

NORTH CAROLINA
DARE COUNTY

AMENDED DECLARATION OF PROTECTIVE COVENANTS

This AMENDED DECLARATION OF PROTECTIVE COVENANTS made and declared this 24th day of December, 1973, by WARREN D. PALEY and wife, CLAIRE PALEY, acting by and through their designated Attorney-in-Fact, HEATH PALEY, ANDERSON MIDGETT and wife, KATHRYN MIDGETT, and T. STOCKTON MIDGETT and wife, ELIZABETH A. MIDGETT, hereinafter called "Declarants":

W I T N E S S E T H :

WHEREAS, Declarants are the owners of certain real property shown on that plat entitled "Corbina Shores, North Rodanthe on Hatteras Island, Kinnekeet Township, North Carolina, Dare County", prepared by Kermit R. Sinclair, Registered Surveyor of Manteo, North Carolina, and recorded in Map Book 3 at page 127, Dare County Registry;

WHEREAS, Declarants file for record certain protective covenants which appear in Book 167 at page 660, Dare County Registry, and which apply to the said Subdivision;

WHEREAS, Declarants intend to provide a recorded access area for the Subdivision owners to utilize in egress and ingress to and from the shores of Pamlico Sound;

NOW, THEREFORE, Declarants do hereby declare and make known and publish that the following covenant shall be in addition to the covenants recorded in Book 167 at page 660, Dare County Registry, and shall run with the lands and lots shown on the plat hereinbefore described, and said covenant and restriction shall be binding on all parties, entities or persons purchasing real property shown on the aforesaid plat or their heirs or designees or any other person claiming under them; this present covenant shall apply to all lots within the named Subdivision regardless of the applicability of the covenants recorded in Book 167 at page 660, Dare County Registry, to less than all of the lots.

The covenant, restriction and declaration is as follows:

1. There is and shall be a permanent right of way for ingress and egress of all lot owners within the Subdivision, their heirs or designees, in and over the following described land:

BEGINNING at a stake or other marker lying in and on the centerline of Corbina Drive West at its Western most dedicated extremity, said point of beginning lying and being 30 feet from the Southwest corner of Lot 38 of the Subdivision and 30 feet from the Northwest corner of Lot 39 of the Subdivision, said right of way being 6 feet in width at right angles to and 3 feet on each side of the following line: from the point of beginning North 82 deg. 15 min. West to the shores of the Pamlico Sound.

IN TESTIMONY WHEREOF Declarants have hereunto set their hands and seals today the day and year first above written.

Warren D. Paley (SEAL) Anderson Midgett (SEAL)
BY: Heath Paley (SEAL) Kathryn Midgett (SEAL)
ATTORNEY-IN-FACT

Claire Paley (SEAL) T. Stockton Midgett (SEAL)
BY: Heath Paley (SEAL) Elizabeth A. Midgett (SEAL)
ATTORNEY-IN-FACT

STATE OF North Carolina
Dare County of Dare

I, Josephine M. Jewett, a Notary Public, do hereby certify the HEATH PALEY, Attorney-In-Fact for WARREN D. PALEY and wife, CLAIRE PALEY, personally appeared before me this day and being by me duly sworn, says that he executed the foregoing and annexed instrument for and in behalf of WARREN D. PALEY and wife, CLAIRE PALEY, and that his authority to execute and acknowledge said instrument is contained in an instrument duly executed, acknowledged, and recorded in the office of the Register of Deeds of Dare County, North Carolina, on the 24th day of December, 1973, and that this instrument was executed under and by virtue of the authority given by said instrument granting him power of attorney; that the said HEATH PALEY acknowledged the due execution of the foregoing and annexed instrument for the purposes therein expressed for and in behalf of the said WARREN D. PALEY and wife, CLAIRE PALEY.

WITNESS my hand and notarial seal, this the 24th day of December, 1973.

Josephine M. Jewett
NOTARY PUBLIC

MY COMMISSION EXPIRES:
2-7-76

NORTH CAROLINA
DARE COUNTY

I, Josephine M. Jewett, a Notary Public in and for the aforesaid County and State, do hereby certify that ANDERSON MIDGETT and wife, KATHRYN MIDGETT, and T. STOCKTON MIDGETT and wife, ELIZABETH A. MIDGETT, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal this the 24th day of December, 1973.

Josephine M. Jewett
NOTARY PUBLIC

MY COMMISSION EXPIRES:
2-7-76

NORTH CAROLINA
DARE COUNTY

The foregoing certificates of Josephine M. Jennette,
a Notary Public of Dare County, and
Josephine Jennette, a Notary Public of Dare County,
North Carolina, are certified to be correct.

PRESENTED for registration this the 14th day of January,
1974, at 2.55 o'clock P.M., and recorded in this
office in Book 209, Page 103. 1-24-74

Estelle Z. Gray
REGISTER OF DEEDS

BY: _____
ASSISTANT REGISTER OF DEEDS