

Nov 2 10 58 AM '88

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

AMENDMENT TO DECLARATION  
OF COVENANTS, CONDITIONS AND RESTRICTIONS  
SECTION 1, CROSSWINDS

THIS AMENDMENT, dated and executed this 22ND day of October, 1988, by and between B & D DEVELOPMENT CORP., hereinafter referred to as "Declarant", and CROSSWINDS HOA, INC., a North Carolina non-profit corporation, hereinafter referred to as "Homeowners Association";

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W I T N E S S E T H:

WHEREAS, the Declarant has heretofore executed and caused to be recorded a certain Declaration of Covenants, Conditions and Restrictions, Section 1 Crosswinds, dated July 31, 1987 and recorded on August 31, 1987 in Book 1388 at Page 1271 of the New Hanover County Registry (hereinafter referred to as "Declaration"); and

WHEREAS, the Declarant desires to amend said Declaration as hereinafter provided, which amendments have been presented to the Homeowners Association at a meeting duly called for such purpose held in Wilmington, North Carolina, on the 22nd day of October, 1988; and

WHEREAS, at said meeting of the Homeowners Association, more than sixty percent (60%) of the lot owners in said subdivision were present in person, or represented by proxy, and said amendments were approved by vote of more than sixty percent (60%) of the lot owners as required under Section 4 of Article X of the Declaration; and

WHEREAS, the Declarant, being the owner of more than sixty percent (60%) of the lots in the subdivision, joins in this Amendment to confirm said approval.

NOW, THEREFORE, in consideration of the premises, the Declarant and the Homeowners Association do hereby amend the Declaration as follows:

1. Article VI, Section 3.C. is hereby amended to read as follows:

"The Board of Directors may fix the annual assessment at an amount not in excess of the maximum; provided that the Board of Directors may increase the amount of the annual assessment to a maximum of Ninety Dollars (\$90.00) per Lot notwithstanding the provisions of subparagraphs A and B above, and thereafter the limitations set forth in said subparagraph shall apply to any annual increase."

2. Article VII, Section 3.C. is amended to read as follows:

"The exterior and landscaping of all houses and other structures must be completed within twelve (12) months after the construction of same shall have commenced, except where such completion is impossible or would result in great hardship to the owner or builder, due to strikes, fires, national emergency or natural calamities."

RETURNED TO *Burney & Burney / C M W*  
Draftsman: DAVID C. BAREFOOT  
BURNEY, BURNEY, BAREFOOT & BAIN  
110 North Fifth Avenue/Post Office Box 89  
Wilmington, North Carolina 28402

The foregoing amendments shall be binding on all parties now or hereafter claiming title to any lot or lots in Crosswinds Section 1, and any other lands hereafter made subject to the Declaration.

Except as herein amended, the Declaration shall be and remain in full force and effect.

IN WITNESS WHEREOF, B & D DEVELOPMENT CORP. and CROSSWINDS HOA, INC., have caused this Amendment to be executed in their corporate names and their corporate seals affixed by their duly authorized officers, all as of the day and year first above written.

B & D DEVELOPMENT CORP.

BY: [Signature]  
President

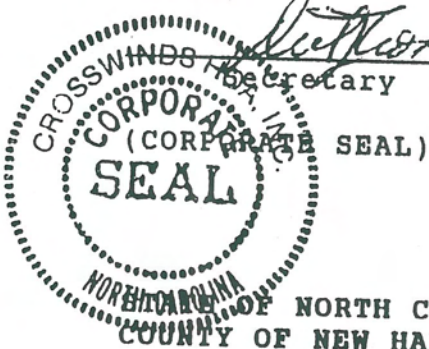
ATTEST: [Signature]  
Secretary



CROSSWINDS HOA, INC.

BY: [Signature]  
President

ATTEST: [Signature]  
Secretary



NORTH CAROLINA  
COUNTY OF NEW HANOVER

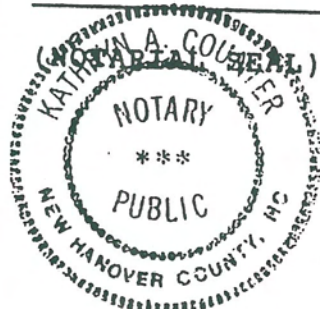
I, KATHARIN A. COULTER, a Notary Public in and for the aforesaid County and State do hereby certify that DICK J. THOMPSON personally appeared before me this day and acknowledged that he/she is the Secretary of B & D DEVELOPMENT CORP., a North Carolina corporation, and that by authority duly given and as the act of the said corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal, and attested by him self as its Secretary.

WITNESS my hand and notarial seal this the 22nd day of October, 1988.

[Signature]  
Notary Public

My Commission Expires:

My Commission Expires 3-25-89





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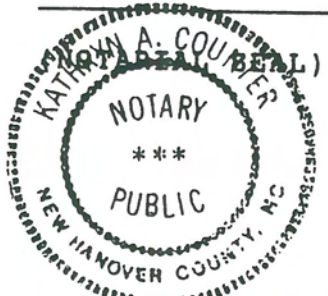
STATE OF NORTH CAROLINA  
COUNTY OF NEW HANOVER

I, KATHRYN A. COUNTER, a Notary Public in and for the aforesaid County and State do hereby certify that DICK J. THOMPSON personally appeared before me this day and acknowledged that he/she is the Secretary of CROSSWINDS HOA, INC., a North Carolina non-profit corporation, and that by authority duly given and as the act of the said corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal, and attested by him self as its Secretary.  
WITNESS my hand and notarial seal this the 22nd day of October, 1988.

Kathryn A. Counter  
Notary Public

My Commission Expires:

My Commission Expires 3-25-89



STATE OF NORTH CAROLINA  
COUNTY OF NEW HANOVER

The foregoing certificates of Kathryn A. Counter, Notary Public is certified to be correct. This the 2nd day of ~~October~~ October, 1988.  
November

Rebecca P. Tucker  
REBECCA P. TUCKER  
Register of Deeds - New Hanover County

BY: \_\_\_\_\_  
Deputy/Assistant