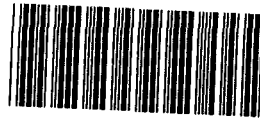


NORTH CAROLINA, CARTERET COUNTY  
This instrument and this certificate are duly filed at  
the date and time and in the Book and Page shown  
on the first page hereof.

Joy Lawrence, Register of Deeds  
Barbara Cohen  
Asst. Deputy, Register of Deeds



FILE # 1331132

FOR REGISTRATION REGISTER OF DEEDS  
Joy Lawrence  
Carteret County, NC  
January 13, 2010 08:56:09 AM  
COUNTER ADMT 5 P  
FEE: \$26.00  
FILE # 1331132

✓ Lincoln

**FIFTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS,  
RESTRICTIONS AND EASEMENTS TO DOLPHIN RIDGE AND ROYALL OAKS**

**This Fifth Amendment** to Declaration of Covenants, Conditions, Restrictions and Easements to Dolphin Ridge and Royall Oaks, made and entered into this the 30<sup>th</sup> day of November, 2009, by Dolphin Ridge and Royall Oaks Property Owners Association, Inc., a North Carolina non-profit corporation, hereinafter "Association."

**WHEREAS**, The Nassau Corporation as developer, did record duly approved Subdivision plats for Dolphin Ridge and Royall Oaks whereby certain property was subdivided into single family lots in subdivisions known as Dolphin Ridge and Royall Oaks, and

**WHEREAS**, The Nassau Corporation did subject all of Dolphin Ridge and Royall Oaks to the Declaration of Covenants, Conditions, Restrictions, and Easements recorded in Book 656, Page 234, Carteret County Registry, (the original Declaration); and as amended in the First Amendment to Declaration as recorded in Book 683, Page 47, Second Amendment to Declaration as recorded in Book 689, Page 488, Third Amendment to Declaration as recorded in Book 756, Page 972, and Fourth Amendment to Declaration as recorded in Book 758, Page 879, all in the Carteret County Registry; and

**WHEREAS**, the Original Covenants and the Amended Covenants are hereinafter referred to jointly as the "Covenants"; and

**WHEREAS**, in accordance with the original covenants, Section P Paragraph (1), the covenants may be amended by an instrument signed by not less than three-fourths (3/4) of the individual lot owners within Dolphin Ridge and Royall Oaks and

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5

**WHEREAS**, the consenting Owners include three-fourths (3/4) of the individual lot owners within Dolphin Ridge and Royall Oaks and such owners have approved, effective October 30, 2009, this instrument as an Amendment to the Covenants; and

**WHEREAS**, the Association through its board of Directors has approved this instrument and directed that it be recorded in the Office of the Carteret County Register of Deeds.

**NOW THEREFORE**, the consenting Owners and the Association hereby adopt this instrument as the Fifth Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of Dolphin Ridge and Royall Oaks and do acknowledge the changes to the Original covenants and the amendments as follows:

The following paragraph shall be inserted after Paragraph 31 at the end of Section L: Restrictions on Use and Occupancy:

**(32) The only above ground pools allowed are those of a temporary nature used as children's pools and must be less than 24 inches in depth, and have no filtration equipment, pumps or electrical components. Anything larger, such as "pop-up" pools or permanent inflatable pools are not allowed. Any pool having filtration equipment, pumps or electrical components, must be a permanent, in-ground pool, subject to review and approval by the Architectural Control Committee.**

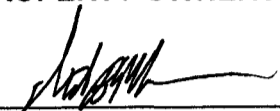
In all other terms and respects, the aforesaid Declaration (as previously amended) is hereby ratified and affirmed.

Attached hereto as **Schedule "A"** and incorporated herein as if fully set out is a list of all current homeowners upon recordation of this Fifth Amendment, all of the homeowners shall be set forth in the Grantor Index on this Amendment along with the Association whose President has executed this Amendment.

**IN WITNESS WHEREOF**, Dolphin Ridge and Royall Oaks Property Owners Association, Inc., has caused this instrument to be executed under seal and in such form as to be binding, all by authority of its board of directors first duly given, this day and year first above written.

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DOLPHIN RIDGE AND ROYALL OAKS  
PROPERTY OWNERS ASSOCIATION

  
\_\_\_\_\_  
Nicholas Klaus, President

NORTH CAROLINA

CARTERET COUNTY

I, Shannon Naquin, a Notary Public of the county and state aforesaid, do hereby certify that **Nicholas Klaus** who is known to me or proved to me on the basis of satisfactory evidence to be the person described, personally appeared before me this day and acknowledged to me that that he is President of Dolphin Ridge and Royall Oaks Property Owners Association, Inc., a corporation and that he as president, being authorized to do so, executed the forgoing instrument on behalf of the Corporation.



Witness my hand and seal this the 8<sup>th</sup> day of December, 2009.

  
\_\_\_\_\_  
Notary Public

My Commission expires: 04-11-2014

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SCHEDULE "A"

Adams, Mr. & Mrs. Russell	Garnier, Mr. & Mrs. John
Alexander, Mr. & Mrs. John M.	Garrett, Mr. & Mrs. James
Ambrose, Mr. & Mrs. Kenneth	Glenn, Stephen
Angelo, Mr. Mike	Gorham, Mr. & Mrs. Henry
Baker, Anne	Gregorio, Ms. Maria
Bedell, Claudia A.	Gruber, Mr. David
Berbrick, Mr. & Mrs. James	Grywalski, Mr. & Mrs. William
Bias, Mr. & Mrs. Charles	Guth, Mr. & Mrs. John
Boland, Mr. & Mrs. Robert	Guthrie, Mr. George
Bortoff, Mr. & Mrs.	Hallow, Mr. & Mrs. John
BFP Development	Harke, Dennis M.
Breezy, LLC	Harpine, Mr. & Mrs. Layne
Briggs, Mr. & Mrs. Andrew	Hartley, Mr. & Mrs. John
Brilakis, Antony A.	Hartley, Mr. & Mrs. Chris
Brilakis, Col. & Mrs. Mark	Hartley Family
Brown, Sheila	Hayes, Mr. & Mrs. Stephen
Burnette, Miss Ellen	Hogg, Mr. & Mrs. William
Burton, Mr. & Mrs. Thomas	Holcombe, Mr. & Mrs. Fred
Butta, Mr. & Mrs. Leonard	Holland, Mr. & Mrs. Edward
Byrd, Mr. & Mrs. Keith	Horner, Mr. Robert C.
C & Z Enterprises	Jarrett, Mr. & Mrs. Gary A.
Cates, Mr. & Mrs. Chris	Johnson, Mr. & Mrs. Charles
CJF	Kaufman, Ms. Paula
Conatser, Mr. & Mrs. Bernis	Kemp, Mr. & Mrs. William
Connor, Mr. & Mrs. Michael	Klaus, Mr. Nicholas & Kate
Coop, Mr. & Mrs. Thomas L.	Kolkin, Dr. & Mrs. Jon
Dale, Mr. & Mrs. Timothy	Lenz, Ms. Sheryl
Dean, Stuart & Elizabeth	Locke, Mr. & Mrs. John
Delorier, Mr. & Mrs. Peter	Lomax, Mr. Raymond Alan
Diamond, Dr. & Mrs. John	Margraf, Mr. & Mrs. Russell
Dicioccio, Mr. & Mrs. Daniel	Martinez, Mr. & Mrs. Ervin
Didomenico, Mr. & Mrs. David	McVoy, Joseph & Bonita
Divita, Mr. & Mrs. Nicholas	Minnick, Mr. & Mrs. Thomas
Doty, Mr. & Mrs. Edwin	Muller, Ms. Andrea
Dunn, Mr. & Mrs. Christopher	Murray, Mr. & Mrs. Horace W.
Dykstra, Mr. Michael J.	Music, Mr. & Mrs. Christian
Eppolite, Mr. & Mrs. Frank	Nassau Corporation
Fairhurst, Mr. & Mrs. William	Nassef, Ms. Margaret
Farrar, Mr. Dennis L.	Nguyen, Mr. & Mrs. Young
Ferris, Mr. Doher J.	Norris, Mrs. Agnes
Flynn, Mr. & Mrs. William P.	Oebbecke, Joeseoph & Diana
Foster, Mr. & Mrs. John	Ojalehto, Mr. & Mrs. George
Francis, Mr. & Mrs. Nick	Pasfield, Mr. & Mrs.
	Passey, Mr. & Mrs. Terence
	Payne, Mr. & Mrs. Charles

Peele, Mr. & Mrs. Julian Pifer, Mr. & Mrs. Mark Piotrowicz, Mr. & Mrs. Podlas, Mr. John Potts, Mr. Charles Poythress, Mr. & Mrs. Terry Poythress, Mr. & Mrs. Kevin Ralph, Mr. & Mrs. Nelson P. Reddin, Mr. & Mrs. George Redlop Properties Reed, Mr. & Mrs. Kevin Rice, Mr. & Mrs. Robert Riddle, Mr. & Mrs. Timothy Riffe, Ms. Beth Ringwalt, Dr. & Mrs. Eric Roach, Mr. Edward Rouston, Mr. & Mrs. Clint D. Russomanno, Mr. Christopher Schaefer, Mr. & Mrs. Robert Schnittker, Mr. Frederick Schock, Mr. & Mrs. David Scurfield, Mr. & Mrs. Ralph Shenigo, Mr. Michael Sheidls, Mr. & Mrs. John J. Sholtz, Mr. & Mrs. Michael Short, Mr. & Mrs. Daniel Smith, Mrs. Amy Smith, Mr. Steven M. Speicher, Mr. & Mrs. John Stanley, Mr. & Mrs. Robert Steffanick, Mr. & Mrs. Timothy Steich, Mr. Richard Stephens, Mr. & Mrs. William H. Stewart, Mr. Robert B. Stone, Mr. & Mrs. Jacob Stone, Mr. & Mrs. Kenneth Strom, Mr. Ronald Sutton, Michael L. Sylvester, Mr. Leon W. Sylvia, Mr. James Taglienti, Mr. & Mrs. Eugene Tanke, Ms. Debra Tedrick, Mr. & Mrs. Thomas, Mr. & Mrs. Joel Tommasino, Mr. & Mrs. Joseph	Treston, Mr. & Mrs. Brian Ronald Tucker, Mr. & Mrs. Cuirt Tweedy, Mr. & Mrs. John VanZeeland, Mr. & Mrs. Thomas Watson, Mr. & Mrs. Brian Watson Matthews Real Estate Watts, Mr. & Mrs. Gregory Weeks, Mr. & Mrs. Michael Weldon, Mr. & Mrs. Thomas Wells, Mr. & Mrs. Steven Williams, Mr. & Mrs. William T. Wilson, Ms. Judith Wilson, Mrs. Nancy
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