

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

FIRST AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND
RESTRICTIONS FOR MADISON PLACE AT
MASONBORO WOODS

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, MAURICE S EMMART, JR., TRUSTEE, (hereinafter "Declarant") is the developer of that certain subdivision in New Hanover County, North Carolina, known as MADISON PLACE AT MASONBORO WOODS, all sections, and

WHEREAS, the Declaration of Covenants, Conditions and Restrictions for MADISON PLACE AT MASONBORO WOODS (hereinafter "Declaration"), was recorded in Book 2624 at Page 724 of the New Hanover County Registry; and

WHEREAS, Declarant caused to be filed in the New Hanover County Registry the following maps of lots and sections in Madison Place at Masonboro Woods: Map Book 39, Page 66; Map Book 39, Page 327; Map Book 40, Page 5; Map Book 40, Page 315; and

WHEREAS, in Article XI, Section 7 the Declarant reserved the right to amend and modify the Declaration without the joinder and consent of any party or lot owner until July 1, 2005, and

WHEREAS, Declarant desires to amend the Declaration by adding the following provisions to Article VI, Section 4:

a. The maximum built-upon area per lot (for all sections) is 3200 square feet, inclusive of that portion of the right-of-way between the lot line and the edge of pavement, structures, pavement, walkways of brick, stone or slate, but not including open wood decking or the water surface of swimming pools.


b. The covenants pertaining to stormwater regulations may not be changed or deleted without concurrence of the State.

c. Alteration of the drainage as shown on the approved plan may not take place without the concurrence of the State.

d. All runoff on the lot must drain into the permitted system. This may be accomplished through providing roof drain gutters which drain to the street, grading to the lot to drain toward the street or grading perimeter swales and directing them into the pond or street. Lots that naturally drain into the system are not required to provide these measures.

Except as herein amended the Declaration recorded in Book 2624 at Page 724 shall remain in full force and effect.

IN TESTIMONY WHEREOF, the undersigned has caused this instrument to be executed, this the 5th day of June, 2001.

 (SEAL)
MAURICE S. EMMART, JR., Trustee

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, Rita J. Henry, a Notary Public of the County of Brunswick and State aforesaid, do hereby certify that MAURICE S. EMMART, JR., as Trustee, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

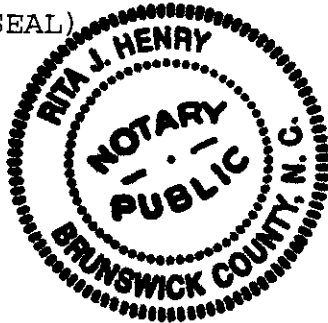
WITNESS my hand and official stamp or seal, this the 5th day of June, 2001.

Rita J. Henry
Notary Public

My Commission Expires:

7/8/2001

(AFFIX NOTARIAL SEAL)



/MADISONA
RESTRICT



REBECCA T CHRISTIAN
REGISTER OF DEEDS, NEW HANOVER
JUDICIAL BUILDING
316 PRINCESS STREET
WILMINGTON, NC 28401

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DECL 3 PGS \$10 00

Recorder. JACQUELINE NELSON

State of North Carolina, County of New Hanover

The foregoing certificate of RITA J HENRY Notary is certified to be correct. This 6TH of June 2001

REBECCA T. CHRISTIAN , REGISTER OF DEEDS By:


Deputy/Assistant Register of Deeds

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