

**GREENVILLE TIMBERLINE, LLC
THE PRESERVE AT ISLAND CREEK HOMEOWNERS' ASSOCIATION**

**NORTH CAROLINA
HYDE COUNTY**

**AMENDMENT AND MODIFICATION OF DECLARATION
OF RESTRICTIVE AND PROTECTIVE COVENANTS
FOR THE PRESERVE SUBDIVISION**

This Amendment and Modification of Declaration of Restrictive and Protective Covenants is made pursuant to the Declaration of Restrictive and Protective Covenants and is entered this the 21st day of February, 2007, by Greenville Timberline, LLC, acting by and through its duly appointed attorney-in-fact, C. G. Watkeys (hereinafter "Declarant") and The Preserve at Island Creek Homeowners' Association (hereinafter "Association"); and

WHEREAS, Declarant previously executed that certain Declaration of Restrictive and Protective Covenants for The Preserve Subdivision, the same being recorded in Book 217, Page 62 of the Hyde County Registry; and

WHEREAS, pursuant to Article I of the Declaration of Restrictive and Protective Covenants for The Preserve Subdivision, Declarant may unilaterally add additional property by subsequent amendment and subject said property to the Declaration recorded in Book 217, Page 62 of the Hyde County Registry; and

WHEREAS, Declarant desires to clarify Article III, Section 1 wherein the same refers to recreational purposes to specify that hunting shall be a recreational purpose pursuant to the Declaration of Restrictive and Protective Covenants recorded in Book 217, Page 62, Hyde County Registry; and

WHEREAS, Declarant also desires to create common driveways and easements therefore to certain lots within The Preserve, Phase II, Block A. Said driveways will not be common property to all lot owners therein, but will be exclusive to the lots shown on those certain maps recorded in the Hyde County Registry in Plat Cabinet C, Slides 99-G, 99-H, 99-I, 99-J, 99-L & 100-A. Maintenance of said driveways in an all weather condition shall be the responsibility of the owners of those lots which have the use thereof and no other; and

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WHEREAS, the homeowners' association of The Preserve (The Preserve at Island Creek Homeowners' Association) desires to join in this conveyance to consent to all the amendments and modifications contained herein.

NOW, THEREFORE, the undersigned hereby amends and modifies the Declaration of Restrictive and Protective Covenants as described above and clarifies Article III, Section 1 thereof as follows:

1. The additional real property which is and shall be held, transferred, sold, conveyed and occupied subject to the Restrictive and Protective Covenants contained herein and in Book 217, Page 62, Hyde County Registry is more particularly described as follows:

BEING all of that property shown on survey by Kendall E. Gaskins, PLS dated November 6, 2007 and entitled "The Preserve Phase II Block A" said plats being recorded in Plat Cabinet C, Slides 99-G, 99-H, 99-I, 99-J, 99-L & 100-A, Hyde County Registry. Reference is herein made to said plats and the same are incorporated herein for a more complete and adequate description.

Any revisions of said plats made by Declarant and any additional property as made by subsequent amendments and modifications to said plat shall be added and subjected to this declaration.

2. This amendment and modification shall subject all Lots in The Preserve Phase II to be subject to all of the terms and conditions as contained in Book 217, Page 62, Hyde County Registry and as modified herein, which shall include use of all common areas heretofore conveyed by Declarant to The Preserve at Island Creek Homeowners' Association.

3. The Declarant hereby modifies Article III, Section 1 wherein the same refers to recreational purposes to enumerate that hunting is a recreational purpose as referred to therein.


4. In any event hunting shall be a permitted activity on any Lot in The Preserve Phase II.

5. Declarant has created common driveway easements to certain lots within The Preserve, Phase II, Block A, said driveways being shown on those plats recorded in Plat Cabinet C, Slides 99-G, 99-H, 99-I, 99-J, 99-L & 100-A. These driveways will be exclusive to the lots shown on said plats and to no other within the subdivision. Maintenance of said driveways in an all weather condition shall be the responsibility of the owners of those lots which have the use thereof and no other.


6. The Preserve at Island Creek Homeowners' Association joins in this conveyance to consent to all the terms and conditions contained herein.

IN WITNESS WHEREOF, Greenville Timberline, LLC has caused this instrument to be signed in its corporate name by its duly appointed attorney-in-fact, C. G. Watkeys, all by authority of its board of directors first duly given, this the day and year first above written and The Preserve at Island Creek Homeowners Association by C. G. Watkeys, President.

**GREENVILLE TIMBERLINE, L.L.C., a
Delaware Limited Liability Company**

BY:  (Seal)
C. G. Watkeys, Attorney-in-Fact

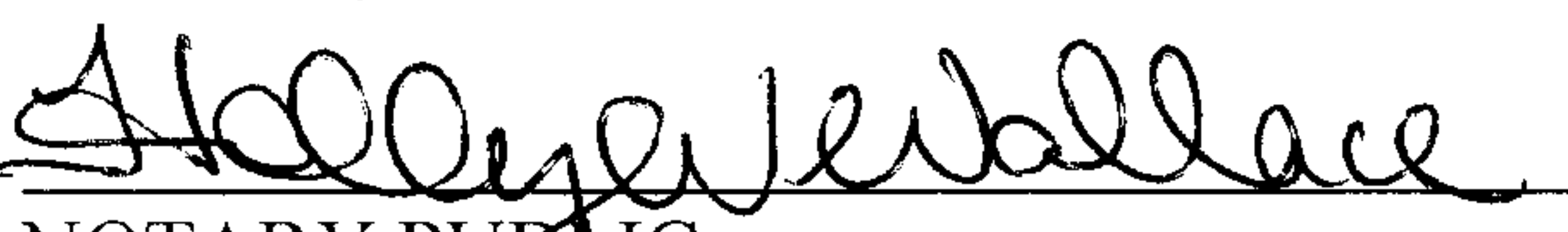
**THE PRESERVE AT ISLAND CREEK
HOMEOWNERS' ASSOCIATION**

BY:  (Seal)
C. G. Watkeys, President

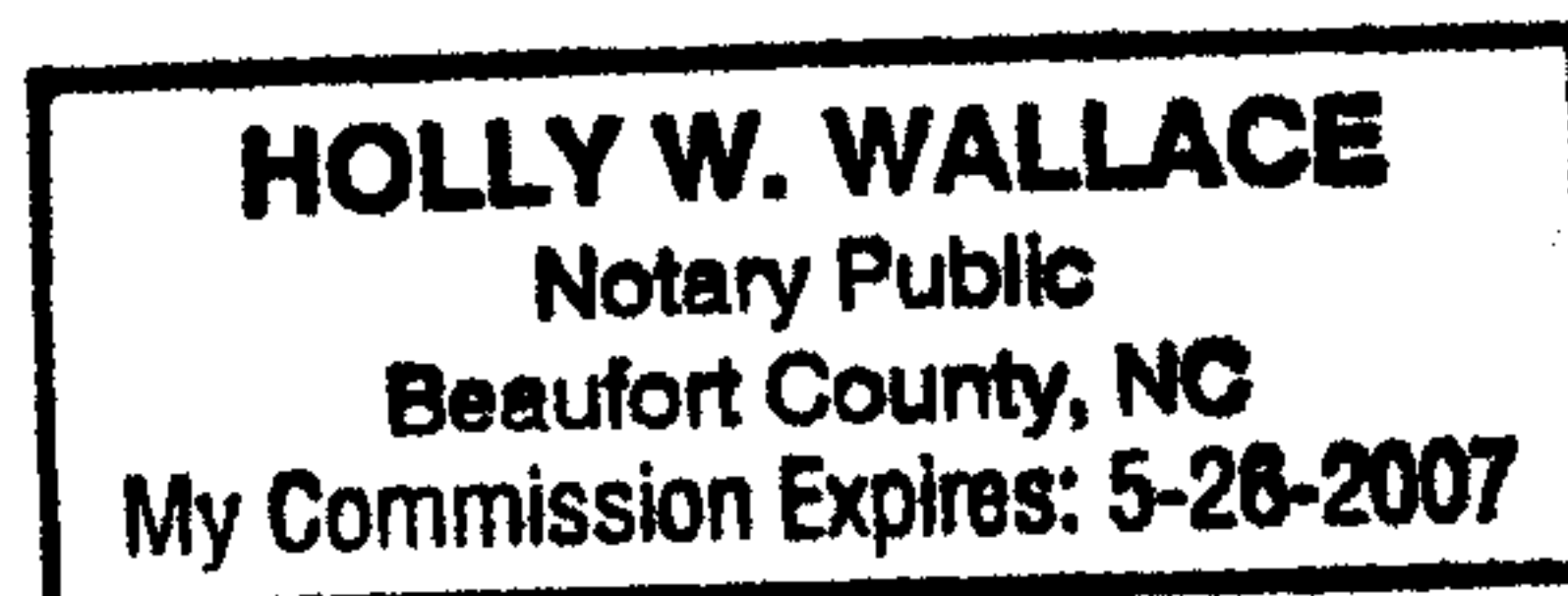
STATE OF NORTH CAROLINA
COUNTY OF BEAUFORT

I, the undersigned Notary Public in and for the State and County aforesaid, do hereby certify that **C. G. WATKEYS**, Attorney in Fact for **GREENVILLE TIMBERLINE, L.L.C.**, a Delaware Limited Liability Company, personally appeared before me this day and being duly sworn says that he executed the foregoing and annexed instrument for and in behalf of **GREENVILLE TIMBERLINE, L.L.C.**, a Delaware Limited Liability Company, and that his authority to execute and acknowledge said instrument is contained in an instrument duly executed and acknowledged and recorded in the office of the Register of Deeds of Hyde County in Book 203, Page 489 on June 22, 2004, and that this instrument was executed under and by virtue of the authority given by said instrument granting him power of attorney; that the said **C. G. WATKEYS** acknowledged the due execution of the foregoing and annexed instrument for the purposes therein expressed and in behalf of **GREENVILLE TIMBERLINE, L.L.C.**

WITNESS my hand and official seal, this the 21st day of Feb., 2007.


NOTARY PUBLIC

My Commission expires: _____.



STATE OF NORTH CAROLINA
COUNTY OF BEAUFORT

I, Holly W. Wallace, a Notary Public of the County and State aforesaid, certify that **C. G. WATKEYS, President** of **THE PRESERVE AT ISLAND CREEK HOMEOWNERS' ASSOCIATION** personally appeared before me this day and acknowledged the execution of the foregoing instrument.

WITNESS my hand and official seal, this the 21st day of Feb., 2007.

Holly W. Wallace
NOTARY PUBLIC

My Commission expires: _____.

