to any contractor for an item of work performed on a particular lot

The ELEVENTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new ELEVENTH PARAGRAPH

ELEVENTH No fence, wall or other structure in excess of five (5) feet in height shall be erected or permitted on any lot. No fence, wall or hedge or any portion of a fence shall be erected closer to the front of any lot than the rear corner of the dwelling constructed on the lot. All fences shall be of wood, vinyl or wrought iron and no wire or chain link fences shall be permitted. Vinyl railings and/or security panels may be used on decks and porches, or to hide external propane tanks, refuse containers or air conditioning units

COLONY GREEN GARDEN HOMES AT THE CAPE

WHEREAS, the Declaration of Articles of Covenants, Conditions and Restrictions Colony Green Garden Homes at the Cape is recorded in Book 1313 at Page 1572 of the New Hanover County Registry, and amended by that Amendment to Declaration of Articles of Covenants, Conditions and Restrictions For Colony Green Garden Homes at the Cape recorded in Book 2349 at Page 210 of the New Hanover County Registry

WHEREAS, the TWENTY-FIFTH PARAGRAPH of said declaration provides

TWENTY-FIFTH These restrictions may be amended by vote of the owners of two-thirds (2/3) of the lots in The Cape, all sections and phases

WHEREAS, there are 615 lots/members in The Cape of which 543 members were eligible voters on August 16, 2014. At a special meeting of The Cape Homeowners Association, duly noticed and held on August 16, 2014, 396 eligible voters of The Cape were present either in person or by proxy. The board determined that a quorum of 2/3rds of the eligible voters of The Cape was present. At said meeting, the five proposed amendments were submitted to the eligible voters for consideration. Ballot #1 was not approved by 2/3rds of the eligible voters of The Cape. Ballots #2, #3, #4, and #5 were approved by more than 2/3rds of the eligible voters of The Cape. The specific vote for each Ballot was as follows

Ballot #1 (Home Sites)	Failed	338 YES	54 NO
Ballot #2 (Yard Sales)	Passed	363 YES	28 NO
Ballot #3 (Fences)	Passed	378 YES	10 NO
Ballot #4 (Signage)	Passed	371 YES	17 NO
Ballot #5 (Antennas)	Passed	380 YES	10 NO

WHEREAS, based upon the approval by more than 2/3rds of the eligible voters of The Cape of Ballots #2, #3, #4, and #5, the following amendments to the declaration were approved

NOW THEREFORE, the SECOND PARAGRAPH of said declaration as amended is hereby amended by deleting subparagraph (6) of said SECOND PARAGRAPH in its entirety and replacing the same with the following new subparagraph (6)

(6) No individual yard sale or garage sales shall ever be allowed on any lot in said subdivision EXCEPT that the first Saturday in May shall be designated as "The Cape Community Yard/Garage Sale Day" Rules and regulations relating to this activity shall be published annually by the CHOA Board of Directors

The SECOND PARAGRAPH of said declaration as amended is hereby amended by adding the following new subparagraph (7) to said SECOND PARAGRAPH

(7) No satellite dish in excess of twenty-four (24) inches in diameter shall be permitted on any residential lot in the subdivision

The NINTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new NINTH PARAGRAPH

NINTH No advertising signs or billboard shall be erected on any lot or displayed to the public on any lot subject to these Restrictions, except that one (1) sign of not more than five (5) square feet in area may be used to advertise a lot or complete dwelling for sale. On lots with golf course exposure in the rear, two signs may be used, one in the front of the lot and one in the rear. This covenant shall apply to any contractor for an item of work performed on a particular lot.

The ELEVENTH PARAGRAPH of said declaration as amended is hereby amended by deleting said paragraph in its entirety and replacing the same with the following new ELEVENTH PARAGRAPH

ELEVENTH No fence, wall or other structure in excess of five (5) feet in height shall be erected or permitted on any lot. No fence, wall or hedge or any portion of a fence shall be erected closer to the front of any lot than the rear corner of the dwelling constructed on the lot. All fences shall be of wood, vinyl or wrought iron and no wire or chain link fences shall be permitted. Vinyl railings and/or security panels may be used on decks and porches, or to hide external propane tanks, refuse containers or air conditioning units.

BECKER WOODS AT THE CAPE

WHEREAS, the Declaration of Covenants, Conditions and Restrictions Becker Woods at the Cape, Section 1 is recorded in Book 4779 at Page 361 of the New Hanover County Registry An Annexation Notice Becker Woods at The Cape Section 2 is recorded in Book 5003 at Page 1862 of the New Hanover County Registry, and a Joinder and Consent Becker Woods at the Cape Section 2 is recorded in Book 5083 at Page 1657 of the New Hanover County Registry

WHEREAS, ARTICLE IX, Section 3 of said declaration provides

Section 3 Duration/Amendment The covenants and restrictions of this Declaration shall run with and bind the Properties and Lot Owners thereof, for a term of thirty (30) years from the date this Declaration is recorded, after which time they shall be automatically extended for successive periods of ten (10) years, unless terminated by vote of owners of two-thirds (2/3rds) of the lots in The Cape, all sections and phases This Declaration may be amended by vote of owners of two-thirds (2/3rds) of the lots in The Cape, all sections and phases Any such amendment shall be recorded in the New Hanover County Registry

WHEREAS, there are 615 lots/members in The Cape of which 543 members were eligible voters on August 16, 2014. At a special meeting of The Cape Homeowners Association, duly noticed and held on August 16, 2014, 396 eligible voters of The Cape were present either in person or by proxy The board determined that a quorum of 2/3rds of the eligible voters of The Cape was present At said meeting, the five proposed amendments were submitted to the eligible voters for consideration Ballot #1 was not approved by 2/3rds of the eligible voters of The Cape Ballots #2, #3, #4, and #5 were approved by more than 2/3rds of the eligible voters of The Cape The specific vote for each Ballot was as follows

Ballot #1 (Home Sites)	Failed	338 YES	54 NO
Ballot #2 (Yard Sales)	Passed	363 YES	28 NO
Ballot #3 (Fences)	Passed	378 YES	10 NO
Ballot #4 (Signage)	Passed	371 YES	17 NO
Ballot #5 (Antennas)	Passed	380 YES	10 NO

WHEREAS, based upon the approval by more than 2/3rds of the eligible voters of The Cape of Ballots #2, #3, #4, and #5, the following amendments to the declaration were approved

NOW THEREFORE, ARTICLE II, Section 15 of said declaration as amended is hereby amended by deleting the existing Section 15 in its entirety and replacing the same with the following new Section 15

Section 15 Yard Sales: No individual yard sale or garage sales shall ever be allowed on any lot in said subdivision EXCEPT that the first Saturday in May

shall be designated as "The Cape Community Yard/Garage Sale Day" Rules and regulations relating to this activity shall be published annually by the CHOA Board of Directors

ARTICLE II, Section 16 of said declaration as amended is hereby amended by deleting the existing Section 16 in its entirety and replacing the same with the following new Section 16

Section 16 TV Satellite Dishes and Outside Antennae No satellite dish in excess of twenty-four (24) inches in diameter shall be permitted on any residential lot in the subdivision

ARTICLE II, Section 12 of said declaration as amended is hereby amended by deleting the **first two sentences** of Section 12 and replacing the same with the following language.

Section 12 Signs No advertising signs or billboard shall be erected on any lot or displayed to the public on any lot subject to these Restrictions, except that one (1) sign of not more than five (5) square feet in area may be used to advertise a lot or complete dwelling for sale On lots with golf course exposure in the rear, two signs may be used, one in the front of the lot and one in the rear This covenant shall apply to any contractor for an item of work performed on a particular lot

(The remaining language of Section 12 remains unchanged)

ARTICLE II, Section 9 of said declaration as amended is hereby amended by deleting the **first two sentences** of Section 9 and replacing the same with the following language

Section 9 Fences No fence, wall or other structure in excess of five (5) feet in height shall be erected or permitted on any lot No fence, wall or hedge or any portion of a fence shall be erected closer to the front of any lot than the rear corner of the dwelling constructed on the lot All fences shall be of wood, vinyl or wrought iron and no wire or chain link fences shall be permitted. Vinyl railings and/or security panels may be used on decks and porches, or to hide external propane tanks, refuse containers or air conditioning units

(The remaining language of Section 9 remains unchanged)

NAUTICAL GREENS AT THE CAPE

WHEREAS, the Declaration of Covenants, Conditions and Restrictions Nautical Greens at the Cape is recorded in Book 5541 at Page 710 of the New Hanover County Registry

WHEREAS, ARTICLE IX, Section 3 of said declaration provides

Section 3 Duration/Amendment The covenants and restrictions of this Declaration shall run with and bind the Properties and Lot Owners thereof, for a term of thirty (30) years from the date this Declaration is recorded, after which time they shall be automatically extended for successive periods of ten (10) years, unless terminated by vote of owners of two-thirds (2/3rds) of the lots in The Cape, all sections and phases. This Declaration may be amended by vote of owners of two-thirds (2/3rds) of the lots in The Cape, all sections and phases. Any such amendment shall be recorded in the New Hanover County Registry

WHEREAS, there are 615 lots/members in The Cape of which 543 members were eligible voters on August 16, 2014. At a special meeting of The Cape Homeowners Association, duly noticed and held on August 16, 2014, 396 eligible voters of The Cape were present either in person or by proxy. The board determined that a quorum of 2/3rds of the eligible voters of The Cape was present. At said meeting, the five proposed amendments were submitted to the eligible voters for consideration. Ballot #1 was not approved by 2/3rds of the eligible voters of The Cape. Ballots #2, #3, #4, and #5 were approved by more than 2/3rds of the eligible voters of The Cape. The specific vote for each Ballot was as follows

Ballot #1 (Home Sites)	Failed	338 YES	54 NO
Ballot #2 (Yard Sales)	Passed	363 YES	28 NO
Ballot #3 (Fences)	Passed	378 YES	10 NO
Ballot #4 (Signage)	Passed	371 YES	17 NO
Ballot #5 (Antennas)	Passed	380 YES	10 NO

WHEREAS, based upon the approval by more than 2/3rds of the eligible voters of The Cape of Ballots #2, #3, #4, and #5, the following amendments to the declaration were approved

NOW THEREFORE, ARTICLE II, Section 15 of said declaration as amended is hereby amended by deleting the existing Section 15 in its entirety and replacing the same with the following new Section 15:

Section 15 Yard Sales No individual yard sale or garage sales shall ever be allowed on any lot in said subdivision EXCEPT that the first Saturday in May shall be designated as "The Cape Community Yard/Garage Sale Day" Rules and regulations relating to this activity shall be published annually by the CHOA Board of Directors

ARTICLE II, Section 16 of said declaration as amended is hereby amended by deleting the existing Section 16 in its entirety and replacing the same with the following new Section 16

Section 16 TV Satellite Dishes and Outside Antennae No satellite dish in excess of twenty-four (24) inches in diameter shall be permitted on any residential lot in the subdivision

ARTICLE II, Section 12 of said declaration as amended is hereby amended by deleting the **first two sentences** of Section 12 and replacing the same with the following language

Section 12 Signs No advertising signs or billboard shall be erected on any lot or displayed to the public on any lot subject to these Restrictions, except that one (1) sign of not more than five (5) square feet in area may be used to advertise a lot or complete dwelling for sale. On lots with golf course exposure in the rear, two signs may be used, one in the front of the lot and one in the rear. This covenant shall apply to any contractor for an item of work performed on a particular lot

(The remaining language of Section 12 remains unchanged)

ARTICLE II, Section 9 of said declaration as amended is hereby amended by deleting the **first two sentences** of Section 9 and replacing the same with the following language

Section 9 Fences No fence, wall or other structure in excess of five (5) feet in height shall be erected or permitted on any lot. No fence, wall or hedge or any portion of a fence shall be erected closer to the front of any lot than the rear corner of the dwelling constructed on the lot. All fences shall be of wood, vinyl or wrought iron and no wire or chain link fences shall be permitted. Vinyl railings and/or security panels may be used on decks and porches, or to hide external propane tanks, refuse containers or air conditioning units

(The remaining language of Section 9 remains unchanged)

IN WITNESS WHEREOF, the undersigned has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written

THE CAPE HOMEOWNERS ASSOCIATION

BY: David Echevarria
David Echevarria, President

ATTEST

Gail Smyth
Gail Smyth, Secretary

(AFFIX CORPORATE SEAL)

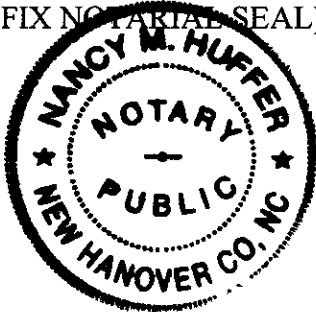
STATE OF NORTH CAROLINA
COUNTY OF New Hanover

I, Nancy M. Huffer, a notary public in and for the state and county aforesaid do hereby certify that GAIL SMYTH, personally came before me this day and acknowledged that she is the Secretary of THE CAPE HOMEOWNERS ASSOCIATION and that, by authority duly given and as the act of the corporation, 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 notarial seal, this the 6 day of March, 2015

Nancy M. Huffer
Nancy M. Huffer, Notary Public
(Printed Name of Notary)

My commission expires 3-17-2017
(AFFIX NOTARIAL SEAL)





TAMMY THEUSCH BEASLEY
REGISTER OF DEEDS, NEW HANOVER
216 NORTH SECOND STREET

WILMINGTON, NC 28401

Filed For Registration: 03/10/2015 01:41:17 PM
Book: RE 5872 Page: 2917-2953
Document No.. 2015006293
37 PGS \$110 00
Recorder: JOHNSON, CAROLYN

State of North Carolina, County of New Hanover

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