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Fee Amt: \$34.00 Page 1 of 17

Pender County North Carolina  
Sharon Lear Willoughby, Register of Deeds  
BK 4733 PG 2444 - 2460 (17)

Prepared by: Swann Plantation POA, Inc.  
After Recording, Mail to: Stephen J. Sulkey, Manager  
114 N. 6<sup>th</sup> Street  
Wilmington, NC 28401



STATE OF NORTH CAROLINA

AMENDMENT TO THE  
DECLARATION OF  
COVENANTS, CONDITIONS,  
AND RESTRICTIONS OF  
SWANN PLANTATION  
TOWNHOUSE SUBDIVISION,  
PHASE I

COUNTY OF PENDER

**WHEREAS,** The DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS OF SWANN PLANTATION TOWNHOUSE SUBDIVISION, PHASE I, a.k.a. Swann Plantation POA, Inc. was recorded on July 15<sup>th</sup> 1987, in Book 605 at page 50, in the office of the Register of Deeds, Pender County, State of North Carolina; and

**WHEREAS,** such Declaration under Article XI, Section 3, provides that, "All covenants, conditions or restrictions set forth within these Articles shall run with the property, and all portions thereof, and shall be binding upon all parties having any right, title or interest in the property, or any portion thereof, their personal representatives, heirs, devisees, successors and assigns, and shall inure to the benefit of the same, for a period of 20 years, commencing with the date these Articles are recorded in the Pender County Registry. After such term, these Articles shall be automatically extended for successive periods of 10 years unless 60% of the then owners agree to revoke or amend the same and do so by an instrument signed by 60% of the then owners and

recorded in the Pender County Registry. In like manner, these Articles may be amended during the first 20 years by an instrument signed by not less than 75% of the owner of record in the Pender County Registry.”; and

**WHEREAS**, such Declaration provides no limitations upon the term and duration of any lease or rental agreement of any townhouse” and

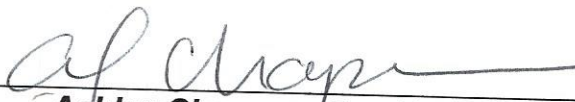
**WHEREAS**, the members and Board of Directors of Swann Plantation Townhouse Subdivision, Phase I. desires to limit the duration of any lease or rental agreement of any townhouse; and

**WHEREAS**, to accomplish this purpose ARTICLE IX, USE RESTRICTIONS, shall add a Section 7 that states: “No lease or rental agreement of any townhouse shall be made between any owner and tenant for a term and duration of less than six (6) months.” and

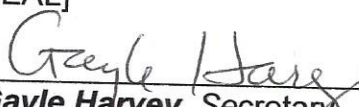
**WHEREAS**, the signatures of sixty percent (60%) of each class of the members of the Association have been obtained in accordance with ARTICLE XI, Section 3, as attested to by the Association President and Secretary;

**NOW, THEREFORE, IT IS RESOLVED**, that ARTICLE IX, Section 7, is hereby amended to read as follows: “7. No lease or rental agreement of any townhouse shall be made between any owner and tenant for a term and duration of less than six (6) months.”

**IN WITNESS WHEREOF**, I attest that this amendment has been passed by the signatures of at least 60 percent (60%) of each class of the members of Swann Plantation Townhouse Subdivision, Phase I., as per ARTICLE XI, Section 3 of the Declaration, this the 2 day of December, 2020.

  
\_\_\_\_\_  
**Ashley Chapman**, President  
Swann Plantation Townhouse Subdivision, Phase I.

**I ATTEST**, that the above signature and matter is true and correct this the 1 day of DECEMBER, 2020.

SEAL]   
\_\_\_\_\_  
**Gayle Harvey**, Secretary (SEAL)

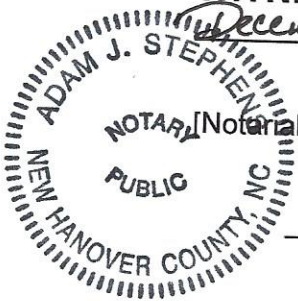
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Swann Plantation Townhouse Subdivision, Phase I

STATE OF NORTH CAROLINA  
COUNTY OF PENDER

I, Adam J. Stephens, a Notary Public of the County and State aforesaid, certify that **Gayle Harvey**, either being personally known to me or proven by satisfactory evidence, personally came before me this day and acknowledged that she is the Secretary of Swann Plantation Townhouse Subdivision, Phase I, a North Carolina Non-Profit Corporation, and that by authority duly given and 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 Gayle Harvey as Secretary.

WITNESS, my hand and official seal this 1<sup>st</sup> day of December, 2020.



Adam J. Stephens  
Notary Public

My Commission Expires: January 26, 2025