

MAIL AFTER RECORDING TO: J. Scott Flowers
P.O. Box 2505
Fayetteville, NC 28302

THIS INSTRUMENT WAS
PREPARED BY: J. Scott Flowers
Hutchens Law Firm

STATE OF NORTH CAROLINA

COUNTY OF BRUNSWICK

**AMENDMENT TO THE COVENANTS, RESERVATIONS AND RESTRICTIONS OF OCEAN
CLUB ESTATES SUBDIVISION**

THIS AMENDMENT TO THE COVENANTS, RESERVATIONS AND RESTRICTIONS OF OCEAN CLUB ESTATES SUBDIVISION, is made and entered into this 7th day of August, 2017, by Sunset Beach Holdings II, LLC, a South Carolina limited liability company and Jane Dean, LLC an Alaska Limited liability Company (hereinafter referred to collectively, "Declarants") for the purpose of amending the Covenants, Reservations and Restrictions of Ocean Club Estates Subdivision recorded in Book 3775, Page 861 of the Brunswick County Registry (the "Covenants").

WITNESSETH

WHEREAS, Declarants own lots within Ocean Club Estates Subdivision and, pursuant to the terms of the Covenants, have the authority to amend the Covenants; and,

WHEREAS, Declarants desire to amend the Covenants in order to comply with the terms of the State Stormwater management Permit No. SW8 040740 issued to Declarants for the Ocean Club Estates Subdivision.

NOW, THEREFORE, Declarants hereby amend the Covenants and declare that the property described therein shall be held, sold, conveyed, given, transferred, leased, occupied, and used subject to the Covenants and this Amendment as follows:

The following Article XV shall be added to the Covenants:

**ARTICLE XV
Compliance with State Stormwater Management Permit No. SW8 040740MOD**

The following covenants are intended to ensure ongoing compliance with State Stormwater Management Permit Number SW8 040740MOD, as issued by the Division of Energy, Mineral and Land Resources under NCAC 2H.1000. The State of North Carolina is made a beneficiary of these covenants to the extent necessary to maintain compliance with the Stormwater Management Permit. These covenants are to run with the land and be binding on all persons and parties claiming under them. The Covenants pertaining to stormwater may not be altered or rescinded without the express written consent of the Division.



1. Alteration of the drainage as shown on the approved plans may not take place without the concurrence of the Division. The maximum built-upon area per lot is 2,250 square feet. This allotted amount includes any built-upon area constructed within the lot property boundaries, and that portion of the right-of-way between the front lot line and the edge of the pavement. Built upon area includes, but is not limited to, structures, asphalt, concrete, gravel, brick, stone, slate, coquina and parking areas, but does not include raised, open wood decking, or the water surface of swimming pools.
2. Any lots within a CAMA-regulated Area of Environmental Concern must count the roof overhand as built-upon area due to CAMA regulations. All runoff on the lot must drain into the permitted system. This may be accomplished through providing roof drain gutters which drain to the street, grading the lot to drain toward the street, or grading perimeter swales and directing them into the pond or street. Lots that will naturally drain into the system are not required to provide these extra measures.
3. Built-upon area in excess of the permitted amount will require a permit modification.

All other terms of the Covenants shall remain in full force and effect.

IN WITNESS WHEREOF, Declarants and Lender execute this Amendment to the Covenants, Reservations and Restrictions of Ocean Club Estates Subdivision this the 7 day of August, 2017.

[Signatures on following pages]



SUNSET BEACH HOLDINGS II, LLC

[Handwritten signature]

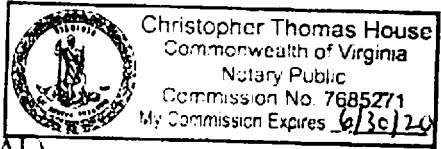
By: **Francisco Zarate, Manager**

STATE OF Virginia

COUNTY OF Virginia Beach

The undersigned, a Notary Public in and for said county and state, does hereby certify that **Francisco Zarate** personally appeared before me this day and acknowledge the due execution of the foregoing document in his capacity as Manager of Sunset Beach Holdings, II, LLC. I have personal knowledge of the identity of the principal OR I have been provided satisfactory evidence of the identity of the principal by proof of a driver's license.

Witness my hand and notarial seal, this the 7th day of August, 2017.



(SEAL)

Christopher House
Notary Public printed name

[Handwritten signature]
Notary Public signature

My Commission expires: 6/30/20



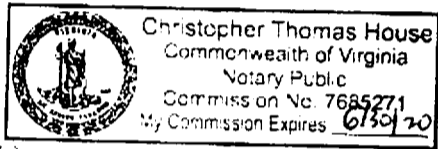
JANE DEAN, LLC


By: **Francisco Zarate, Manager**

STATE OF Virginia
COUNTY OF Virginia Beach


The undersigned, a Notary Public in and for said county and state, does hereby certify that **Francisco Zarate** personally appeared before me this day and acknowledge the due execution of the foregoing document in his capacity as Manager of Jane Dean, LLC. I have personal knowledge of the identity of the principal OR I have been provided satisfactory evidence of the identity of the principal by proof of a driver's license.

Witness my hand and notarial seal, this the 7th day of August, 2017.



(SEAL)

Christopher House
Notary Public printed name


Notary Public signature

My Commission expires: 6/30/20