

BOOK 264 PAGE 462

FILED

NORTH CAROLINA
PAMLICO COUNTY

'89 DEC 7 PM 2 04

THIRD AMENDMENT TO DECLARATION OF
JOYCE E. CARAWAN
RESTRICTIVE AND PROTECTIVE COVENANTS DEEDS.
PAMLICO COUNTY, N.C.

THIS AMENDMENT TO DECLARATION OF RESTRICTIVE AND PROTECTIVE COVENANTS,
made and entered into this 1st day of November, 1989, by and bet-
ween RAYMOND E. DUNN AND WIFE, ANN R. DUNN, (hereinafter referred to as
"Developer"), and DAVID RUSH AND WIFE, GEORGETTE RUSH, parties of the first
part; and PROSPECTIVE PURCHASERS of the numbered lots of land in that certain
subdivision known as Bay Shores Estates located in Number Two Township, Pamlico
County, North Carolina, parties of the second part.

W I T N E S S E T H:

WHEREAS, by instrument dated the 31st day of March, 1984, recorded in
Book 227, at Page 215, Pamlico County Registry, the undersigned parties recorded
the Declaration of Restrictive and Protective Covenants for Bay Shores Estates,
as shown on a map of the same duly recorded in Plat Cabinet A, at Slide 9-6, in
the office of the Register of Deeds of Pamlico County and incorporated herein by
reference, said Restrictive and Protective Covenants being amended on March 22,
1985, in Book 232, at Page 469, Pamlico County Registry; and

WHEREAS, by instrument dated the 1st day of March, 1987, recorded in
Book 255, at Page 481, Pamlico County Registry, the Developer recorded a Second
Amendment to the Restrictive and Protective Covenants for Bay Shores Estate,
which instrument the parties of the first part desire to amend, rescind or modi-
fy; and

WHEREAS, pursuant to and in accordance with paragraph 18 of said
Restrictive and Protective Covenants, owners of two-thirds (2/3) of the lots in
said subdivision may amend, rescind or modify in part or all of said covenants;
and

WHEREAS, the parties of the first part are the owners of two-thirds (2/3) of the lots in said subdivision; and

WHEREAS, the owners of two-thirds (2/3) of the lots in said subdivision are of the opinion that the amendments, recisions and modifiications hereinafter set forth do not materially alter the general nature, common scheme of development or desirability of the property within said subdivision, but, in fact, enhance the value and desirability of the same; and

NOW, THEREFORE, for and in consideration of the premises, the parties of the first part being owners of two-thirds (2/3) of the lots of said subdivision do hereby amend, rescind and modify said Second Amendment to Declaration of Restrictive and Protective Covenants and therefore all those preceding as follows:

I. By rescinding all of the Second Amendment to Declaration of Restrictive and Protective Covenants dated March 1, 1987, and recorded September 26, 1988, in Book 255, at Page 481, Pamlico County Registry, in its entirety.

II. By amending the Restrictive Covenants set forth in paragraph numbered (2) recorded in Book 227, at Page 215, Pamlico County Registry, as follows:

(2) LAND USE AND BUILDING TYPE. Except as herein provided no structure shall be erected, placed or permitted to remain on any Lot other than one detached single-family residential dwelling and such outbuidings as are customary and incidental to the single-family residential use of the Lot, provided however, portions of Lots 21 and 23 and all of Lot 22 may be used by Developer for an access road to a boat ramp and pier slips on Moore's Creek. No mobile structure, trailer, tent, shack, barn or other building on a Lot shall be used at anytime as a residence either temporarily or permanently.

IN WITNESS WHEREOF, the parties of the first part have hereunto set their hands and adopted as their seals the typewritten word "SEAL" appearing beside their names, this day and year first above written.

Raymond E. Dunn (SEAL)
RAYMOND E. DUNN

Ann R. Dunn (SEAL)
ANN R. DUNN

David Rush (SEAL)
DAVID RUSH

Georgette Rush (SEAL)
GEORGETTE RUSH

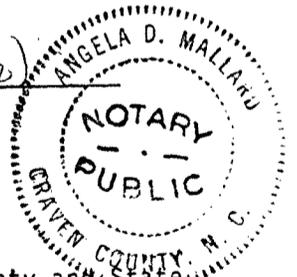
STATE OF NORTH CAROLINA
COUNTY OF CRAVEN

I, Angela D. Mallard (Helm) a Notary Public for said County and State, do hereby certify that RAYMOND E. DUNN AND WIFE, ANN R. DUNN this day personally appeared before me and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and notarial seal, this the 16th day of November, 1989.

Angela D. Mallard (Helm)
Notary Public

My Commission Expires: April 5, 1993



STATE OF NORTH CAROLINA
COUNTY OF Lambs

I, Jay P. Williamson a Notary Public for said County and State, do hereby certify that DAVID RUSH AND WIFE, GEORGETTE RUSH this day personally appeared before me and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

Witness my hand and notarial seal, this the 16th day of November, 1989.

Jay P. Williamson
Notary Public

My Commission Expires: July 14, 1992

