

Karen S. Hardesty

Carteret County, NC

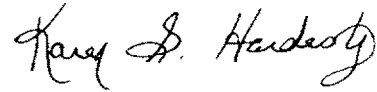
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Submitted electronically by "Wyatt Early Harris Wheeler LLP" in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Carteret County Register of Deeds.

*Prepared by Wyatt Early Harris Wheeler LLP*

STATE OF NORTH CAROLINA

COUNTY OF CARTERET

AMENDMENT TO THE DECLARATION OF COVENANTS, RESTRICTIONS, AND EASEMENTS

This AMENDMENT TO THE DECLARATION OF COVENANTS, RESTRICTIONS, AND EASEMENTS is made and entered into this 5<sup>th</sup> day of June, 2025 by **PGH INVESTMENTS, LLC**, whose mailing address is 121 Walnut Circle, Pine Knoll Shores, NC 28512, hereinafter collectively called "Declarant", **AGRACA LLC**, the owner of Lot 8, Block 166 and **STEPHEN B. HILL, TRUSTEE**, the owner of Lots 9 and 10, Block 166.

WITNESSETH:

WHEREAS, Declarant was the owner of a certain tracts or parcel of land located in Morehead City, Carteret County, North Carolina, consisting of Lots 8-16 Block 166, Town of Morehead City, as shown on that plat recorded in Map Book 1, Page 139, Carteret County Registry, (hereinafter "Lots 8-16 and also referred to as "the "Plat"), which survey and/or plat is incorporated herewith by reference as if fully set forth;

WHEREAS, Declarant had previously caused to be recorded a Declaration of Covenants, Restrictions and Easements, recorded in file# 1826297, Carteret County Registry; hereinafter "Declaration" and

WHEREAS, Article 4, section (d) allows this Declaration to be amended at any time by the affirmative vote of at least seventy-five (75%) percent of the Lot owners of Lots 8-15, and such owners that approve the amendment must execute a written document setting out the terms of the amendment in a recordable form.

WHEREAS, Declarant is currently the owner of Lots 11-6, and AGRACA LLC is the owner of Lot 8, Block 166 and STEPHEN B. HILL, TRUSTEE, is the owner of Lots 9 and 10, Block 166.

NOW, THEREFORE, for the mutual benefit of all Owners and purchasers of Lots 8-16 the Declarant and the above owners representing more than 75 percent of the owners of Lots 8-15 hereby declares that all the Lots, as hereinafter set forth herein, shall be held, transferred, owned, sold and conveyed subject to the Declaration as amended by this document.

***The current Article 1 (d) DEFINITIONS is changed as follows:***

(d) "Subdivision" shall mean and refer to all properties encompassed within Lots 8-16. Block 166, Town of Morehead City, as shown on that plat recorded in Map Book 1, Page 139, Carteret County Registry. (Lot 16 is added to the Declaration by Declarant)

***The current Article 2. RESTRICTIONS AS TO USE. is changed as follows:***

***The second paragraph of section (a) at the top of page 3 is changed as follows:***

A single story residence to be built on the lots subject to this Declaration shall contain a minimum of 1,400 continuous heated square feet; any residence of more than one story shall contain a minimum of 1,600 continuous heated square feet. All new residences are required to install a minimum of two (2) natural gas appliances and connect to natural gas or such owner of the lot will be subject to an impact fee, which fee is currently in the amount of \$3,500.00.

***The third paragraph of section (a) at the top of page 3 is changed as follows by adding a new sentence at the end of such paragraph.***

Vinyl siding on the exterior of any structure shall not be allowed as it is not deemed to be consistent with the above guidelines.

***Article 2 Section (g) Fences is deleted and replaced with the following new (g):***

(g) Fences. Fences may be placed in the rear yard of the residence and shall not exceed six (6) feet in height along rear yard. Fences may be placed along the side and front yards and shall not exceed three (3) feet. Fences must be constructed out of vinyl, metal pickets, masonry, such as brick or stone, or wood. Chain link fencing shall not be allowed.

***Article 4, GENERAL PROVISIONS section (d) Amendment is deleted and replaced with the following new (d):***

(d) Amendment This Declaration may be amended at any time by the affirmative vote of at least seventy-five (75%) percent of the Lot owners of Lots 8-16, and such owners that approve the amendment must execute a written document setting out the terms of the amendment in recordable form. No amendment, however, shall affect the rights of Declarant without its consent upon such amendment. Such an amendment shall be executed in the name of each lot owner and recorded in the office of the Register of Deeds of Carteret County. No such amendment shall be effective until duly recorded as aforesaid.

In all other respects the Covenants shall remain in their current form.

IN TESTIMONY WHEREOF, the above Declarant, have caused this instrument to be executed and delivered on the date first above written.

PGH INVESTMENTS, LLC

Gina I. Harris (SEAL)  
Manager

STATE OF NORTH CAROLINA  
COUNTY OF CARTERET

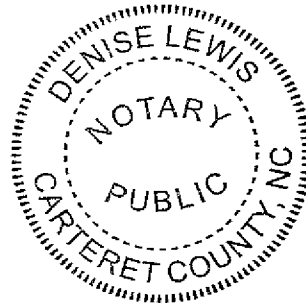
I, Denise Lewis a Notary Public of the County and State aforesaid, certify that Gina I. Harris, Manager of PGH INVESTMENTS, LLC personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 5th day of June, 2025.

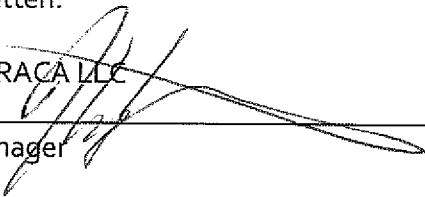
Denise Lewis  
Notary Public Signature

(NOTARY SEAL)

My commission expires: 7/17/2029



IN TESTIMONY WHEREOF, the above Declarant, have caused this instrument to be executed and delivered on the date first above written.

AGRACA LLC  
  
 \_\_\_\_\_ (SEAL)  
 Manager

STATE OF NORTH CAROLINA  
COUNTY OF CARTERET

I, Teresa T. Vaughan a Notary Public of the County and State aforesaid, certify that Thomas Joseph Horton, Manager of AGRACA LLC personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 11<sup>th</sup> day of June, 2025.

Teresa T. Vaughan  
 \_\_\_\_\_  
 Notary Public Signature



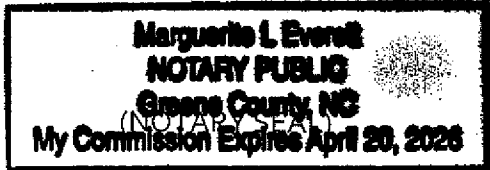
IN TESTIMONY WHEREOF, the above Declarant, have caused this instrument to be executed and delivered on the date first above written.

STEPHEN B. HILL, TRUSTEE

Stephen B Hill (SEAL)  
Trustee

STATE OF NORTH CAROLINA  
COUNTY OF CARTERET Greene

I, Marguerite L. Everett a Notary Public of the County and State aforesaid, certify that Stephen B. Hill, STEPHEN B. HILL, TRUSTEE personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 9<sup>th</sup> day of June, 2025.



Marguerite L. Everett  
Notary Public Signature

My commission expires: 4-20-2026