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PG: 1704-1708
RECORDED:
10-23-2019
11:03:58 AM
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STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

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AMENDMENT TO THE SUPPLEMENTAL DECLARATION OF COVENANTS FOR
LAWN MAINTENANCE OF NAUTICAL GREENS AT THE CAPE

THIS AMENDMENT made this 28 day of AUGUST, 2019 by
NAUTICAL GREENS AT THE CAPE HOA, INC., a North Carolina non-profit corporation,
herein "Nautical Greens Association",

WHEREAS, CB Cape Tract, LLC as Declarant executed a Declaration of
Covenants, Conditions and Restriction Nautical Greens at The Cape as recorded in
Book 5541, Page 710, et seq. in the New Hanover County Registry; and executed a
Supplemental Declaration of Covenants for Lawn Maintenance of Nautical Greens at
the Cape as recorded in Book 5559 at Page 470, et seq. of the New Hanover County
Registry; and

WHEREAS, the Declarant developed certain real property in New Hanover
County, North Carolina known as Nautical Greens at the Cape referred to herein as
"Nautical Greens" which consists or will consist of single family dwellings which is more
particularly described as all those certain tracts or parcels shown on the map recorded

in Map Book 54, Page 205-207, New Hanover County Registry, reference to said map is hereby made for a more particular description; and

WHEREAS, Nautical Greens is located in and is part of a larger planned community known as "The Cape"; and

WHEREAS, the Lot Owners (as defined in the Declaration), with the permission, joinder and consent of The Cape Homeowners Association, as hereinafter agreed, desire to subject said properties to the amendments contained herein, as specifically provided in Article IV of the Supplemental Declaration recorded in Book 5559, Page 470; and

NOW, THEREFORE, by an affirmative vote of the Lot Owners to which at least 67% of the votes in Nautical Greens Association are allocated at a duly called meeting or by written ballot, the Lot Owners have amended Article V of the Supplemental Declaration as recorded in Book 5559, Page 470 by deleting the existing Section C and replacing it with the following:

C. Except for the lawn maintenance service provided by the Nautical Greens Association, each Owner shall remain responsible for any lawn maintenance required on or with respect to the Owner's Landscape Elements. Without limiting the foregoing, each Owner shall be solely responsible for the care and maintenance of all landscaping modifications made and/or additions made by the Owner to landscaping initially installed by Declarant. Each Owner will be responsible for watering all vegetation, trees, shrubs, grass, lawn and landscaped areas of the Lot as may be necessary to satisfy the Landscape Guidelines and community-wide standard and for the maintenance and proper operation of any irrigation system which may be installed on a Lot as an approved modification. As a part of the lawn maintenance services, water for the irrigation system installed on individual lots will be provided by the Nautical Greens Association from community irrigation wells, located on NG Lot #'s 18, 34, and 35 as described in Utility Easement Agreements recorded June 17, 2019 in Book 6223 Page 776 of the New Hanover County Registry, and a series of irrigation supply lines routed on and through private lots in Nautical Greens and The Cape Common Area (including roadways). The Nautical Greens Association will be responsible for the upkeep, maintenance, reparation and any and all expenses as may be associated with the community irrigation wells and all irrigation supply lines up to and including the cut-off

valve located on each Lot in Nautical Greens, whether these wells or lines are located on a Lot or The Cape Common Area (including roadways). As stated in the Utility Easement Agreements, at the conclusion of any maintenance activities within the easement area, the Nautical Greens Association will return the easement area to as-near prior conditions as feasibly possible. Said costs shall be deemed part of the costs of lawn maintenance service. Maintenance and upkeep of any and all parts of the irrigation system on the Lot side of the supply line cut-off valve, including, but not limited to the sprinkler heads, will be the sole responsibility of the individual Lot Owner. In a case where emergency repairs are needed to that portion of the irrigation system on a Lot, which is a Lot Owner's responsibility to maintain, and which disrupts service to other property in Nautical Greens, the Nautical Greens Association may make the emergency repairs and seek reimbursement from the Owner of the Lot that required the emergency repair.

IN WITNESS WHEREOF, the Nautical Greens Association has hereunto set his hand and seal, or if corporate, 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.

NAUTICAL GREENS AT THE CAPE HOA, INC.

By: Genevieve M. Olin
David M. Ok
 President

Pursuant to Article XI of the Declaration, the Master Association hereby executes this amendment to confirm the consent to this amendment by its Board of Directors.

THE CAPE HOMEOWNERS ASSOCIATION, INC.

By: DAVID P. ECHEVARRIA
David P. Echevarria
 President

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

I certify that Genevieve M. Olin, who provided satisfactory identification, personally appeared before me this day and acknowledged that (s)he is President of NAUTICAL GREENS AT THE CAPE HOA, INC., a nonprofit corporation, and acknowledged, on behalf of the corporation the due and voluntary execution of the foregoing instrument for the purpose stated therein.

WITNESS my hand and notarial stamp or seal, this the 29th day of August, 2019.



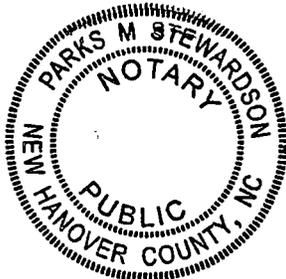
P M Stewardson

PRINTED NAME: Parks M Stewardson
NOTARY PUBLIC
My commission expires: 15 Sept 2023

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

I certify that David P Echevarria, who provided satisfactory identification, personally appeared before me this day and acknowledged that (s)he is President of The Cape Homeowners Association, Inc., a nonprofit corporation, and acknowledged, on behalf of the corporation the due and voluntary execution of the foregoing instrument for the purpose stated therein.

WITNESS my hand and notarial stamp or seal, this the 28th day of August, 2019.



P M Stewardson

PRINTED NAME: Parks M Stewardson
NOTARY PUBLIC
My commission expires: 15 Sept 2023

TAMMY THEUSCH
BEASLEY
Register of Deeds

New Hanover County Register of Deeds

320 CHESTNUT ST SUITE 102 • WILMINGTON, NORTH CAROLINA 28401
Telephone 910-798-4530 • Fax 910-798-7716



State of North Carolina, County of NEW HANOVER
Filed For Registration: 10/23/2019 11:03:58 AM
Book: RB 6256 Page: 1704-1708
5 PGS \$26.00
Real Property \$26.00
Recorder: ANGELA ENGLISH
Document No: 2019034534

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