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☐ Document contains seals verified by original instrument that cannot be reproduced or copied.

EIGHTH AMENDMENT TO AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR BALD HEAD ISLAND HARBOUR

This Eighth Amendment to the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Bald Head Island Harbour, dated for purposes of reference only as of March 11, 2013, made and entered into by the Harbour Association of Bald Head Island, a North Carolina Non Profit Corporation ("Harbour Association"), upon vote of the Members of the Harbour Association, same being certified by the Harbour Association;

WITNESSETH:

WHEREAS, under the terms of the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Bald Head Island Harbour, dated June 1, 1994, and recorded at Book 985, Page 384 of the Office of the Register of Deeds for Brunswick County, North Carolina, as subsequently amended and supplemented (the "Covenants"), the "Property" as defined and described in the Covenants was made subject thereto; and,

WHEREAS, various terms and provisions within the Covenants refer and or relate to the parking of vehicles within the Property and upon the streets and Common Areas of Bald Head Island Harbour, including by way of reference but not limitation Article VI, paragraph 7 of the 1994 Covenants text, and Section 9 of the Supplemental Declaration of Covenants, Conditions and Restrictions The Peninsula at Harbour Village, dated for purposes of reference April 1, 1999; and,

WHEREAS, on February 20, 2013 the Village of Bald Head Island ("Village") adopted "An Ordinance of the Village of Bald Head Island, North Carolina Creating the Harbour Village Parking District, Ordinance NO. 2013-0202" ("Ordinance") pertaining generally to the regulation, control and administration of parking within Bald Head Island Harbour and other areas as depicted on a map of the Harbour Village Parking District attached to the Ordinance; and,

WHEREAS, on February 20, 2013 the Village also adopted a Resolution accepting an offer of dedication of the Bald Head Island Harbour streets and alleys, the

dedication of same into the Village system of public streets to become effective upon satisfaction of the terms of said Resolution; and,

WHEREAS, in connection with adoption of the Ordinance the Harbour Association was requested to amend its Covenants to reflect the Village's adoption of the Ordinance and that henceforth regulation, control and administration of parking within Bald Head Harbour would fall under the purview of the Ordinance and the powers generally of the Village as a North Carolina Municipal Corporation; and,

WHEREAS, on February 11, 2013, at a duly called Special Meeting of the Harbour Association, with the required number of Members present, it was determined and approved by vote of the Members to amend the Covenants as provided herein;

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

1. As of the effective date of the Ordinance, regulation, control and administration of parking upon the public streets of Bald Head Island Harbour shall be controlled by the terms of the Ordinance, as adopted and as may be, from time to time, duly amended or revised by the Village.

2. Any term, defined term or provision of the Covenants that contradicts the text of the Ordinance, or that has been rendered inapplicable by reason of the adoption of same, shall be and is hereby deleted from the Covenants or is and shall be deemed amended to comply with the terms of the Ordinance, as adopted and as may be, from time to time, duly amended or revised by the Village.

3. Except as expressly set out herein, all of the terms, provisions, defined terms, conditions and restrictions contained in the Covenants, including all amendments and supplements thereto, are hereby ratified and shall remain in full force and effect.

4. In accordance with Article XI, paragraph 4, of the 1994 text of the Covenants, attached hereto is a certification duly adopted by the Board of Directors of the Association certifying that this Eighth 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 the 11th, day of March, 2013.

HARBOUR ASSOCIATION OF BALD HEAD
ISLAND

By: Anita M. Schnog (SEAL)
Anita M. Schnog, President

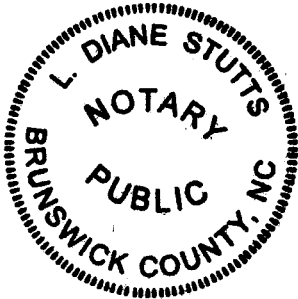
ATTEST:

Joyce C. Fulton
Joyce C. Fulton, Assistant Secretary

STATE OF NORTH CAROLINA,
BRUNSWICK COUNTY

I, L. DIANE STUTTS, a Notary Public for the County and State aforesaid, certify that Joyce C. Fulton personally came before me this day and acknowledged that she is the Assistant Secretary of the Harbour Association of Bald Head Island, a North Carolina Non Profit Corporation, 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 her as its Assistant Secretary.

WITNESS my hand and official seal this the 11th day of March, 2013.



L. Diane Stutts
Notary Public
My Commission expires: 12/4/2016

CERTIFICATION

The undersigned Board of Directors of the Harbour Association of Bald Head Island hereby certifies, in accordance with the requirements 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, of the Brunswick County North Carolina Registry of Deeds, that said Declaration has been amended upon proper written vote of the owners of not less than fifty (50%) percent 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 11th day of March, 2013.

Anita M. Schnog
Anita M. Schnog

[Signatures continue on the following page.]



Rebecca L. Lokey
Rebecca Lokey

Carlos B. Cook
Carlos B. Cook

Daniel McLamb
Daniel McLamb

Joyce C. Fulton
Joyce C. Fulton



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Rebecca Lokey

Carlos B. Cook

Daniel McLamb

Joyce C. Fulton