

AMENDMENTS TO THE DECLARATION OF  
COVENANTS, CONDITIONS, AND RESTRICTIONS FOR  
HARBOUR VILLAGE MARINA, INC.  
DATED JUNE 5, 2010

These amendments to the Declaration of Covenants, Conditions, and Restrictions for Harbour Village Marina have received 131 affirmative votes of a possible 193 votes which is higher than the 67% threshold necessary for amending this Declaration of Covenants, Conditions, and Restrictions as certified by both the President and the Secretary of Harbour Village Marina, Inc.

1. Insert a new paragraph immediately proceeding “ARTILCE I, Definitions”:

To wit: By a vote of greater than sixty-seven (67) percent of the members of Harbour Village Marina, Inc., this Declaration of Covenants, Conditions, And Restrictions is amended to declare that the planned community known as Harbour Village Marina, Inc. is subject to and governed by Chapter 47F, the North Carolina Planned Communities Act.

2. In ARTICLE I - Definitions – Section 3 – Common Areas and Facilities:

Delete from the first sentence the words “as tenants in common”.

Change in the fourth sentence the words “tenancy in common” to the words “membership interest”.

Change in the fourth sentence the words “tenancies in common” to the words “membership interests”.

Change in the fifth sentence the words “tenancy in common” to the words “membership interest”.

Change in the fifth sentence the words “tenancies in common” to the words “membership interests”.

3. In ARTICLE III – Covenants for Maintenance Assessments – Section 8 –  
Effect of Nonpayment of assessments. Remedies of the Corp.:

Change in the second sentence the words “membership and the tenancy in common to which it is appurtenant” to the words “members’ undivided interest”.

4. ARTICLE III – Covenants for Maintenance Assessments – Section 9 -  
Subordination of the Lien to Mortgages:

Delete the entire paragraph beginning with the words “The lien of the assessments” and substitute the following paragraph “Liens for assessments provided for herein shall be prior and superior to all liens and encumbrances on membership interests except; (1) liens and encumbrances for purchase money financing of the acquisition of such membership interests, recorded against those membership interest prior to the lien for assessment and (2) liens for real estate taxes and other Governmental assessments and charges”.

APPROVED:

\_\_\_\_\_  
Richard Tunner, President

\_\_\_\_\_  
Franc Noel, Secretary

SEAL: