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Onslow County, NC
Rebecca L. Pollard Reg. of Deeds

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STATE OF NORTH CAROLINA
COUNTY OF ONSLOW

**FIRST AMENDMENT TO DECLARATION OF
COVENANTS, EASEMENTS AND RESTRICTIONS FOR
STONEBAY TOWNHOMES PHASE I**

Prepared by: Gaylor Edwards & Vatcher, P.A.
219 New Bridge Street
Jacksonville, NC 28540

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, EASEMENTS AND RESTRICTIONS FOR STONEBAY TOWNHOMES PHASE I is made this the 27 day of May, 2020, by **STONEBAY DEVELOPERS, LLC**, a North Carolina limited liability company, hereinafter referred to as the **"Declarant"**:

WHEREAS, Declarant has heretofore caused to be recorded a Declaration of Covenants, Easements and Restrictions for Stonebay Townhomes Phase I, hereinafter referred to as the **"Subdivision,"** in Book 5077, Page 959, in the Office of the Register of Deeds of Onslow County, North Carolina (the **"Declaration"**);

WHEREAS, Section 13 of the Declaration, authorizes the owners of lots to which at least sixty seven percent (67.0%) of the votes in the Association are allocated to modify or change the restrictive and protective covenants of the Declaration, and Declarant is the owner of lots to which at least sixty seven percent (67.0%) of the votes in the Association are allocated;

WHEREAS, Declarant desires to amend the Declaration as hereinafter provided.

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

Section 4.A., Purpose of Assessments, of the Declaration is amended by deleting the phrase "exterior yard/landscaping maintenance of the front yards of all Lots in the Subdivision," in the eleventh (11th) line and inserting, in lieu thereof, the following: "lawn care, mowing and trimming of the Lots, excluding any area within any fence on a Lot,".

Section 6.K., Driveway/Parking, of the Declaration is amended by deleting the phrase "one (1)

parking space on the Lot and one (1) paved parking space within the Private Drives/Common Area in close proximity to the front of each Lot” in the fifth (5th) and sixth (6th) lines and inserting, in lieu thereof, the following: “one (1) parking space inside the garage on each Lot and one (1) parking space in the driveway on each Lot,” and adding at the end of Section 6.K., the following sentence: “Any additional parking spaces located in the Subdivision shall be available for use on a first come, first served basis.”

Section 6.O., Fence Minimum Requirements, of the Declaration is amended by deleting the second (2nd) and third (3rd) sentences thereof which read “No fence shall be erected between any building and the Recreation Area or Common Area, unless such fence shall be of an ornamental nature. Brick and split-rail fences shall be deemed to meet the requirements of this restriction.”, and inserting, in lieu thereof, the following: “Only white vinyl fences, six (6) feet in height, shall be permitted to be erected on any Lot.”

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 its duly authorized Manager, as the act and deed of the Declarant, the day and year first above written.

STONEBAY DEVELOPERS, LLC, a North Carolina
limited liability company

By: [Signature]
Name: **Elijah T. Morton, Sr.**
Title: **Manager**

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: **Elijah T. Morton, Sr.**

Date: May 27, 2020

[Signature]
(Official Signature of Notary)

Maritza Marciano
(Notary's printed or typed name)

My commission expires: 5/6/2023



(Official Stamp or Seal)