

SECOND AMENDMENT TO DECLARATION

THIS SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS OF DOLPHIN RIDGE AND ROYALL OAKS, made and entered into this the 18<sup>th</sup> day of June, 1992, by and between THE NASSAU CORPORATION and ALL PROSPECTIVE PURCHASERS OR OWNERS of Lots 1 through 86 and 92 through 121 as shown on the plat entitled "DOLPHIN RIDGE" recorded in Map Book 28, Page 228, and Lots 1 through 45 as shown on the plat entitled "ROYALL OAKS" recorded in Map Book 28, Page 229, Carteret County Register of Deeds Office;

W I T N E S S E T H:

WHEREAS, The Nassau Corporation (hereinafter called "Declarant") is the developer of the subdivisions known as Dolphin Ridge and Royall Oaks as more particularly shown on the plats recorded in Map Book 28, Page 228 and Map Book 28, Page 229, in the Carteret County Register of Deeds Office; and,

WHEREAS, Declarant has recorded a Declaration of Covenants, Conditions, Restrictions and Easements of Dolphin Ridge and Royall Oaks in Book 656, Page 234, and a First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of Dolphin Ridge and Royall Oaks in Book 683, Page 47, (hereinafter collectively called "Declaration") in the Carteret County Register of Deeds Office; and,

WHEREAS, Declarant is the owner of all of the lots and pursuant to Article P of the aforesaid Declaration, Declarant desires to amend the aforesaid Declaration.

NOW, THEREFORE, Declarant does hereby amend the Declaration of Covenants, Conditions, Restrictions and Easements of Dolphin Ridge and Royall Oaks recorded in Book 656, Page 234, as amended by the First Amendment to Declaration of Covenants, Conditions, Restrictions and Easements of Dolphin Ridge and Royall Oaks recorded in Book 683, Page 47, as follows:

1. The sentences under Paragraph 2 of Article J which read "Cedar shake, slate and clay tile shingles are preferred and

BOOK 689 PAGE 488

PREPARED BY  
WARD AND SMITH, P.A.  
ATTORNEYS AT LAW  
1001 COLLEGE COURT  
NEW BERN, NC  
28560

WARD AND SMITH, P.A. ATTORNEYS AT LAW

are the only type of shingles permitted on Lots 47 through 86 in Dolphin Ridge. Except for Lots 47 through 86 in Dolphin Ridge where asphalt shingles are completely prohibited, asphalt shingles will be permitted on other Lots only if they are of a quality comparable to or better than "Timberline" quality asphalt shingles." are deleted in their entirety and the following sentences are inserted in their place:

All roof coverings must be approved by the Architectural Control Committee. If shingles are to be used as a roof covering, cedar shake, slate, or clay tile shingles are preferred and may be required by the Architectural Control Committee on Lots 47 through 86 in Dolphin Ridge. To be considered for approval, asphalt shingles must be of a quality comparable to or better than "Timberline" quality asphalt shingles.

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

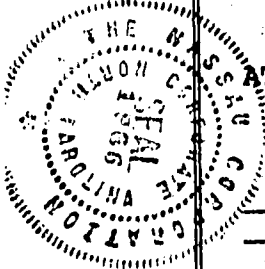
IN TESTIMONY WHEREOF, The Nassau Corporation has caused this instrument to be executed under seal and in such form as to be binding, all by authority of its board of directors first duly given, this the day and year first above written.

THE NASSAU CORPORATION

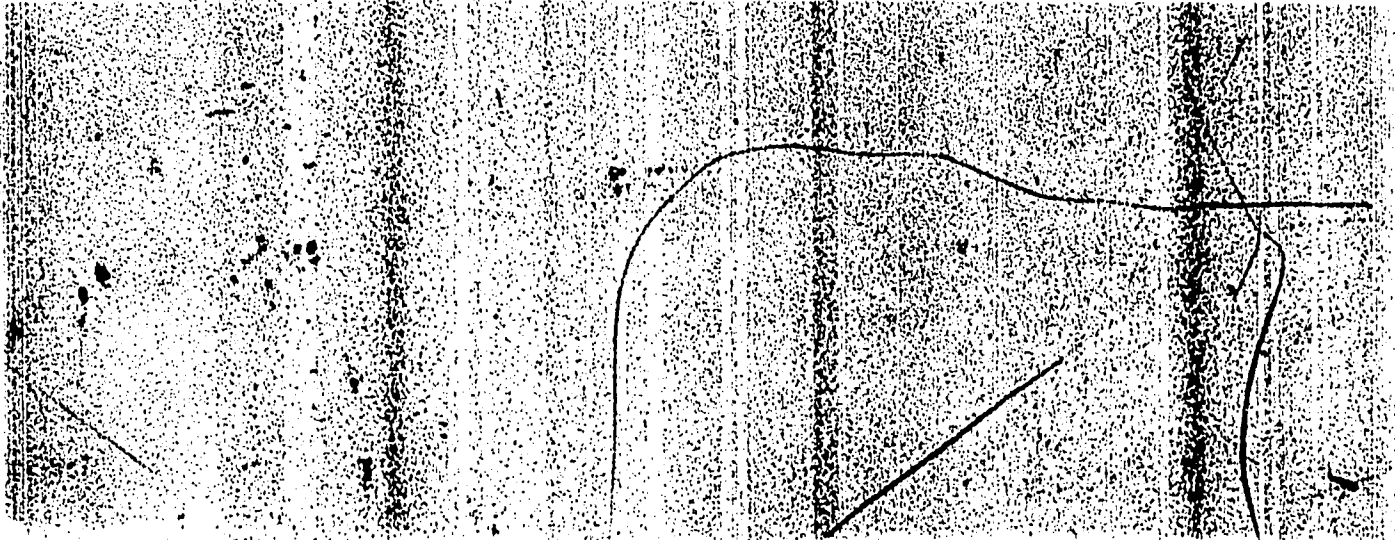
By: *Louis R. Holding*  
President

ATTEST:

*Verla Messer*  
Secretary



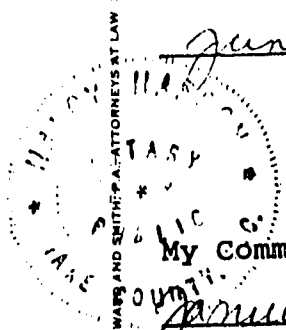
BOOK 689 PAGE 488



STATE OF NORTH CAROLINA  
COUNTY OF Wake

I, Nancy Naron, a Notary Public in and for said County and State, do hereby certify that on the 18 day of June, 1992, before me personally appeared Lewis R. Holding with whom I am personally acquainted, who, being by me duly sworn, says that he is \_\_\_\_\_ President and that Verla Messer is \_\_\_\_\_ Secretary of THE NASSAU CORPORATION, the corporation described in and which executed the foregoing instrument; that he knows the common seal of said corporation; that the seal affixed to the foregoing instrument is said common seal; that the name of the corporation was subscribed thereto by the said \_\_\_\_\_ President; that the said \_\_\_\_\_ President and \_\_\_\_\_ Secretary subscribed their names thereto and the said common seal was affixed, all by authority of the Board of Directors of said corporation; and that the said instrument is the act and deed of said corporation.

WITNESS my hand and notarial seal, this the 18 day of June, 1992.



Nancy Naron  
Notary Public

My Commission Expires:

January 6, 1997

STATE OF NORTH CAROLINA  
COUNTY OF CARTERET

The foregoing certificate of Nancy Naron, a Notary Public of Wake County, North Carolina, is certified to be correct. This instrument was presented for registration this day and hour and duly recorded in the office of the Register of Deeds of Carteret County, North Carolina; in Book 689, Page 488.

This 22 day of June, 1992, at 12:15 o'clock P.M.

Sharon Piner  
Register of Deeds

86-0233(F)  
06/17/92  
CDR\VST  
W2MAIN\27899.1

BOOK 689 PAGE 488