

BOOK 276 PAGE 648 (3)

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E MERITA LEWIS-SPENCER, HYDE COUNTY, NC

Resolution of the Board of Directors of Broad Creek Estate Homeowners' Association based on annual meeting held on December 9th, 2017, 1:45 p.m. Spoon River Restaurant, 263 Pamlico Street, Belhaven, NC and made this 16th day of FEBRUARY, 2018

That whereas, Broad Creek Properties Homeowners' Association voted on submission of second amendment to the "DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS FOR THE BROAD CREEK ESTATES SUBDIVISION" hereafter referred to as the "DECLARATION OF COVENANTS" dated the 10th day of March, 2008 and recorded in Book 232, pages 103-113, Hyde County Registry.

And whereas, this Declaration of Covenants has a "FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS FOR BROAD CREEK ESTATES SUBDIVISION" here in after referred to "FIRST AMENDMENT" that is duly recorded and filed in Hyde County, North Carolina in Book 243 Page 907-925. This property is described as follows:

All of lots One (1) through Eight (8) as they are shown on that map prepared by Hood L. Richardson, Professional Land Surveyor, dated December 26, 2007, and identified by the following legend: Property of: BROAD CREEK ESTATES SUBDIVISION". This map is duly of record in Plat Cabinet C, Slide 104-L, Hyde county Registry, and further reference is hereby made to said map for a more complete and accurate description of this property. Lot Nine (9), Lot Ten (10) and that parcel identified as "wood lands 49.36 acres" as shown on the above referenced are expressly excluded from this "Declaration of Covenants, Conditions & Restrictions and "FIRST AMENDMENT" for Broad Creek Estates Subdivision.

And whereas, the Declaration of Covenants provide in Paragraph 12, Book 232, at pages 107 and 108, Hyde County Registry as follows: "This Declaration may be amended at any time by a duly adopted resolution of the Broad Creek Homeowners' Association, Board of Directors and an amending instrument signed and notarized by and for not less than seventy-five percent (75%) of the lot owners in the subdivision."

And whereas, Lot 9, 10, and "wood land 49.36" of Broad Creek Estates, as described in this resolution, are to be considered as members only for decisions on upkeep, repair and maintenance of Sawyer Road.

And whereas, the Broad Creek Estate Homeowners Board of Directors are in agreement and desire to submit this amending instrument as the "SECOND AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS FOR BROAD CREEK ESTATES

SUBDIVISION" herein after referred to "SECOND AMENDMENT" on behalf of 75% of the lot owners as voted and attested by those member of Lots 1-8 either present or by proxy at the Annual Meeting of the Broad Creek Estate Homeowners held on December 9th, 2017, 1:45 p.m. Spoon River Restaurant, 263 Pamlico Street, Belhaven NC.

Lot 1 Barry and Kate Whitehead, Barry899397@hotmail.com_– Vice President by Proxy
Lot 2 Don Anderson, 332 Prospect Bay, Greenville, MD 21638 member by Proxy
Lot 3 Eryn White ErynLwhite@gmail.com – Not Present without Proxy
Lot 4 Terry and Gina Platt TRPLATT09@yahoo.com, Secretary/Treasurer Present
Lot 5 Keith Berger, Keberger2@verizon.net member by Proxy
Lot 6 Kevin and Cynthia Lomax Close240@yahoo.com Members, Present
Lot 7 & 8 Randy, rcone1219@gmail.com , President/Chair Present and Kimberly Cone by Proxy

Now therefore, the Board of Director do hereby adopt the following resolution and below "SECOND AMENDMENT" to the Broad Creek Estates Homeowners Declaration of Covenants, Conditions and Restrictions:

1. Delete and replace second sentence in Declaration of Covenants, Book 232 Page 106 and paragraph 7 with "Grass shall be cut at least 1 time from May to September".
2. First Amendment, Book 243 Page 914 paragraph 2 second sentence is deleted and replaced to Read as follows: Travel trailers are allowed, when appropriately anchored, to be used as temporary residence for short periods, not to exceed 90 days of consecutive occupancy, or temporary residence for up to 2 years while actively building a permanent residence at Broad Creek Estates. Change Book 243 page 915 paragraph 19 sentence 3 to read: "Modular and double wide manufactured homes no more than 2 years old and placed on "regular foundations" and meet the Hyde county building regulations, rules, requirements, and ordnances".
3. Delete the term "double wide" from First Amendment, Book 243 Page 915 paragraph 19, First sentence in it entirety.
4. Delete and replace first sentence of First Amendment, Book 243 Page 916 paragraph 22 to read as follows: All residences may be new stick built, modular, or manufactured double wide homes that are not more than 2 years old, at time of installation, and comply with Hyde County construction requirements. Add second sentence to read as follows: Plans, drawing, and pictures must be presented to the Board of Directors for approval. Changes Book 243,
5. Change First Amendment, Book 243 page 916 paragraph 22 second sentence to delete 1200 Square Feet and replace with to Not Less Than 800 Square Feet.
6. Change First Amendment Book 243 page 915 paragraph 13 last sentence to read as follows: Additionally, residential occupants may have one (1) horse per two acres of land owned provided

may have one (1) horse per two acres of land owned provided they not disturb or annoy residents of the Subdivision and are kept within a well maintained fence.

7. Add sentence to Declaration of Covenants, Book 232 Page 105 paragraph 5 that reads: Owners of Broad Creek Estate lots 9, 10 and "wood lands 49.36" shall only be considered as part of the Broad Creek Homeowners Association for Sawyer Avenue for decisions and costs related to upkeep, maintenance, and repair.

Resolved that the "DECLARATIONS OF COVENANTS, CONDITIONS & RESTRICTIONS FOR BROAD CREEK ESTATES SUBDIVISION" dated the 10 day of March, 2008 and recorded in Book 232, page 103, Hyde county and "FIRST AMENDMENT" recorded and filed in Hyde County, North Carolina in Book 243 Page 907-925 be amended by the above "Second Amendment".

In Witness Whereof, Broad Creek Estate Homeowners' Association, has caused this instrument to be executed in its name by the President/Chairman of the Board of Directors, Randy B. Cone, attested by the Vice President, Barry Whitehead and Secretary/Treasurer, Terry Platt of its Board of Directors, all by authority given, this the day and year first written.

Broad Creek Estates Homeowners Association

BY:

Randy B. Cone
President/Chairman

ATTEST:

Barry Whitehead
Vice President

Terry Platt
Secretary

