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BK 4826 PG 643-645

STATE OF NORTH CAROLINA COUNTY OF ONSLOW

FIRST AMENDMENT TO MASTER DECLARATION OF COVENANTS AND RESTRICTIONS FOR THE TOWNHOMES OF JUSTICE FARMS, AND ANNEXATION OF THE TOWNHOMES OF JUSTICE FARMS, SECTION II AND SECTION III

Prepared by: Gaylor Edwards & Vatcher, P.A.

219 New Bridge Street Jacksonville, NC 28540

THIS FIRST AMENDMENT TO MASTER DECLARATION OF COVENANTS AND RESTRICTIONS FOR THE TOWNHOMES OF JUSTICE FARMS, AND ANNEXTION OF THE TOWNHOMES OF JUSTICE FARMS, SECTION II AND SECTION III, is made this the \_\_\_\_\_\_\_ day of August, 2018, by DIVERSIFIED INVESTORS, INC., a North Carolina corporation, hereinafter referred to as the "Declarant";

WHEREAS, Declarant has heretofore caused to be recorded a Master Declaration of Covenants and Restrictions for The Townhomes of Justice Farms and The Townhomes of Justice Farms Section I, hereinafter referred to as the "Subdivision," in Book 4500, Page 425, in the Office of the Register of Deeds of Onslow County, North Carolina (the "Master Declaration");

**WHEREAS**, the Master Declaration expressly reserved the right of the Declarant to expand the real property to be subject to the Master Declaration by annexing portions of the Development Area as described on Exhibit A of said Master Declaration;

WHEREAS, the real property hereinafter described is a portion of the Development Area herein above referred to, and Declarant desires to subject said hereinafter described real property to the terms, covenants, restrictions and conditions set forth in the Master Declaration;

WHEREAS, the Declarant will convey the real property hereinafter described as THE TOWNHOMES OF JUSTICE FARMS, SECTION II as hereinafter described, subject to all the terms, covenants, restrictions, conditions, liens and charges set forth in the Master Declaration, all of which are hereby incorporated by

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reference.

NOW, THEREFORE, the Declarant does hereby modify and amend the Master Declaration as follows:

1. **DESCRIPTION OF REAL PROPERTY ANNEXED**: Being all that property situated in Stump Sound Township, Onslow County, North Carolina, and being more particularly described as follows:

Being all the property shown and described on a plat entitled, "Final Plat Showing THE TOWNHOMES OF JUSTICE FARMS, SECTION II," dated March 7, 2018, prepared by John L. Pierce & Associates, P.A. and recorded in Map Book 74, Pages 127 - 127A, Cabinet O, in the Office of the Register of Deeds of Onslow County, North Carolina, the "Section II Plat", and

Being all the property shown and described on a plat entitled, "Final Plat Showing THE TOWNHOMES OF JUSTICE FARMS, SECTION III," dated July 18, 2018, prepared by John L. Pierce & Associates, P.A. and recorded in Map Book 75, Pages 46 - 46A, Cabinet O, in the Office of the Register of Deeds of Onslow County, North Carolina, the "Section III Plat",

**2. AMENDMENT:** Article I, entitled, "DEFINITIONS," is hereby amended by adding to Section C, entitled, "Common Area," the following described real property:

All areas, excluding Lots 57, 58, 59 and 60, shown and described on the Section II Plat, specifically including the "30' Access & Utility Easement," "Access, Parking, Utility Easement," "17' x 14" Access Easement (Dumpster)," the two (2) "15' S.S.E.," "Septic Area D-1," Septic Area D-2," and all areas designated "CA" on the Section II Plat. This additional Common Area will be conveyed to the Association following the recordation of this First Amendment, and

All areas, excluding Lots 13 - 18, inclusive, and Lots 53 - 56, inclusive, shown and described on the Section III Plat, specifically including the "30' Access & Utility Easement," "Access, Parking, Utility Easement," all areas designated "Access & S.S.E.," and "S.S.E.," "Septic Area L-1," "Septic Area L-2," Septic Area E-1," "Septic Area E-2," "Septic Area E-3," and all areas designated "Common Area," or "CA" on the Section III Plat. This additional Common Area will be conveyed to the Association following the recordation of this First Amendment.

3. INCORPORATION BY REFERENCE: All of the terms, covenants, conditions, restrictions, rights, duties and obligations as set forth in the Master Declaration as recorded in Book 4500, Page 425, in the Office of the Register of Deeds of Onslow County, North Carolina, as heretofore amended, are hereby incorporated in this First Amendment by reference. By annexation of THE TOWNHOMES OF JUSTICE FARMS, SECTION II, and THE TOWNHOMES OF JUSTICE FARMS, SECTION III, the Declarant expressly reserves all rights and privileges of the Declarant set forth in the Master Declaration.

**EXCEPT** as hereby amended and modified, the conditions, covenants and restrictions set forth in the Declaration shall remain in full force and effect.

**IN WITNESS WHEREOF**, the Declarant has caused this instrument to be signed, in its name, by a duly authorized officer, as the act and deed of the Declarant, the day and year first above written.

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**DIVERSIFIED INVESTORS, INC., a North Carolina** 

Name: Betty Bullock Title: President

STATE OF NORTH CAROLINA COUNTY OF ONSLOW

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purposes stated therein and in the capacity(ies) indicated:

**BETTY BULLOCK** 

J. Dewley Edwards, JV(Notary's printed or typed name)

My commission expires: July 9, 2021

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