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NORTH CAROLINA
CURRITUCK COUNTY

**WRITTEN CONSENT TO AMENDMENT
OF DECLARATION OF RESTRICTIVE
COVENANTS FOR OCEAN SANDS PROPERTY
OWNERS ASSOCIATION, INC.**

This WRITTEN CONSENT TO AMENDMENT OF DECLARATION OF RESTRICTIVE COVENANTS FOR OCEAN SANDS PROPERTY OWNERS ASSOCIATION, INC. is made this ____ day of _____, 2019.

WITNESSETH:

WHEREAS, by the following instrument recorded in the Currituck County Registry, Declarant subjected OCEAN SANDS PROPERTY OWNERS ASSOCIATION, INC. (the "Property") to the following Declaration of Restrictive Covenants (the "Declaration") and amendments to the same, including the following:

- a) Book 117, Page 511;
- b) Book 121, Page 330;
- c) Book 124, Page 516;
- d) Book 132 Page 5;
- e) Book 181, Page 198;
- f) Book 217 Page 138;
- g) Book 242 Page 833;
- h) Book 333, Page 109;

WHEREAS, the Declaration applies to and runs with the land described in the Plat Books and Pages of the Currituck County Register of Deeds, including the following:

- a) Plat Book 4, Pages 7-10 and 12-17;
- b) Map Book 4, Pages 63-66;
- c) Map Cab. A, Page 328;
- d) Map Cab. A, Page 326;
- e) Plat Cabinet E, Slides 154 and 155;

WHEREAS, N.C.G.S. § 47F-1-102(d) provides that “any planned community created prior to January 1, 1999, may elect to make the provisions of this Chapter applicable to it by amending its declaration to provide that this Chapter shall apply to that planned community”;

WHEREAS, N.C.G.S. § 47F-2-117 provides that “a declaration may be amended only by affirmative vote or written agreement signed by lot owners of lots to which at least sixty-seven percent (67%) of the votes in the association are allocated”; and

WHEREAS, this instrument is executed to provide for written consent to the following amendments to the Declaration of Restrictive Covenants.

NOW THEREFORE I give written consent to the following amendments to the Declaration of Restrictive Covenants:

- (1) Add the following sentence to the end of Article I § 1 (“Property Owners’ Association”): “The affairs of the Association shall be managed by a Board of five (5) to nine (9) Directors as provided in the Bylaws who shall be members of the Association and shall be elected by the members of the Association. The Bylaws of the Association may be amended at the annual meeting of the Association or a special meeting of the Association called for that purpose by a two-thirds vote of the members present and voting.”
- (2) Add the following language as a new and final article:

PLANNED COMMUNITY ACT

The provisions of the North Carolina Planned Community Act (Chapter 47F of the NC General Statutes) shall apply to the planned community.

Legal Name and Date of Trust

Legal Name and Date of Trust

Trustee Signature

Trustee Signature

Printed Name

Printed Name

Date

Date

Lot address

STATE OF _____

_____ COUNTY

I, _____, a Notary Public of the County and State aforesaid, certify that _____, Trustee and _____, Trustee, personally appeared before me this day and acknowledged the due execution of the foregoing instrument in their capacity as Trustee(s) of the _____ (Legal Name and Date of Trust).

WITNESS my hand and official stamp or seal, this ____ day of _____, 2019.

Notary Public

My commission expires: _____