

STATE OF NORTH CAROLINA  
COUNTY OF BRUNSWICK

Brunswick County--Register of Deeds  
Robert J. Robinson  
Inst #89859 Book 1506 Page 1019  
10/03/2001 03:53:50pm Rec# 86345

**ADDENDUM TO AMENDMENT AND ANNEXATION**  
**TO PROTECTIVE COVENANTS**  
**BALD HEAD ISLAND STAGE TWO**  
**SINGLE FAMILY 14 LOTS**  
**CAPE FEAR STATION**

THIS ADDENDUM TO AMENDMENT AND ANNEXATION TO PROTECTIVE COVENANTS, BALD HEAD ISLAND STAGE TWO, SINGLE FAMILY 14, CAPE FEAR STATION, is made as of the 31<sup>st</sup> day of October, 2001, as follows:

WHEREAS, Bald Head Island Limited, a Texas limited partnership, is the developer and the sole owner of that certain real property located in the Village of Bald Head Island and known as Lots 4020, 4026, 4032 and 4034, Single Family 14, Cape Fear Station, Brunswick County, North Carolina; and,

WHEREAS, Bald Head Island Limited, as Declarant, has heretofore caused to be recorded in the records of the Brunswick County Registry in Book 1435 at Page 657 (re-recorded in Book 1436 at Page 366), an Amendment and Annexation to Protective Covenants for Bald Head Island Stage Two, Single Family 14, Cape Fear Station, and has further caused to be recorded in said Registry in Map Cabinet 23, Instrument 538, a Plat of survey entitled "Single Family 14, Cape Fear Station", which Plat sets out and describes the real property and Lots subject to said Amendment and Annexation to Protective Covenants; and,

WHEREAS, because the anticipated construction on certain Lots in Cape Fear Station is subject to governmental permitting regulations requiring flexibility as to the size and location of the residential building pads, living units, garages, and other buildings on the Lots so affected, and Declarant wishes to provide for such flexibility while maintaining the integrity, beauty and value of all of the Lots in Cape Fear Station;

NOW, THEREFORE, Bald Head Island Limited, Declarant and sole owner of the Lots described above, hereby amends the Amendment and Annexation to Protective Covenants for Bald Head Island Stage Two, Single Family 14, Cape Fear Station, as follows:

There is hereby added to paragraph 4, "SETBACKS.", the following proviso, to wit:

**PROVIDED HOWEVER**, that with respect to Lots 4020, 4026, 4032 and 4034, notwithstanding the setback requirements contained herein or in the Guidelines for said Lots, the front set back lines may, with the approval of the Committee, be varied to allow the exterior walls of the primary Living Unit to extend beyond said setback a maximum of twenty-five (25') feet closer to Station House Way, if it is determined by the Committee that the applicable rear (ocean-side) building set backs under regulations adopted pursuant to the Coastal Area

RE: Quale Ward  
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REC# 193 - CK AMT 1363  
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Management Act of the State of North Carolina are closer to Station House Way than the rear (ocean side) set back lines for said Lots as set forth herein or in the Guidelines. Furthermore, the Committee may, upon the request of the Owner of any Lot shown on the Plat for Single Family 14, Cape Fear Station, and without joinder or consent of any other Owner, alter or delete any setbacks set forth herein or in the Guidelines for such Lot so as to maximize the likelihood that, under applicable regulations, a residence may be constructed on said Lot, provided that no such alteration or deletion shall decrease the side yard set backs contained in the Guidelines.

Except as specifically amended and supplemented by this Addendum, all of the terms, provisions and conditions of the Protective Covenants for Bald Head Island Stage Two, and of the Amendment and Annexation to Protective Covenants, Bald Head Island Stage Two, Single Family 14, Cape Fear Station, remain in full force and effect and fully applicable to the property described herein.

IN WITNESS WHEREOF, the undersigned being the Declarant herein has caused this instrument to be executed by its duly authorized attorney in fact, under seal, this the 3rd day of October, 2001.

BALD HEAD ISLAND LIMITED (SEAL)  
a Texas Limited Partnership

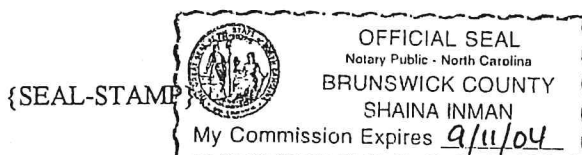
By: [Signature] (SEAL)  
Z.O. Hamilton  
Attorney in Fact

STATE OF NORTH CAROLINA  
BRUNSWICK COUNTY

I, Shaina Inman, a Notary Public for said County and State, do hereby certify that Z.O. Hamilton, attorney in fact for Bald Head Island Limited, 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 the said Bald Head Island Limited, 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 in the County of Brunswick, State of North Carolina, in Deed Book 1430 at Page 482, and that this instrument was executed under and by virtue of the authority given by said instrument granting him power of attorney.

I do further certify that the said Z.O. Hamilton acknowledged the due execution of the foregoing and annexed instrument for the purposes therein expressed for and in behalf of the said Bald Head Island Limited.

WITNESS my hand and official seal, this the 3rd day of October 2001.



Shaina Inman  
Notary Public  
My commission expires: 9/11/04

STATE OF NORTH CAROLINA  
COUNTY OF BRUNSWICK

The Foregoing (or annexed) Certificate(s) of SHAINA INMAN

