

NORTH CAROLINA, CARTERET COUNTY
The foregoing certificate(s) of Notary Public(s) is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

By Melanie Arthur
Melanie Arthur, Register of Deeds
Assistant Register of Deeds

PREPARED BY: JAMES W. THOMPSON, Attorney At Law, 1207-A Arendell Street, Morehead City, North Carolina 28557

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STATE OF NORTH CAROLINA
COUNTY OF CARTERET

**FIFTH AMENDMENT
TO DECLARATION OF COVENANTS,
CONDITIONS, EASEMENTS, RESTRICTIONS, CHARGES, LIENS, AND
RESERVATIONS
FOR
"STANTON LANDING"
A RESIDENTIAL COMMUNITY**

(Preliminary Note: This Fifth Amendment results in the annexation of Lot 11, Block C, Section III, Sea Gate Subdivision, Map Book 11, Page 22 to the Stanton Landing Dock Lot regime as created by "Supplemental Declaration" set forth in "Second Amendment to Declaration of Covenants, . . . etc" at book 1094, page 470.)

THIS FIFTH AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS, RESTRICTIONS, CHARGES, LIENS, AND RESERVATIONS FOR STANTON LANDING is made on this 2nd day of June, 2005 by U.F.S., LLC, a North Carolina Limited Liability Company, hereinafter referred to as the "Declarant".

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(d)

WITNESSETH:

THAT WHEREAS, the Declarant is the developer of that subdivision known as "Stanton Landing", a residential single-family subdivision located along the east bank of the Intracoastal Waterway in Carteret County, a plat of Phase 1 thereof being recorded in map book 30, page 206; a plat of the Phase 2 being recorded in map book 30, page 344; a plat of Phase 3-A being recorded in map book 30, page 661; and a plat of Phase 3-B being recorded in map book 30, page 660, Carteret Registry. In connection with such development, Declarant did execute and record a document entitled "Declaration of Covenants, Conditions, Easements, Restrictions, Charges, Liens, and Reservations - Stanton Landing", recorded in book 969, page 93, Carteret County Registry (hereafter "Declaration of Covenants"), which affects the lots in said development made subject thereto; and,

WHEREAS, pursuant to Article 2.2.1 of the Declaration of Covenants, Declarant executed a "Second Amendment" (book 1094, page 470) to said Declaration which annexed lots 1 through 10, Block C, Section III, Sea Gate Subdivision, map book 11, page 22, Carteret Registry, to the common scheme of development at Stanton Landing Subdivision (hereafter "Dock Lots") but imposed upon said Lots separate covenants, conditions, and restrictions as set forth in a "Supplemental Declaration" beginning on page 4 thereof; and,

WHEREAS, pursuant to paragraph 18 of the Supplemental Declaration, Declarant reserved the right to annex additional property to the Dock Lot regime established by said Supplemental Declaration and to subject such additions to such Supplemental Declaration.

NOW, THEREFORE, the Declarant does hereby amend to Declaration of Covenants as follows:

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1. Declarant hereby annexes Lot 11, Block C, Section III, Sea Gate Subdivision, as shown in map book 11, page 22, Carteret County Registry, to the common scheme of development at Stanton Landing Subdivision, as amended. Hereafter, said Lot 11 shall be owned and conveyed subject to all of the terms, conditions, benefits, and obligations as set forth in said Supplemental Declaration to the same extent as if said Lot 11 had been initially made a part thereof.

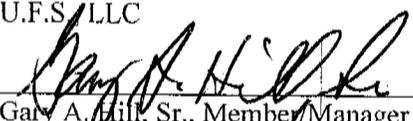
2. An easement is hereby reserved upon Lot 11 by Declarant and its assigns over and upon the following described portion of said Lot:

Beginning at the southeast corner of Lot 11 and running thence N 85-10-14 W, 54 feet to a point; thence northerly, and at a right angle to the prior course, 18 feet to a point; thence easterly, and at a right angle to the prior course, 10 feet to a point; thence southerly, and at a right angle to the prior course, 8 feet to a point; thence S 85-10-14 E, 44 feet to a point in the eastern boundary line of said Lot 11; thence southerly, along and with said eastern boundary line, 10 feet to the point of beginning.

The purpose of this easement is to accommodate the maintenance and repair of a water well and pump located within the easement area. This water well/pump facility is more particularly described in the "Second Amendment" above described.

WHEREFORE, the undersigned Declarant has executed its official signature on the date first above written and for the purpose expressed herein.

U.F.S. LLC



Gary A. Hill, Sr., Member/Manager

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STATE OF NORTH CAROLINA
COUNTY OF CARTERET

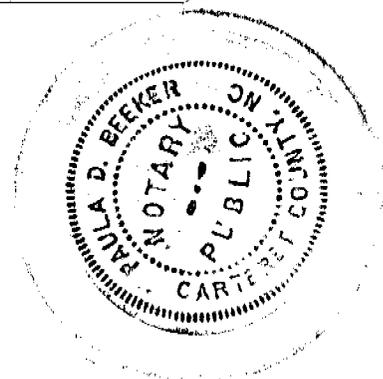
I, Paula D. Beeker, a Notary Public of the County and State aforesaid, certify that Gary A. Hill, Sr. personally appeared before me this day and acknowledged that he is the Member/Manager of U.F.S., LLC, a North Carolina limited liability company, that by authority duly given and as an act of said companies, the foregoing instrument was signed by him as its Member/Manager.

Witness my hand and official seal this 3rd day of June, 2005.

Paula D. Beeker
Notary Public

My Commission expires: 2/16/08

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