

Prepared by:

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111 Cloister Court, Ste. 200, Chapel Hill, NC 27514

Return to: Declarant, 131 Racine Drive, Suite 201, Wilmington, NC 28403

FOURTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE SOUND AT WASHINGTON ACRES

This Fourth Amendment to Declaration of Covenants, Conditions and Restrictions for the Sound at Washington Acres (this "Fourth Amendment") is made this 18th day of December, 2019, by **D.R. Horton, Inc.**, a Delaware corporation, hereinafter referred to as "Declarant." Declarant states and declares as follows:

A. Declarant previously made that certain Declaration of Covenants, Conditions and Restrictions for the Sound at Washington Acres recorded in Book 4658 Page 181, Pender County Register of Deeds, as amended by: (i) that First Amendment to Declaration of Covenants, Conditions and Restrictions for the Sound at Washington Acres recorded in Book 4660 Page 414, Pender County Register of Deeds, (ii) that Second Amendment to Declaration of Covenants, Conditions and Restrictions for the Sound at Washington Acres recorded in Book 4671 Page 405, Pender County Register of Deeds, and (iii) that Third Amendment to Declaration of Covenants, Conditions and Restrictions for the Sound at Washington Acres recorded in Book 4672 Page 22, Pender County Register of Deeds (collectively, as amended and supplemented, the "Declaration").

B. Pursuant to Section 11.11 of the Declaration, during the Declarant Control Period, Declarant has the unilateral right to amend the Declaration.

C. As of the date of this Fourth Amendment, the Declarant Control Period has not expired.

NOW THEREFORE, the Declaration is hereby amended as follows:

1. The following is added as an additional Section 4.3.12 of the Declaration:

4.3.12 Boats. Boats are permitted in the Community with the approval of the ARC, with said approval to be in the sole discretion of the ARC based on boat type, size, proposed storage location of the boat, and other factors deemed relevant by the ARC. Boats shall be permitted up to twenty five feet (25') maximum in length. Boats shall be permitted to be stored on either side of the home and/or the rear yard of the dwelling behind six foot (6') fencing. One (1) boat is permitted per Lot shall be permitted to be stored on the

exterior of the Lot, and one (1) additional boat may be stored inside the garage or behind fencing completely screened from view from the street and adjoining Lots. Boats and boat trailers must be maintained in good condition and cannot fall into disrepair while stored on the Lot. The Lot Owner shall remove the boat or boat trailer immediately from the Lot and make the required repairs, maintenance or cleaning necessary to bring the boat and boat trailer into acceptable condition.

2. Section 2.(a) under Exhibit C of the Declaration is hereby deleted in its entirety and replaced with the following:

(a) Parking any vehicles on streets or thoroughfares within the Community or parking of commercial vehicles or equipment, mobile homes, recreational vehicles, golf carts, trailers, stored vehicles, or inoperable vehicles in places other than enclosed garages; however, construction, service, and delivery vehicles shall be exempt from this provision during daylight hours for such period of time as is reasonably necessary to provide service or to make a delivery to a Lot or the Common Area. For the purposes of these Rules and Regulations a "commercial vehicle" shall mean any vehicle whose title is placed in the name of a company or corporation or any vehicle that is required to be licensed as a commercial vehicle by the North Carolina Division of Motor Vehicles;

2. Except as amended herein, all terms and provisions of the Declaration remain unmodified. As amended herein, the Declaration remains in full force and effect.

SIGNATURES ON NEXT PAGE

IN WITNESS WHEREOF, Declarant has caused this Fourth Amendment to be executed as of the date first stated above.

D.R. HORTON, INC.,
a Delaware corporation

By: Libby Shelton

Print Name: Libby Shelton

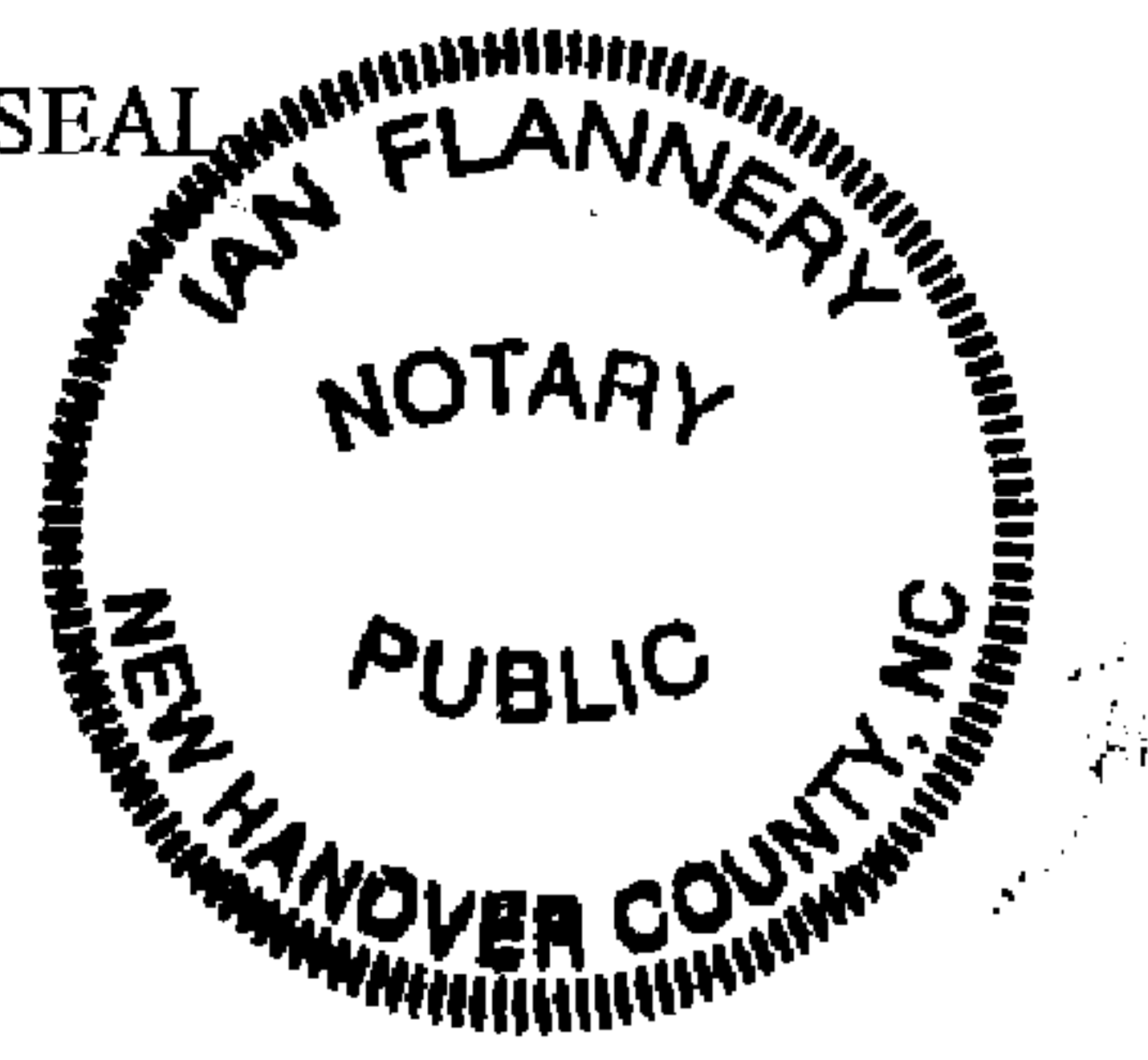
Title: City Manager

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

I, IAN FLANNERY, a Notary Public of the County and State aforesaid, certify that ELIZABETH SHELTON personally appeared before me this day and acknowledged that he/she is a VICE President of D.R. Horton, Inc., a Delaware corporation, and that he/she, being duly authorized to do so, executed the foregoing for and on behalf of said corporation.

Witness my hand and official stamp or seal, this 18TH day of DECEMBER, 2019.

NOTARY SEAL



[Signature]

Signature of Notary Public
My Commission Expires: 04/27/2020