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STATE OF NORTH CAROLINA  
COUNTY OF PENDER

AMENDMENT TO DECLARATION  
OF COVENANTS, CONDITIONS AND  
RESTRICTIONS FOR  
TURNBURY OAKS TOWNHOUSES

Prepared by: James Brandon, P O Box 40, Hampstead, North Carolina 28443

This Amendment to Declaration of Covenants, Conditions and Restrictions made this the  
16<sup>TH</sup> day of February, 2012 by

**LINWOOD J JONES and wife, DIANNE C JONES**  
**SUSIE J BRANDON**  
**JOHN A CAPUTO and wife, JANE L CAPUTO**  
**PAUL BEST and wife, ROSA BEST**  
**MATTHEW T LANIER**  
**JOSEPH J MORRIS**  
**ROBERT SCOTT RICE**  
**CHRISTINE READY**  
**LINDA F HUMPHREY**  
**HARBOURSIDE HOLDINGS LLC**  
**DEWENE S THOMAS and CLAIRE M PATRICK**

all Lot owners in Turnbury Oaks Townhouses  
(hereinafter individually and collectively referred to as "Lot Owner").

The designation Declarant and Developer as used herein shall include said parties, their  
heirs, successors and assigns, and shall include singular, plural, masculine, feminine or  
neuter as required by context.

WITNESSETH:

Whereas, Lot Owners are the owners of Lots in that certain Subdivision in Pender County, North Carolina known as Turnbury Oaks as shown on map recorded in Map Book 34 at Page 69 of the Pender County Registry; and

Whereas, Turnbury Oaks is subject to the Restrictive Covenants of Turnbury Oaks recorded in Book 1708 at Page 113, and all of the other, if any, Supplements and Amendments thereto recorded in the Pender County Registry; and

Whereas, Lot Owners are the owners of more than sixty (60%) of the Lots in Turnbury Oaks to which at least sixty (60%) percent of the votes in Turnbury Oaks Owners' Assoc., Inc. (the "Association") are allocated; and

Whereas, pursuant to the provisions of Article XIV Section 5 of the Declaration recorded in Book 1708 at Page 113, Lot Owners desire to amend said Declaration; and that such amendment shall provide for the preservation of the lot values and the desirability and attractiveness of the lots.

NOW, THEREFORE, Lot Owners, in accordance with the recitals which by this reference are made a substantive part hereof, Lot Owners do hereby covenant and agree with all persons, firms, corporations and other entities hereafter acquiring title to any portion of the property or Lots that the property and Lots are hereby subject to the following amendment as to the use thereof and do agree, publish and declare that the deeds made by them to purchasers of the property and the Lots shall be made subject to the following amended restriction:

#### ARTICLE VI COVENANTS FOR ASSESSMENTS

New Subsection f to Section 5 entitled "Insurance" added which reads as follows:

f. Individual Policies. If the Association shall determine that it would be more economically feasible in lieu of the Association maintaining a master policy for the entire Planned Community, for the Lot Owners to purchase insurance policies covering each Lot and Lot Owner individually, then upon assent of 60 percent of the Members (which votes may be cast in person or by proxy) who are eligible to vote at a meeting duly called for such purpose, the insurance coverage for the entire Planned Community, may be turned over to the Members to purchase individual polices under such terms and conditions as the Association may prescribe. If the responsibility for maintaining the insurance coverage on the Planned Community is turned over to the individual Lot Owners under the provisions of this paragraph, then the Association shall be named as additional insured on each policy, each Lot shall be insured for its full replacement value and the provisions of this Section shall be modified accordingly.

[Remainder of this Page left blank intentionally]

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Lot Owner confirms that the Declaration, as hereby amended, shall remain in full force and effect. All capitalized terms used herein shall have the meaning defined in the Declaration.

In Witness Whereof, Lot Owner, has signed and sealed this instrument, this the 27 day of February, 2012

Owner of Lot 10

Linda F. Humphrey (SEAL)  
**LINDA F HUMPHREY**

\_\_\_\_\_  
(SEAL)

STATE OF NORTH CAROLINA

COUNTY OF Lenoir

I, certify that the following person(s), known to me or proved to me on the basis of satisfactory evidence to be the person(s) described personally appeared before me this day, each acknowledging to me that he and/or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated, if any:

**LINDA F HUMPHREY**

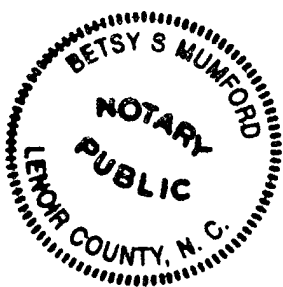
Date: 2-27-12

Betsy S Mumford  
(Signature of Notary)

(Official Seal)

Betsy S Mumford  
(Printed or typed name of Notary Public)

My Commission Expires: 08-08-2016





Lot Owner confirms that the Declaration, as hereby amended, shall remain in full force and effect. All capitalized terms used herein shall have the meaning defined in the Declaration.

In Witness Whereof, Lot Owner, has signed and sealed this instrument, this the 16 day of February, 2012

Owner of Lot 12 Devene S Thomas (SEAL)

DEWENE S THOMAS

Claire M. Patrick (SEAL)

CLAIRE M PATRICK

STATE OF NORTH CAROLINA

COUNTY OF Pender

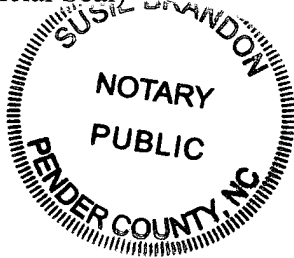
I, certify that the following person(s), known to me or proved to me on the basis of satisfactory evidence to be the person(s) described personally appeared before me this day, each acknowledging to me that he and/or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated, if any:

**DEWENE S THOMAS and CLAIRE M PATRICK**

Date: 2-16-2012

Susie Brandon  
(Signature of Notary)

(Official Seal)



Susie Brandon  
(Printed or typed name of Notary Public)

My Commission Expires: 8-30-2014

Lot Owner confirms that the Declaration, as hereby amended, shall remain in full force and effect. All capitalized terms used herein shall have the meaning defined in the Declaration.

In Witness Whereof, Lot Owner, has signed and sealed this instrument, this the 21 day of February, 2012

Owner of Lot 1

 (SEAL)  
LINWOOD J JONES

\_\_\_\_\_  
DIANNE C JONES (SEAL)

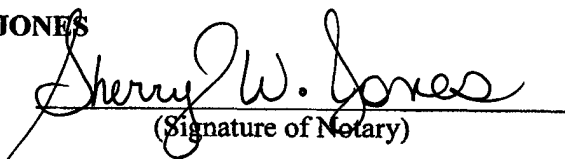
STATE OF NORTH CAROLINA

COUNTY OF JOHNSTON.

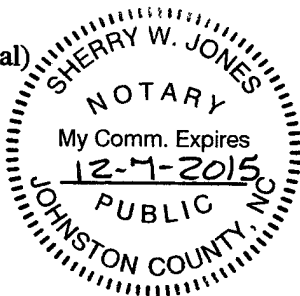
I, certify that the following person(s), known to me or proved to me on the basis of satisfactory evidence to be the person(s) described personally appeared before me this day, each acknowledging to me that he and/or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated, if any:

**LINWOOD J JONES and DIANNE C JONES**

Date: FEB 22, 2012

  
(Signature of Notary)

(Official Seal)



Sherry W. Jones  
(Printed or typed name of Notary Public)

My Commission Expires: Dec. 7, 2015



Lot Owner confirms that the Declaration, as hereby amended, shall remain in full force and effect. All capitalized terms used herein shall have the meaning defined in the Declaration.

In Witness Whereof, Lot Owner, has signed and sealed this instrument, this the 19th day of ~~December, 2011~~ March, 2012. *SB*

Owner of Lots 2 and 7

*Susie J. Brandon* (SEAL)  
**SUSIE J BRANDON**

\_\_\_\_\_ (SEAL)

STATE OF NORTH CAROLINA

COUNTY OF Pender.

I, certify that the following person(s), known to me or proved to me on the basis of satisfactory evidence to be the person(s) described personally appeared before me this day, each acknowledging to me that he and/or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated, if any:

**SUSIE J BRANDON**

Date: 3-19-2012

*Kathryn J. Pruitt*  
(Signature of Notary)

(Official Seal)

Kathryn J Pruitt  
(Printed or typed name of Notary Public)

My Commission Expires: 8/12/2014





Lot Owner confirms that the Declaration, as hereby amended, shall remain in full force and effect. All capitalized terms used herein shall have the meaning defined in the Declaration.

In Witness Whereof, Lot Owner, has signed and sealed this instrument, this the 22 day of February, 2012

Owner of Lot 3

[Signature] (SEAL)  
JOHN A CAPUTO

[Signature] (SEAL)  
JANE L CAPUTO

New York  
STATE OF NORTH CAROLINA

COUNTY OF Suffolk.

I, certify that the following person(s), known to me or proved to me on the basis of satisfactory evidence to be the person(s) described personally appeared before me this day, each acknowledging to me that he and/or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated, if any:

**JOHN A CAPUTO and JANE L CAPUTO**

Date: 2/22/12

[Signature]  
(Signature of Notary)

(Official Seal)

ROSANNE HOLT  
(Printed or typed name of Notary Public)

My Commission Expires: 6/30/15

**ROSANNE HOLT**  
Notary Public, State of New York  
No. 41-4643016  
Qualified in Nassau County  
Commission Expires 6/30/15



Pender County, NC Register of Deeds

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Lot Owner confirms that the Declaration, as hereby amended, shall remain in full force and effect. All capitalized terms used herein shall have the meaning defined in the Declaration.

In Witness Whereof, Lot Owner, has signed and sealed this instrument, this the 16 day of February, 2012

Owner of Lot 4

[Signature] (SEAL)  
PAUL BEST

[Signature] (SEAL)  
ROSA BEST

STATE OF NORTH CAROLINA

COUNTY OF PENDER

I, certify that the following person(s), known to me or proved to me on the basis of satisfactory evidence to be the person(s) described personally appeared before me this day, each acknowledging to me that he and/or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated, if any:

**PAUL BEST and ROSA BEST**

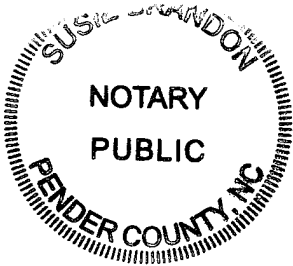
Date: 2-16-2012

[Signature]  
(Signature of Notary)

(Official Seal)

Susie Brandon  
(Printed or typed name of Notary Public)

My Commission Expires: 8-30-2014







Lot Owner confirms that the Declaration, as hereby amended, shall remain in full force and effect. All capitalized terms used herein shall have the meaning defined in the Declaration.

24<sup>th</sup> In Witness Whereof, Lot Owner, has signed and sealed this instrument, this the day of February, 2012

Owner of Lot 6

Joseph J Morris (SEAL)  
JOSEPH J MORRIS  
\_\_\_\_\_  
(SEAL)

STATE OF NORTH CAROLINA

COUNTY OF Pender

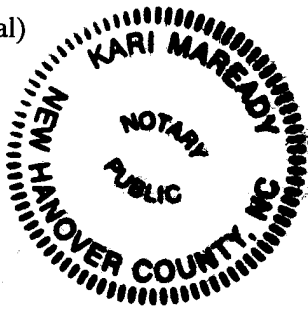
I, certify that the following person(s), known to me or proved to me on the basis of satisfactory evidence to be the person(s) described personally appeared before me this day, each acknowledging to me that he and/or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated, if any:

JOSEPH J MORRIS

Date: 2/24/12

Kari  
(Signature of Notary)

(Official Seal)



Kari Maready  
(Printed or typed name of Notary Public)

My Commission Expires: October 25, 2014