

Prepared by and Return to:
Thomas L. White, Jr.
P. O. Box 189
Manteo, N. C. 27954

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NORTH CAROLINA
DARE COUNTY

ALVA G. WISE
REGISTER OF DEEDS
DARE COUNTY, N.C.

KINNAKEET SHORES SUBDIVISION - DECLARATION OF
PROTECTIVE COVENANTS AND RESTRICTIONS

WHEREAS Greenwood Development Corporation is owner of those certain lots or parcels of land located near the Village of Avon, Kinnakeet Township, Dare County, North Carolina, as shown on a map or plat of Kinnakeet Shores - Phase II prepared by W. M. Meekins, Jr. & Associates, dated the 7th day of February, 1983 and recorded in Plat Cabinet B, Slide 211, in the office of the Register of Deeds of Dare County, North Carolina;

AND WHEREAS, the Declarant heretofore filed a Declaration of Protective Covenants, recorded in Book 317, page 297, Dare County Registry, which said covenants were amended on the 14th day of July, 1983, recorded in Book 328, page 906, Dare County Registry;

AND WHEREAS, Greenwood Development Corporation intends to develop the lots and properties shown on said plat recorded in Plat Cabinet B, Slide 211, Dare County Registry under a common scheme of development so that the restrictions and declarations imposed shall inure to the benefit of each and every purchaser of lots shown on the aforesaid map or plat.

NOW THEREFORE, Greenwood Development Corporation does hereby declare and make known and publish that the Declaration of Protective Covenants recorded in Book 317, page 297, as amended in Book 328, page 906, Dare County Registry, shall apply to the lands shown on the map or plat entitled "Kinnakeet Shores - Phase II" recorded in Plat Cabinet B, Slide 211, Public Registry of Dare County, North Carolina.

The party hereto, being owner of the lands in said subdivision, does declare and make the above covenants which shall run with the lands shown on the map to which herein referred to, by whomsoever purchasers of lots in Kinnakeet Shores - Phase II, their heirs, successors and assigns.

IN TESTIMONY WHEREOF, Greenwood Development Corporation has caused this instrument to be executed in its name by its President and attested by its Secretary and its corporate seal affixed hereto, all as the act and deed of the said corporation by its authority duly and legally given, this 19th day of December, 1983.

GREENWOOD DEVELOPMENT CORPORATION

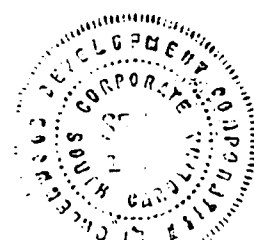
By

[Signature]
President

ATTEST:

[Signature]
Secretary

(Corporate Seal)

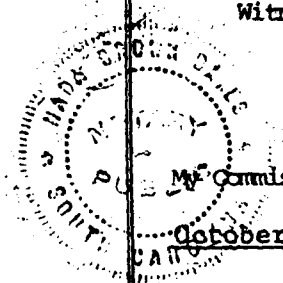


STATE OF SOUTH CAROLINA
COUNTY OF GREENWOOD

I, Nada B. Banes, a Notary Public in and for the aforesaid State and County, do hereby certify that Wayne Q. Justesen, Jr. personally came before me this day and acknowledged that he is the Secretary of Greenwood Development Corporation and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal, and attested by himself as its Secretary.

Witness my hand and notarial seal this 19th day of December, 1983.

Nada B. Banes
Notary Public



My Commission Expires:

October 12, 1989.

NORTH CAROLINA
DARE COUNTY

The foregoing certificate of Nada Brown Banes, a Notary Public of Greenwood County, South Carolina, is certified to be correct.

This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

Alva M. Wood
Register of Deeds

By: Vanella McMurphy
Assistant/Deputy
Register of Deeds

RECORDED: December 23, 1983

FILED

'82 JUL 21 AM 11 50

Prepared by and return to:
Thomas L. White, Jr.
P.O. Box 189
Manteo, NC 27954

ALVA G. WISE
REGISTER OF DEEDS
DARE COUNTY, N.C.

NORTH CAROLINA
DARE COUNTY

KINNAKEET SHORES SUBDIVISION
AMENDED DECLARATION OF PROTECTIVE COVENANTS AND RESTRICTIONS

THIS AMENDED DECLARATION OF PROTECTIVE COVENANTS AND RESTRICTIONS made this the 14th day of July, 1982, by GREENWOOD DEVELOPMENT CORPORATION, owner of lands in Kinnakeet Shores Subdivision, Phase One, as hereinafter described, has hereby declared and made known, as follows:

WHEREAS, Greenwood Development Corporation as owner and developer of a certain tract of land located and being in Kinnakeet Township, Dare County, North Carolina, South of Avon, and being shown on a map or plat entitled "Kinnakeet Shores - Phase One, by Triangle Engineering and Surveying, Inc., Land Surveyors, dated the 24th day of April, 1980, and recorded in Plat Cabinet B, Slide 9, in the office of the Register of Deeds of Dare County, North Carolina:

AND WHEREAS by a document filed on October 7, 1981, and recorded in Book 317, page 297, Dare County Registry, Greenwood Development Corporation filed a Declaration of Protective Covenants and Restrictions affecting the use of the said property:

AND WHEREAS Paragraph 6 of ARTICLE I of said covenants requires that all utilities be placed underground, but it has come to the attention of the developer that Cape Hatteras Electric Membership Corporation, the electric utility, will not install underground utilities in its area of service and, therefore, it has become impossible to comply with said restriction insofar as it relates to electrical service:

NOW, THEREFORE, Greenwood Development Corporation being the owner of the lands in Kinnakeet Shores Subdivision, Phase One, do hereby declare and make known an amendment to Paragraph 6 of ARTICLE I of the aforesaid Declaration of Protective Covenants and Restrictions by deleting said provision and by substituting in its place the following provision:

6. Utilities: All utilities with the exception of electric power, shall be placed underground, and the erection of any exposed antennas shall be done only with the approval of the Architectural Review Committee. Electric Utility Company.

The party hereto, being owner of the lands in said subdivision does declare and make the above covenant which shall run with the lands shown on the map to which herein referred to, by whomsoever purchasers of lots in Kinnakeet Shores - Phase One Subdivision, their heirs, successors and assigns.

IN TESTIMONY WHEREOF Greenwood Development Corporation has caused this instrument to be executed in its name by its President and attested by its Secretary and its corporate seal affixed hereto, all as the act and deed of the said corporation by its authority duly and legally given, the day and year first above written.

GREENWOOD DEVELOPMENT CORPORATION

BY: [Signature]
President

ATTEST:
[Signature]
Secretary
(Corporate Seal)

STATE OF SOUTH CAROLINA

COUNTY OF GREENWOOD

I, Nada B. Banes, a Notary Public in and for the aforesaid State and County, do hereby certify that John E. Eck personally came before me this day and acknowledged that he is the Secretary of Greenwood Development Corporation and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal, and attested by himself as its Secretary.

WITNESS my hand and notarial seal, this the 19th day of July, 1982.

MY COMMISSION EXPIRES:

October 12, 1989

Nada B. Banes
NOTARY PUBLIC for S. C.
(Notarial Seal)

NORTH CAROLINA, DARE COUNTY

The foregoing certificate of Nada B. Banes, a Notary Public of South Carolina, is certified to be correct.

This instrument and this certificate are duly registered at the date and time and in the book and page shown on the first page hereof.

Norma S. Wise
REGISTER OF DEEDS

BY: Norma Jean Ward
~~ASSISTANT~~ REGISTER OF DEEDS
Deputy

RECORDED: July 22, 1982

1982 JUL 21 AM 11 54

Prepared by and Return to:
Martin Kellogg, Jr.
Kellogg, White, Evans, Sharp
and Michael
P. O. Box 189
Manteo, NC 27954

ALVA D. WISE
REGISTER OF DEEDS
DARE COUNTY, N.C.

NORTH CAROLINA
DARE COUNTY

THIS DEED made this the 16th day of July, 1982, by NAOMI B. BAGLEY HOFER and husband, J. W. HOFER, parties of the first part, to PERRY G. BAGLEY and wife, REBECCA C. BAGLEY, an estate by the entirety, of 132 G, Oakmont Drive, Greenville, North Carolina (27834), parties of the second part:

W I T N E S S E T H:

THAT the said parties of the first part, for and in consideration of the love and affection that they bear toward the parties of the second part, and the sum of ONE (\$1.00) DOLLAR to them in hand paid by the said parties of the second part, the receipt of which is hereby acknowledged, have bargained, sold and conveyed, and by these presents do bargain, sell and convey unto the said parties of the second part, their heirs and assigns, all those certain lots or parcels of land lying and being in Dare County, North Carolina, and more particularly described as follows:

All those certain lots or parcels of land lying and being in the Town of Kill Devil Hills, Atlantic Township, Dare County, North Carolina, and known and designated as and being Lots No. 4 and 5, Block 23, as shown and delineated on the map or plat of the subdivision of the lands of the Kill Devil Hills Realty Corporation made by J. E. Henry, Surveyor, May 1953 and June 1954, and recorded in Map Book 2, page 18, in the office of the Register of Deeds of Dare County, North Carolina.

Same being a portion of the lands described in the deed from Kill Devil Hills Realty Corporation to Rollack E. Bagley, Jr. and wife, Naomi B. Bagley, dated June 8, 1965, and recorded in Book 125, page 526, Dare County Registry. Naomi B. Bagley Hofer of the parties of the first part being the survivor of her former husband, Rollack E. Bagley, Jr., deceased.

TO HAVE AND TO HOLD the above described lands and premises together with all the privileges and appurtenances thereunto belonging unto the said parties of the second part, their heirs and assigns, in fee simple forever; subject, however, to the covenants and restrictions as contained in the aforesaid deed from Kill Devil Hills Realty Corporation to Rollack E. Bagley, Jr. et ux dated June 8, 1965, and recorded in Book 125, page 526, Dare County Registry.

AND the said parties of the first part, for themselves and their heirs, administrators, executors and assigns, covenant to and with the said parties of the second part, their heirs and assigns, that they are seized of said lands in fee simple; that they have a good right to convey the same in fee; that the same are free and clear of all encumbrances whatsoever; and that they will forever warrant and defend the title to the same against the claims of all persons whomsoever.

IN TESTIMONY WHEREOF the said parties of the first part have hereunto set their hands and seals the day and year first above written.

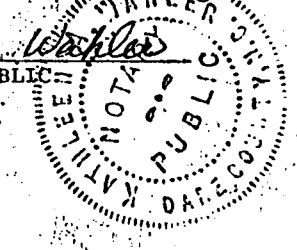
Naomi B. Bagley Hofer (SEAL)
NAOMI B. BAGLEY HOFER

J. W. Hofer (SEAL)
J. W. HOFER

NORTH CAROLINA
DARE COUNTY
DARE

I, Kathleen A. Wahler, a Notary Public in and for the aforesaid County and State do hereby certify that Naomi B. Bagley Hofler and husband, J. W. Hofler, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal, this the 18 day of July, 1982.

Kathleen A. Wahler
NOTARY PUBLIC


MY COMMISSION EXPIRES:

October 27, 1985

NORTH CAROLINA
DARE COUNTY

The foregoing certificate of Kathleen A. Wahler, a Notary Public of Dare County, North Carolina, is certified to be correct.

PRESENTED for registration this the 21st day of July, 1982, at 11:54 o'clock A.M., and recorded in this office in Book 328, Page 908.

Alan G. Wico
REGISTER OF DEEDS

RECORDED: July 22, 1982

BY: Bonnie A. Gray
ASSISTANT REGISTER OF DEEDS