

FOR REGISTRATION REGISTER OF DEEDS
Karen S. Hardesty
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Karen S. Hardesty

Prepared by and Return to: Debra Whaley Attorney at Law

**AMENDMENT TO RESTRICTIVE COVENANTS
FOR
COTTAGE POINTE SUBDIVISION**

30 This amendment to the Restrictive Covenants for Cottage Point Subdivision is made this day of April, 2024 by Cottage Pointe Home Owners Association, Inc, a NC non property corporation (hereinafter Association);

WITNESSETH

Whereas, the developer originally filed Restrictive Covenants in Book 1185 Page 134 of the Carteret County Register of Deeds;

Whereas Paragraph 32 of the original filing allows for amendment to the Covenants by the affirmative vote of seventy five percent (75%) of the property owners;

Whereas the items in this amendment were submitted for voting and were approved by 75% of the property owners;

NOW, THEREFORE, in accordance with Restrictive Covenants, the association hereby amends the Restrictive Covenants as follows:

1. Paragraph 6 of the original covenants is hereby amended to remove the wording that no boats shall be stored on the premises. All other parts of Paragraph 6 shall remain in effect as worded. It is now deemed that boats will be allowed in driveways and on the premises of the lot.
2. Paragraph 25 of the original covenants is hereby amended to extend the rights of the architectural review committee for perpetuity. The original covenants stated that prior to commencing any construction, the plans must be submitted for approval within 10 years of the

date of recording of the covenants. It is now deemed that the rights of the architectural review committee extend beyond 10 years and for perpetuity.

3. Paragraph 13 is hereby amended to state that a mailbox will be provided by the owner's builder on all new construction lots. In addition, existing home owners are to repair or replace their mailboxes as needed at their own expense.

4. Paragraph 23 is hereby amended to remove the language regarding on street parking being limited to temporary gatherings of 24 hours or less. It is hereby amended to read that on street parking is hereby allowed for temporary gatherings. All other language shall remain in effect as worded.

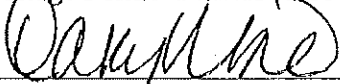
5. Paragraph 30 is hereby amended to remove the last portion of the paragraph that granted the owners of Lot 7 exclusive rights to use a portion of the dock located on the common areas for the purpose of installing and maintaining a boat lift, boat slip, or other appurtenances to the dock. Lot 7 already had these rights exercised and was given a slip in the Agreement Regarding Boat Slips filed in Book 1337 Page 13 of the Carteret County Register of Deeds. The said agreement referenced this Paragraph 30 and the right of Lot 7 to have the slip. However, an amendment to the Boat Slips filed in Book 1495 Page 137 of the Carteret County Register of Deeds also allowed for the slip to be reassigned to another Lot Owner. The slip for Lot 7 was reassigned to another Lot in Cottage Pointe per the amendments and filings.

6. Paragraph 36 is hereby amended to add language that the association has the right to vote to increase the dues at either the yearly meeting or may hold a special meeting to vote to increase the dues.

7. It is also hereby deemed by law that any paragraph that references the Developer, now means the association as they took over the rights of the developer.

In WITNESS WHEREOF, the President signs the amendment the day and year first written above with the authority of the Restrictive Covenants and By-Laws and certifies they have received the required votes to make such changes in writing. It is hereby acknowledged that the joinder of the owners is not needed but the votes can be provided as requested by any lot owner to prove the 75% approval.

Cottage Pointe Owners Association, Inc.

By: 

President: Darcy Wine

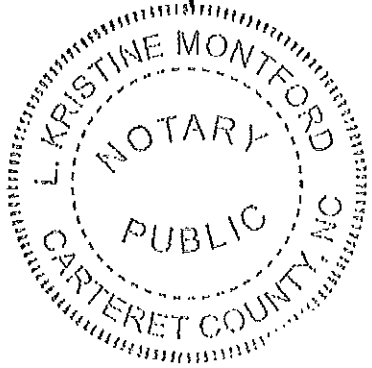
NOTARY ON NEXT PAGE

STATE OF NC
COUNTY OF CARTERET

I, the undersigned Notary Public of the County and State aforesaid certify that Darcy Wine as President of the Cottage Point Owners Association, Inc, a NC nonprofit corporation personally appeared before me this day and acknowledged that she is President of Cottage Point Owners Association, Inc and that being duly authorized to do so executed the foregoing on behalf of the corporation.

Witness my hand and official stamp or seal this 30 day of April, 2024.

My commission expires: 8/9/2027



Kristine Montford
Notary Public