

Presentor Judy Ward Ref: IS  
Total 17 Rev. \_\_\_\_\_ Int. Boyr  
Ck \$ 117.00 Ck # 2112 Cash \$ \_\_\_\_\_  
Reimb. \_\_\_\_\_ Cash \$ \_\_\_\_\_ Finance \_\_\_\_\_  
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 Document contains words verified by original instrument and are not a copy of a copy.

ADDENDUM TO PROTECTIVE COVENANTS  
RECREATION 3 - CAPE FEAR STATION

THIS ADDENDUM TO PROTECTIVE COVENANTS, RECREATION 3 – CAPE FEAR STATION, is made as of the 8<sup>th</sup> day of September, 2008, as follows:

WHEREAS, Bald Head Island Limited, LLC, a Texas limited liability company, as successor to Bald Head Island Limited, a Texas limited partnership, is the owner and developer of that certain real property on Bald Head Island known as Recreation 3 – Cape Fear Station, located in the Village of Bald Head Island, Brunswick County, North Carolina; and;

WHEREAS, Bald Head Island Limited, as Declarant, heretofore caused to be recorded in the records of the Brunswick County Registry in Book 1610, Page 125, certain Protective Covenants for Recreation 3 – Cape Fear Station; and;

WHEREAS, Bald Head Island Limited, LLC, successor Declarant and developer of the property within Cape Fear Station, including the property comprising Recreation 3 (Lot 3000), as shown on that certain plat of survey recorded in the aforesaid Registry in Map Book 26, Page 361, has, in accordance with the provisions of Title 15 NCAC 2H.1000 *et seq.*, recorded within the above-referenced Protective Covenants the impervious coverage limitation for the Lot depicted on said recorded Plat, along with a reservation of the right to revise such impervious coverage limitation upon any revision of the stormwater management permit issued by the State of North Carolina for the aforesaid property;

NOW, THEREFORE, Declarant, Bald Head Island Limited, LLC, hereby declares that in accordance with Title 15 NCAC 2H.1000, *et seq.*, subparagraph (e) of paragraph 6 of the Protective Covenants, Recreation 3 - Cape Fear Station, recorded in the Brunswick County Registry in Book 1610, Page 125, is hereby amended to change the allowable maximum area covered by impervious surfaces, for the property depicted on the above-referenced plat as Lot 3000, from 1.01 acre to 1.79 acre. Except as herein set forth, the aforesaid Protective Covenants shall remain unchanged, and in full force and effect.

This Addendum is made as a result of the modification of the stormwater management permit issued for Cape Fear Station, including the subject property, on August 4, 2008, and is intended to insure continued compliance with stormwater runoff rules adopted by the State of North Carolina, and may be enforced by the State of North Carolina.



The covenants contained herein shall run with the land and shall be binding on all parties and all persons claiming under them.

This Addendum is executed on behalf of Declarant, as of the day and year first above written, by its duly authorized Manager.

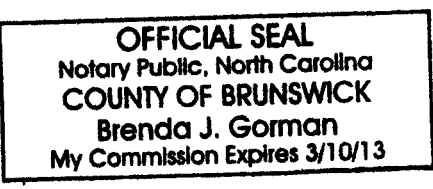
BALD HEAD ISLAND LIMITED, LLC,  
a Texas limited liability company

By: [Signature] (SEAL)  
M. Kent Mitchell, Manager

STATE OF NORTH CAROLINA  
BRUNSWICK COUNTY

I, Brenda J. Gorman, a Notary Public for said County and State, do hereby certify that M. Kent Mitchell, Manager for Bald Head Island Limited, LLC, personally appeared before me this day, and being by me duly sworn, says that he executed the foregoing instrument for and on behalf of the said Bald Head Island Limited, LLC.

WITNESS my hand and official seal, this the 8<sup>th</sup> day of September, 2008.



[Signature]  
Notary Public  
My commission expires: 3/10/13

UNCERTIFIED