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RECORDED AND VERIFIED  
MAR 17 1994  
REGISTER OF DEEDS  
NEW HANOVER CO. NC.

SUPPLEMENTAL DECLARATION  
OF COVENANTS, CONDITIONS AND RESTRICTIONS

SECTION 2, OCEANA

94 SEP 29 PM 1 41

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THIS SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS is made this 24<sup>th</sup> day of September, 1994 by OCEANA LIMITED PARTNERSHIP, a North Carolina limited partnership, hereinafter referred to as "Declarant".

WITNESSETH:

WHEREAS, Declarant is the developer of an exclusive residential community of single family residences known as "Oceana"; and

WHEREAS, in order to insure the attractiveness of Oceana and to prevent any future impairment thereof, to prevent nuisances, to preserve, protect and enhance the values and amenities of all properties within Oceana, and to provide for the maintenance and upkeep of all common areas in Oceana, the Declarant did execute a Declaration of Covenants, Conditions and Restrictions for Oceana and cause the same to be recorded on March 17, 1994, in Book 1756, Page 277, in the New Hanover County Registry, thereby subjecting to the terms of said Declaration that certain property shown on a map of Oceana recorded in Map Book 33, Page 336 and 337, in the New Hanover County Registry; and

WHEREAS, said Declaration, in Article II, Section 2 thereof, provides that the Declarant may, by the recording of Supplemental Declarations, add contiguous lands to said development, thereby bringing such lands within the scheme of said Declaration; and

WHEREAS, the Declarant now desires to add to said development

RETURNED TO



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certain contiguous lands and to bring said lands within the scheme of said Declaration as so provided.

NOW, THEREFORE, the Declarant does hereby supplement the Declaration of Covenants, Conditions and Restrictions for Oceana as recorded in Book 1756, Page 277, in the New Hanover County Registry, as expressly permitted pursuant to Article II, Section 2 of said Declaration, by adding to the Existing Property as referred to in said Declaration the following additional lands:

All of that real property shown and depicted upon that certain plat of Section 2, Oceana, as recorded in Map Book 34, Page 143, in the New Hanover County Registry.

Provided, however, that as to said additional lands, the following further terms and provisions shall also apply:

1. As to each lot in Section 2 of Oceana, the initial purchaser of such lot from the Declarant shall pay to the Declarant, in addition to the agreed purchase price for such lot, a water and sewer tap reimbursement fee in the amount of \$700.00, said fee to be paid in cash at closing.

2. The use of said additional lands shall be subject to all easements shown upon said recorded plat of Section 2, Oceana. All easements shown upon said recorded plat shall be subject to the terms, conditions and reservations set forth in Article VIII of said Declaration.

3. Declarant reserves for its future use and development all of its adjacent lands not shown on said recorded plat of Section 2 of Oceana as well as all areas shown thereon as "reserved". Declarant further reserves easements over all streets, roads,

easements, access easements, utility easements and common areas shown thereon for use by Declarant in developing and/or using other lands owned by Declarant.

4. Each lot in Section 2 of Oceana shall be conveyed with a Class A membership in and to Oceana Marina as such membership is described in the Declaration of Covenants, Conditions and Restrictions of Oceana Marina recorded in Book 1756, Page 0319, in the New Hanover County Registry, as set forth in Article III, Section 5 of the Declaration for Oceana recorded in Book 1756, Page 0277, in the New Hanover County Registry. Such membership shall be subject to all of the terms, conditions and provisions set forth in (i) Article III, Section 5 of the Declaration for Oceana recorded in Book 1756, Page 0277, in the New Hanover County Registry, and (ii) the Declaration of Covenants, Conditions and Restrictions of Oceana Marina recorded in Book 1756, Page 0319, in the New Hanover County Registry.

Except as hereinabove set forth, said additional lands are hereby annexed to the development known as Oceana and are subject to all of the terms and provisions of said Declaration.

IN WITNESS WHEREOF, Oceana Limited Partnership, the Declarant, has caused this instrument to be executed by J. B. Gerald, its General Partner, who has hereunto set his hand and seal the day and year first above written.

OCEANA LIMITED PARTNERSHIP

By:  (Seal)  
J. B. Gerald - General Partner

STATE OF NORTH CAROLINA  
COUNTY OF NEW HANOVER

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I, a Notary Public of the County and State aforesaid, certify that J. B. Gerald, General Partner of Oceana Limited Partnership (a North Carolina limited partnership) personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and office stamp or seal, this 29<sup>th</sup> day of September, 1994.

Anne M. Germscheid  
Notary Public

My commission expires: July 29, 1998



STATE OF NORTH CAROLINA  
New Hanover County

The Foregoing/ Annexed Certificate(s) of

Anne M. Germscheid

Notary (Notaries) Public is/ are certified to be correct.

This the 29 day of Sept. 19 94

Mary Sue Oots, Register of deeds

by Phyllis Lynn  
Deputy/Assistant