AMENDMENT TO THIRD AMENDED CONSOLIDATED
MASTER DECLARATION AND DEVELOPMENT FOR
RIVER RUN PLANTATION,
INCLUDING COVENANTS, CONDITIONS AND RESTRICTIONS

THIS AMENDMENT to the Third Amended Consolidated Master Declaration and
Development for River Run Plantation, including Covenants, Conditions and
Restrictions, by River Run Plantation Property Owners Association, Inc., a North
Carolina non-profit corporation, party of the first part, and the owners of real property at
River Run Plantation, party of the second part.

WITNESSETH:

WHEREAS, a Third Amended Consolidated Master Declaration and
Development for River Run Plantation, including Covenants, Conditions and
Restrictions, appears of record in Book 1179, Page 0744, et. seq. of the Brunswick
County Registry; and

WHEREAS, pursuant to Section 4, entitled “Residential Use and Improvements”,
beginning with line 8 of said paragraph, states as follows:

Each particular type of home will be placed in a specific station and be
 grouped together in stations.

WHEREAS, it is the desire of the party of the first part and the party of the
second part to amend the aforementioned section to read as follows:

Each particular type of home will be placed in a specific station and
 grouped together in stations, except that garden homes (double wide
 units) may be placed in Station III, which are patio homes (single
 wide units), and may be placed as outlined Section 10, paragraph Q,
of these Restrictive Covenants, Conditions and Restrictions.

WHEREAS, it is further the desire of the party of the first part and the party of
the second part to amend the aforementioned section by adding an additional
paragraph to Section 4 to read as follows:

The Board of Directors shall establish written architectural and
design criteria, i.e., building criteria guidelines, to be used by the
Architectural Review Committee (hereinafter “ARC”) in reviewing all
plans, specifications and details submitted for ARC approval for
building properties in any and all of the seven stations. Copies of

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such criteria may be obtained from the ARC or the property manager upon request. Such criteria shall clarify the intent of the Covenants, Conditions and Restrictions, outline necessary permit and approval procedures, and, as such, may be subject to revision or amendment by the Board of Directors.

WHEREAS, it is the desire of the party of the first part and the party of the second part to delete Section 5, paragraph D.

WHEREAS, it is the desire of the party of the first part and the party of the second part to amend Section 5, paragraph G, line 1, shall be amended to read as follows:

G. Prior to commencement of construction, a building permit must be obtained from the Association or its designee, and a certificate of completion shall be obtained from the Association or its designee. The Association or its designee shall have the right to inspect all construction to ensure that the structure is in accordance with approved plans, specifications and details. No structure or improvement shall be made unless it conforms strictly to the approved plans, specifications and details. These required certificates are in addition to those required by the local, county or state authorities.

WHEREAS, it is the desire of the party of the first part and the party of the second part to amend Section 5, paragraph H, by substituting "occupancy permit" with "certificate of completion" so that lines 7 through 14 of said section shall be amended to read as follows:

H. There shall be no fee for the certificate of completion unless the certificate of completion is denied for failure to follow approved plans and specifications. If a second inspection is necessary for issuance of a certificate of completion, a fee set by the Association or its designee shall be paid for each subsequent necessary inspection after the first. This fee shall be paid before issuance of the certificate of completion, and no dwelling shall be occupied until the county certificate of occupancy is obtained.
WHEREAS, it is the desire of the party of the first part and the party of the second part to amend paragraph C of that section entitled “Garden Homes” which is on page 9 of the Third Amended Consolidated Master Declaration, which shall be amended to read as follows:

C. **Application for a permit issued by the Association** to place a garden home on a lot shall be submitted to the Association or its designee, together with a complete description of the home to be placed on the lot, including the size, manufacturer, color scheme and roofing material. In the case of attendant buildings or accessory buildings, completed sets of final plans and specifications shall be presented to the Association or its designee prior to commencement of any work on the building or improvement.

WHEREAS, it is the desire of the party of the first part and the party of the second part to amend Paragraph G under that section entitled “Garden Homes” on page 11 of the Third Amended Consolidated Master Declaration by substituting “certificate of completion” for “occupancy permit” so that the last 7 lines of paragraph G under “Garden Homes” shall read as follows:

G. There **shall** be no fee for the **certificate of completion** unless the **certificate of completion** is denied for failure to place an approved garden home on the lot or for failure to follow the approved plans and specifications for any other improvement placed upon the lot. If a second inspection is necessary for issuance of a **certificate of completion**, a fee shall be paid for each subsequent necessary inspection after the first. This fee **shall** be paid before issuance of a **certificate of completion**, and no dwelling **shall** be occupied until a **county certificate of occupancy is obtained**.

WHEREAS, it is the desire of the party of the first part and the party of the second part to amend paragraph H under that section entitled “Garden Homes” to substitute “certificate of completion” for “occupancy permit” so that the second sentence in said paragraph shall be amended to read as follows:

H. A **certificate of completion shall** not be issued by the Association or its designee until the home has been properly underpinned, **and all other Association requirements are met**.

WHEREAS, it is the desire of the party of the first part and the party of the
second part to amend paragraph C under that section entitled "Patio Homes" located on page 12 of the Third Amended Consolidated Master Declaration, to substitute "application for a permit issued by the Association" for "notice of intent" so that the first sentence of said paragraph shall be amended to read as follows:

**Application for a permit issued by the Association** to place a patio home on a lot shall be submitted to the Association or its designee together with a complete description of the home to be placed on the lot, including the size, manufacturer and color scheme.

WHEREAS, it is the desire of the party of the first part and the party of the second part to amend paragraph G under that section entitled "Patio Homes" located on page 14 of the Third Amended Consolidated Master Declaration, to substitute "certificate of completion" for "occupancy permit", so that the last 7 lines of said paragraph shall be amended to read as follows:

G. There **shall** be no fee for the **certificate of completion** unless the **certificate of completion** is denied for failure to place an approved patio home on the lot or for failure to follow approved plans and specifications for any other improvement placed upon the lot. If a second inspection is necessary for a **certificate of completion**, a fee shall be paid for each subsequent necessary inspection after the first. This fee **shall** be paid before issuance of the **certificate of completion**, and no dwelling **shall** be occupied until a county **certificate of occupancy** is obtained.

WHEREAS, it is the desire of the party of the first part and the party of the second part to amend paragraph H under the section entitled "Patio Homes", which is located on pages 14-15 of the Third Amended Consolidated Master Declaration, by substituting "certificate of completion" for "occupancy permit" so that the last sentence in paragraph H shall be amended to read as follows:

H. **A certificate of completion shall** not be issued by the Association or its designee until the home has been properly underpinned, **and all other Association requirements are met**.

WHEREAS, it is the desire of the party of the first part and the party of the second part to amend Section 8, paragraph B, located on page 16 of the Third Amended Consolidated Master Declaration, by adding to the end of that paragraph the
following, which shall so amend Section 6, paragraph B:

Due to access and road limitations at River Run Plantation, the maximum size of one-half section of a double wide unit shall not exceed 16 feet by 76 feet of fully enclosed floor area, and shall be limited to a height of 14 feet 6".

WHEREAS, it is the desire of the party of the first part and the party of the second part to amend Section 6, paragraph C, page 16 of the Third Amended Consolidated Master Declaration, to add a sentence at the end of said paragraph, which shall be amended to read as follows:

Due to access and road limitations at River Run Plantation, the maximum size of a single wide unit shall not exceed 16 feet by 76 feet of fully enclosed floor area, and shall be limited to a height of 14 feet and 6".

WHEREAS, it is the desire of the party of the first part and the party of the second part to amend Section 7.1 by adding additional language to the end of the first sentence of Section 7.1, so that this section shall be amended to read as follows:

7.1. “Privacy fences” or decorative fences for shielding of decks, hot tubs, etc. may be erected on the lots in all stations in the subdivision, provided that such fences are constructed of wood or should have a woodlike appearance and designed to blend with the general surroundings of the lot, and it may not exceed 7 feet in height measured from the ground or deck floor. All such fences shall be approved by the Association or its designee before construction begins, and further, provided that such fences shall be maintained at all times in a good state of repair so as not to detract from the surroundings.

WHEREAS, it is the desire of the party of the first part and the party of the second part to amend Section 10, paragraph B, so that said section shall be amended to read as follows:

B. Once construction of improvements is started on any lot, the improvements shall be substantially completed in accordance with plans and specifications, as approved, within 6 months from commencement, or as otherwise specified by the Board of Directors in the building criteria guidelines.

WHEREAS, it is the desire of the party of the first part and the party of the
second part to amend Section 10, paragraph C, so that said paragraph shall be amended to read as follows:

C. No residence shall be occupied until the same has been substantially completed in accordance with its plans and specifications, and certificate of occupancy has been issued by the county building inspector. The Association certificate of completion shall be issued after all conditions have been met, including, but not limited to, a county certificate of occupancy, the completion of the exterior, grading and driveway completion, and landscaping and planting completion.

WHEREAS, it is the desire of the party of the first part and the party of the second part to amend Section 10, paragraph G, so that said paragraph shall be amended to read as follows:

G. Every fuel storage tank shall be buried below the surface of the ground or screened by fencing or shrubbery to the satisfaction of the Association or its designee. Every outdoor receptacle for ashes, trash, rubbish or garbage shall be installed underground, screened, or so placed and kept so as not to be visible from any street or recreation area. Heating, ventilation, and air conditioning units shall be screened, or so placed and kept as not to be observed from the front roadways.

WHEREAS, it is the desire of the party of the first part and the party of the second part to amend Section 10, paragraph J, by adding an additional paragraph at the conclusion of paragraph J, which shall be amended to read as follows:

Lot owners who have landscaped their property, or maintained a front lawn area abutting the roadway, including the common area strip, generally 3 feet to 10 feet from the roadway, shall maintain their entire property to the paved roadway. The ownership of any common area, so maintained by the property owner, remains that of the Association.

WHEREAS, it is the desire of the party of the first part and the party of the second part to amend Section 10, paragraph Q, by adding subparagraphs 3 and 4, following subparagraphs 1 and 2 of that section located on page 22 of the Third Amended Consolidated Master Declaration. Said additional paragraphs shall be added and shall read as follows:

3. Any lot-owner in Station III (single wide units) may combine two (2) adjoining lots into one single modified lot for placement of one
double wide unit parallel to the street, provided that all setback requirements are met.

4. Any lot owner or two lot owners may combine three (3) adjoining lots into two (2) modified building lots of approximately equal size for placement of one double wide unit parallel to the street, on each modified lot, provided that all setback requirements are met.

NOW, THEREFORE, in consideration of the mutual covenants set forth in the Third Amended Consolidated Master Declaration and Development for River Run Plantation, Including Covenants, Conditions and Restrictions, such Declaration is hereby amended as set forth above.

IN WITNESS WHEREOF, River Run Plantation Property Owners Association, Inc., has caused this Amended Declaration to be duly executed by its duly authorized officers, and its corporate seal to be hereunto affixed, the date and year first above written.

RIVER RUN PLANTATION PROPERTY OWNERS ASSOCIATION, INC.

BY: [Signature]
President

ATTEST: [Signature]
Secretary

STATE OF NORTH CAROLINA
COUNTY OF Brunswick

I, Shirley Heffranman, Notary Public in and for said County and State, do hereby certify that [Signature] personally appeared before me this day and acknowledged that he/she is the Secretary of RIVER RUN PLANTATION PROPERTY OWNERS ASSOCIATION, INC., a North Carolina non-profit corporation, and that by the authority duly given as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal, and attested by him/her as its Secretary.

WITNESS MY HAND AND SEAL this 11 day of October, 2001.