

FOURTH
AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR
BALD HEAD ISLAND HARBOUR

This Amendment to the Declaration of Covenants, Conditions and Restrictions for Bald Head Island Harbour is dated for purposes of reference only this 1st day of November, 1999, and is made and entered into by the Harbour Association of Bald Head Island, a North Carolina nonprofit corporation ("Harbour Association"), upon vote duly made by the members of the Harbour Association, as certified by the Harbour Association.

WITNESSETH:

WHEREAS, by Amended and Restated Declaration of Covenants, Conditions and Restrictions for Bald Head Island Harbour recorded in Book 985, Page 384 et seq, Brunswick County Registry, as subsequently amended (the "Covenants"), the property described in the Covenants was made subject thereto; and

WHEREAS, said Covenants did incorporate by reference certain provisions of the Amended and Restated Declaration of Covenants, Conditions and Restrictions, as amended, and recorded in Book 498, Page 260 et seq, Brunswick County Registry ("Bald Head Association Covenants"); and

WHEREAS, the Bald Head Association Covenants have been subsequently revised, making the references thereto contained in the Covenants inapplicable; and

WHEREAS, the members of the Harbour Association have determined, by vote, to amend and correct the Covenants to conform to the revision of the Bald Head Association Covenants ("the Amended Bald Head Association Covenants");

NOW, therefore, the Covenants are hereby amended as follows:

- Article II, Paragraph 1 of the Covenants is hereby deleted in its entirety.
- Article II, Paragraph 1 of the Covenants is hereby replaced with the following provisions: *"The Owner of each Unit (as defined in Article 1 of the Amended Bald Head Association Covenants) within the Properties shall be a Member of the Bald Head Association, and the Owner of every such Unit shall hold, sell and convey said Unit subject to the provisions of Articles 2, 5 and 9 of the Amended Bald Head Association Covenants, including, without limitation, the right and obligation to pay General Assessments and Special Assessments, as defined in Article 1 of the Amended Bald Head Association Covenants. Furthermore, each*

RET Joel Ward
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Member shall have full rights and utilization of all properties owned by the Bald Head Association, to the same extent as all other Members of the Bald Head Association."

3. It is expressly understood that, to the extent necessary, the definitions contained in Article II of the Amended Bald Head Association Covenants shall be applicable to the defined terms within this Amendment.
4. Survival. Except as set out herein, all of the terms, provisions, conditions and restrictions contained in the Covenants (including all amendments thereto) shall remain in full force and effect.
5. As required by Article XI, Paragraph 4 of the Covenants, there is attached hereto a certification duly adopted by the Board of Directors of the Association indicating that this Amendment has been approved by the required vote of the Members of the Harbour Association.

In witness whereof, the Harbour Association of Bald Head Island has executed this instrument, under seal, this 9th day of Nov, 1999.

HARBOUR ASSOCIATION OF BALD HEAD ISLAND

(SEAL)

By: V. Ray Martin (President)

ATTEST: SECRETARY:

By: Voyce C. Felton

STATE OF NORTH CAROLINA,
COUNTY OF BRUNSWICK:

I, Lorraine Thompson, a Notary Public of the County and State aforesaid, certify that Voyce C. Felton personally came before me this day and acknowledged that he/she is Secretary of Harbour 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 him/her as its Secretary.

Witness my hand and official seal this 10th day of November, 1999.

My commission expires:



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STATE OF NORTH CAROLINA
COUNTY OF BRUNSWICK

The Foregoing (or annexed) Certificate(s) of LORRAINE THOMPSON

Notary(ies) Public is (are) Certified to be Correct.

This Instrument was filed for Registration on this 22nd Day of February, 2000
in the Book and Page shown on the First Page hereof.

Robert J. Robinson 18
ROBERT J. ROBINSON, Register of Deeds

Inst # 37789 Book 1360Page: 537

Notary Public

CERTIFICATION

The Board of Directors of the Harbour Association of Bald Head Island hereby certifies, in accordance with the requirement of Article XI, Paragraph 4 of the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Bald Head Island Harbour, as recorded in Book 985, Page 384 et seq, Brunswick County Registry, that said Declaration has been amended upon proper vote of owners of more than fifty percent (50%) of the lots within said Association, and that the amendment to which this certification is attached, upon recordation, is certified to be valid, properly adopted, and of full force and effect.

This the 9th day of Nov, 1999.

By: [Signature]

By: Joyce C. Fulton

By: [Signature]

By: [Signature]

By: _____

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