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Book **2249** Page **28**  
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FIRST AMENDMENT TO  
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

OF

**NEUSE HARBOUR HILLS**

NORTH CAROLINA  
CRAVEN COUNTY

THIS FIRST AMENDMENT to Declaration of Covenants, Conditions and Restrictions, made this 25<sup>th</sup> day of October, 2004, by DUANE SEAMAN, hereinafter referred to as "Declarant"; party of the first part and ALL PROSPECTIVE PURCHASERS of Lots 1, 2, 3, 4, and 5 as shown on the plat of subdivision known as **NEUSE HARBOUR HILLS** as recorded in Plat Cabinet G, Slide 193-B&C and Deed Book 2194, Page 658, of the Craven County Registry.

The term "Declarant" as used herein shall mean and include the parties indicated, whether one or more, and their heirs, legal representatives, successors and assigns, and shall include singular, plural, masculine, feminine or neuter as required by the context.

WITNESSETH:

WHEREAS, the Declaration recorded in Book 2197 at Page 570 of the Craven County Registry, contains a typographical error in Section II, Paragraph B on page 4 and states that Lots 1 through 5 shall contain no less than 2400 square feet on the ground floor; and,

WHEREAS, Declarant desires to correct the typographical error to show that Lots 1 through 5 shall contain no less than 1400 square feet on the ground floor.

Prepared by:  
John W. King, Jr.  
Stubbs & Perdue, P.A.  
Attorneys at Law  
310 Craven Street  
New Bern, NC 28560

NOW, THEREFORE, for and in consideration of the premises contained herein and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Declarant does hereby declare that the Declaration is amended as follows:

II. USE, SIZE AND PLACEMENT OF RESIDENCES AND STRUCTURES.

B. Size – For Lots 6 through 13 single story homes shall contain no less than 1800 square feet and two story homes shall contain no less than 1000 square feet on the ground floor and a two floor total of no less than 2000 square feet.

For Lots 1 through 5 single story homes shall contain no less than 2400 square feet and two story homes shall contain no less than 1400 square feet on the ground floor and a two floor total of no less than 2800 square feet.

In all other respects, the aforesaid Declaration is hereby ratified.

IN WITNESS WHEREOF, the Declarant has hereunto set his hand and seal this the day and year first above written.

Duane Seaman (Seal)  
Duane Seaman

North Carolina, Craven County

I, Judy M. Ipock, a Notary Public for the county and state aforesaid, certify that Duane Seaman personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. WITNESS my hand and official stamp or seal this the 10<sup>th</sup> day of November, 2004.



Judy M. Ipock  
Notary Public  
My Commission Expires: 3-10-2006

State of North Carolina, Craven County  
The foregoing certificate(s) of Judy M. Ipock

is (are) certified to be correct. This instrument was presented for registration this day and hour and duly recorded in the office of the Register of Deeds of Craven County, NC in Book 2249 Page 8.  
This 16<sup>th</sup> day of Nov, A.D., 20 04 at 10:15 o'clock AM  
Duane Seaman by Anna Stange  
Register of Deeds                      Adj. Deputy Register of Deeds