



6222914  
Page: 1 of 12  
06/26/2007 09:09A

**Prepared by and Return to:**

Ronda G. Moore  
a NC licensed attorney  
The Moore Law Firm, P.C.  
P.O. Box 269  
Grandy, NC 27953

**AMENDMENT AND CLARIFICATION TO DECLARATION OF  
PROTECTIVE COVENANTS AND RESTRICTIONS OF  
COLONY ON ROANOKE**

NOW COMES Colony on Roanoke Association, Inc., Declarant, and does hereby clarify and amend the Declaration referred to hereinafter as follows:

**RECITALS**

WHEREAS, the Developer did cause to be filed a certain Declaration of Protective Covenants and Restrictions (hereinafter "Declaration") for the Colony on Roanoke Subdivision, said Declaration being duly recorded in Deed Book 711, Page 225, Dare County Registry, North Carolina; and

WHEREAS, the Developer has conveyed all responsibilities to enforce and perform under the Declaration; and

WHEREAS, two-thirds (2/3) of the owners of the lots as of this recording have ratified this document through the signing of this document as shown hereinafter; and

WHEREAS, written notice of the amendment and clarification have been provided to every owner at least ninety (90) days in advance of this recording;

NOW, THEREFORE, the Declarant does hereby clarify and amend the Declaration as follows:

1. "Residential purposes" and "single-family residence" as referenced in Paragraph 4 of the original Declaration is intended to and shall here forward specifically exclude any rental for a period of less than sixty (60) days. No residence in the subdivision shall be used for



the purposes of a short-term rental, and weekly rentals of a single-family residence shall not be permitted.

The last sentence of Paragraph 17 of the original Declaration shall be amended to read as follows:

"Provided, however, that no such agreement to change shall be effective unless made and recorded one (1) year in advance of the effective date of such change, and unless written notice of the proposed agreement is sent to every owner at least ninety (90) days in advance of any action taken by the Association."

IN TESTIMONY WHEREOF, the Colony on Roanoke Association, Inc., has set its hand and seal, this the 9th day of March, 2007.

COLONY ON ROANOKE ASSOCIATION, INC.

By: Nancy B. Kebschull  
Nancy B. Kebschull

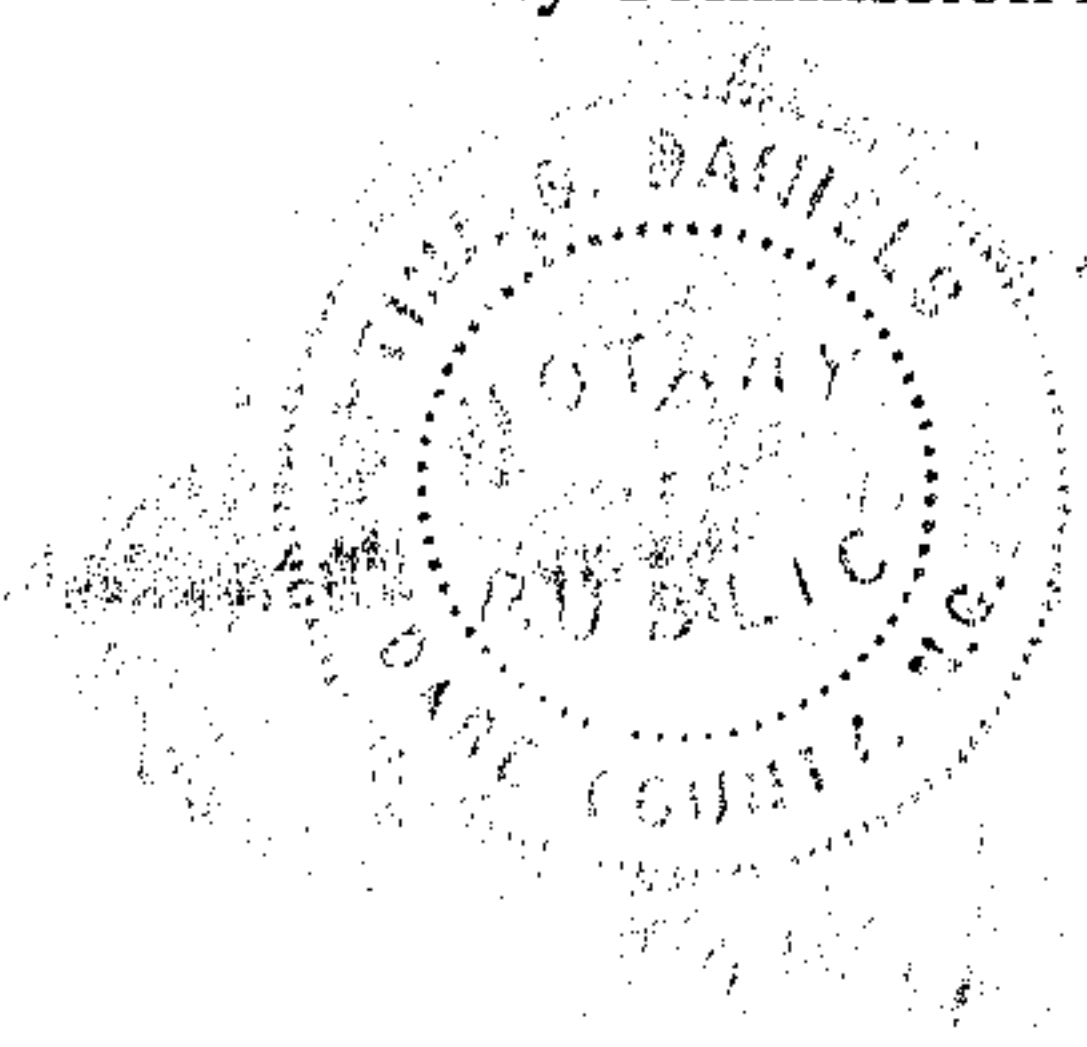
STATE OF North Carolina  
CITY/COUNTY OF Mecklenburg

I, Dina D. Daniels, a Notary Public of the County and State aforesaid, certify that Nancy B. Kebschull personally came before me this day and acknowledged that she is President of Colony on Roanoke Association, Inc., a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by himself as its President. Witness my hand and official stamp or seal, this 9th day of March, 2007.

Dina D. Daniels  
Notary Public

SEAL-STAMP

My Commission Expires July 24, 2010



Unofficial Document



the purposes of a short-term rental, and weekly rentals of a single-family residence shall not be permitted.

The last sentence of Paragraph 17 of the original Declaration shall be amended to read as follows:

"Provided, however, that no such agreement to change shall be effective unless made and recorded one (1) year in advance of the effective date of such change, and unless written notice of the proposed agreement is sent to every owner at least ninety (90) days in advance of any action taken by the Association."

IN TESTIMONY WHEREOF, the Colony on Roanoke Association, Inc., has set its hand and seal, this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

COLONY ON ROANOKE ASSOCIATION, INC.

M Michael France (Seal)  
Kelley L France (Seal)

By: \_\_\_\_\_

STATE OF NORTH CAROLINA  
CITY/COUNTY OF TYRRELL

I, Penny C Beasley, a Notary Public of the County and State aforesaid, certify that M Michael France and Kelley L France, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 18th day of January, 2007.

**PENNY C. BEASLEY  
NOTARY PUBLIC  
TYRRELL COUNTY, N.C.**

SEAL-STAMP

Penny C Beasley  
Notary Public

My Commission Expires: 12-10-09



the purposes of a short-term rental, and weekly rentals of a single-family residence shall not be permitted.

The last sentence of Paragraph 17 of the original Declaration shall be amended to read as follows:

"Provided, however, that no such agreement to change shall be effective unless made and recorded one (1) year in advance of the effective date of such change, and unless written notice of the proposed agreement is sent to every owner at least ninety (90) days in advance of any action taken by the Association."

IN TESTIMONY WHEREOF, the Colony on Roanoke Association, Inc., has set its hand and seal, this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

COLONY ON ROANOKE ASSOCIATION, INC.

By: Eva D. Mitchell

STATE OF North Carolina  
CITY/COUNTY OF Wake

I, Grace Halenore Funtila, a Notary Public of the County and State aforesaid, certify that Eva D. Mitchell personally came before me this day and acknowledged that she is President of Colony on Roanoke Association, Inc., a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by himself as its President. Witness my hand and official stamp or seal, this 1<sup>st</sup> day of January, 20 07.

SEAL-STAMP **GRACE HALENORE FUNTILA**  
Notary Public  
Wake County, NC  
My Commission Expires Nov. 9, 2008

Grace Halenore Funtila  
Notary Public

My Commission Expires: Nov. 9, 2008





the purposes of a short-term rental, and weekly rentals of a single-family residence shall not be permitted.

The last sentence of Paragraph 17 of the original Declaration shall be amended to read as follows:

"Provided, however, that no such agreement to change shall be effective unless made and recorded one (1) year in advance of the effective date of such change, and unless written notice of the proposed agreement is sent to every owner at least ninety (90) days in advance of any action taken by the Association."

IN TESTIMONY WHEREOF, the Colony on Roanoke Association, Inc., has set its hand and seal, this the 9th day of March, 2007.

COLONY ON ROANOKE ASSOCIATION, INC.

William H. Kobschull  
William H. Kobschull

By

Caroline J. Kobschull  
Caroline J. Kobschull

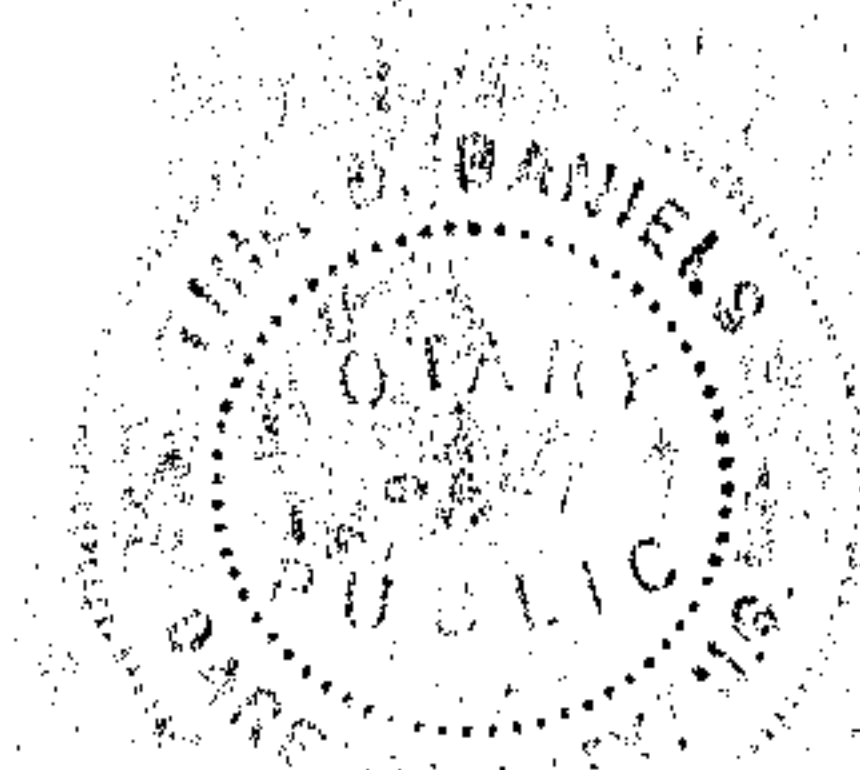
STATE OF North Carolina  
CITY/COUNTY OF Wake

I, Shirley D. Daniels, a Notary Public of the County and State aforesaid, certify that Caroline J. Kobschull + William H. Kobschull personally came before me this day and acknowledged that he is President of Colony on Roanoke Association, Inc., a North Carolina corporation, and that by authority duly given, and as the act of the corporation, the foregoing instrument was signed in its name by himself as its President. Witness my hand and official stamp or seal, this 9th day of March, 2007.

Shirley D. Daniels  
Notary Public

SEAL-STAMP

My Commission Expires: July 24, 2010



Unofficial Document



the purposes of a short-term rental, and weekly rentals of a single-family residence shall not be permitted.

The last sentence of Paragraph 17 of the original Declaration shall be amended to read as follows:

"Provided, however, that no such agreement to change shall be effective unless made and recorded one (1) year in advance of the effective date of such change, and unless written notice of the proposed agreement is sent to every owner at least ninety (90) days in advance of any action taken by the Association."

IN TESTIMONY WHEREOF, the Colony on Roanoke Association, Inc., has set its hand and seal, this the \_\_\_\_\_ day of \_\_\_\_\_,

COLONY ON ROANOKE ASSOCIATION, INC.

By: \_\_\_\_\_

STATE OF \_\_\_\_\_  
CITY/COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public of the County and State aforesaid, certify that \_\_\_\_\_ personally came before me this day and acknowledged that \_\_\_\_\_ he is President of Colony on Roanoke Association, Inc., a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by himself as its President. Witness my hand and official stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public

SEAL-STAMP

My Commission Expires: \_\_\_\_\_

*We have reviewed and agree to these changes.*

*Patricia N. Zoll*  
Patricia N. Zoll

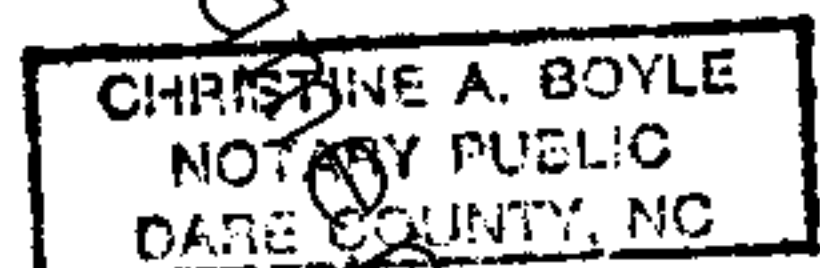
*Joseph F. Zoll*  
Joseph F. Zoll

STATE OF NC  
COUNTY OF DARE

I, Christine A. Boyle, a Notary Public of DARE COUNTY, NC, certify that Patricia N. Zoll and Joseph F. Zoll, personally came before me this day and certified the foregoing instrument was signed by them.

*Christine A. Boyle*

My commission expires: 1-7-2007





6222914

Page: 7 of 12  
06/26/2007 09:09A

the purposes of a short-term rental, and weekly rentals of a single-family residence shall not be permitted.

The last sentence of Paragraph 17 of the original Declaration shall be amended to read as follows:

"Provided, however, that no such agreement to change shall be effective unless made and recorded one (1) year in advance of the effective date of such change, and unless written notice of the proposed agreement is sent to every owner at least ninety (90) days in advance of any action taken by the Association."

IN TESTIMONY WHEREOF, the Colony on Roanoke Association, Inc., has set its hand and seal, this the 9th day of February, 2007.

COLONY ON ROANOKE ASSOCIATION, INC.

By: [Signature]  
Richard R. Denham  
Judy A. Denham

STATE OF North Carolina  
CITY/COUNTY OF Mecklenburg

I, [Signature], a Notary Public of the County and State aforesaid, certify that Richard R. Denham personally came before me this day and acknowledged that he is President of Colony on Roanoke Association, Inc., a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by himself as its President. Witness my hand and official stamp or seal, this 9th day of February, 2007.

[Signature]  
Notary Public

SEAL STAMP

My Commission Expires: July 24, 2010





the purposes of a short-term rental, and weekly rentals of a single-family residence shall not be permitted.

The last sentence of Paragraph 17 of the original Declaration shall be amended to read as follows:

"Provided, however, that no such agreement to change shall be effective unless made and recorded one (1) year in advance of the effective date of such change, and unless written notice of the proposed agreement is sent to every owner at least ninety (90) days in advance of any action taken by the Association."

IN TESTIMONY WHEREOF, the Colony on Roanoke Association, Inc., has set its hand and seal, this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

COLONY ON ROANOKE ASSOCIATION, INC.

James K. Norfleet  
James K. Norfleet  
By: Beth Norfleet  
Beth Norfleet

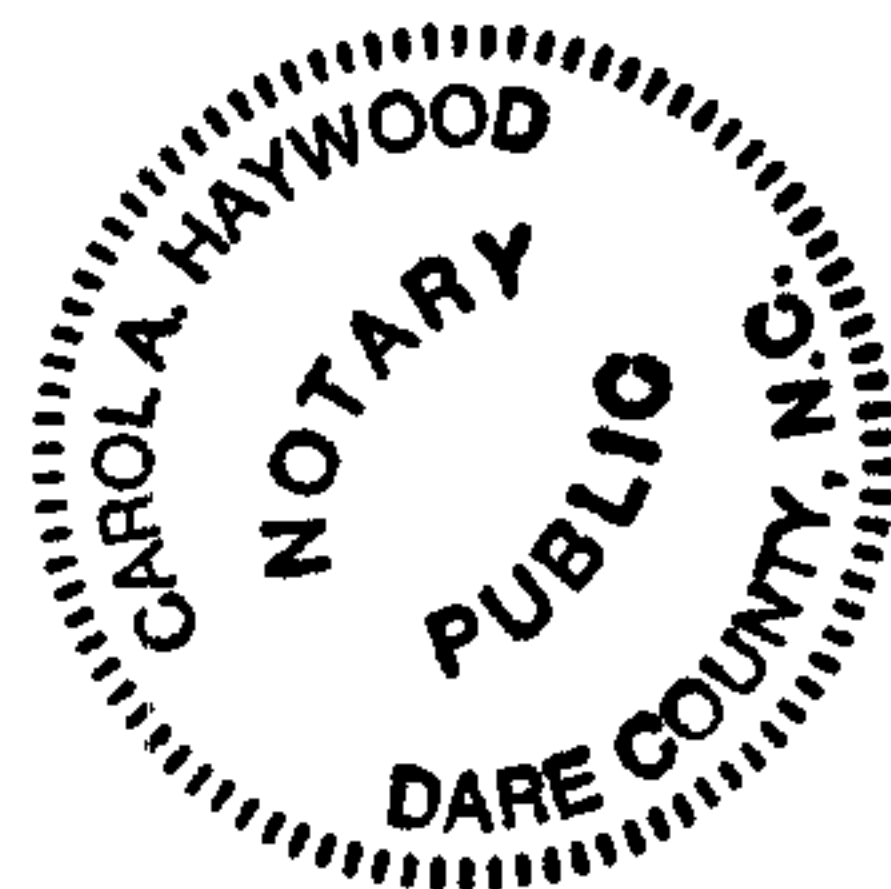
STATE OF DARE North Carolina  
CITY/COUNTY OF DARE

I, Carol A. Haywood, a Notary Public of the County and State aforesaid, certify that James K. Norfleet personally came before me this day and acknowledged that he is President of Colony on Roanoke Association, Inc., a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by himself as its President. Witness my hand and official stamp or seal, this 22nd day of January, 2007

Carol A. Haywood  
Notary Public

SEAL-STAMP

My Commission Expires: 08/31/2011







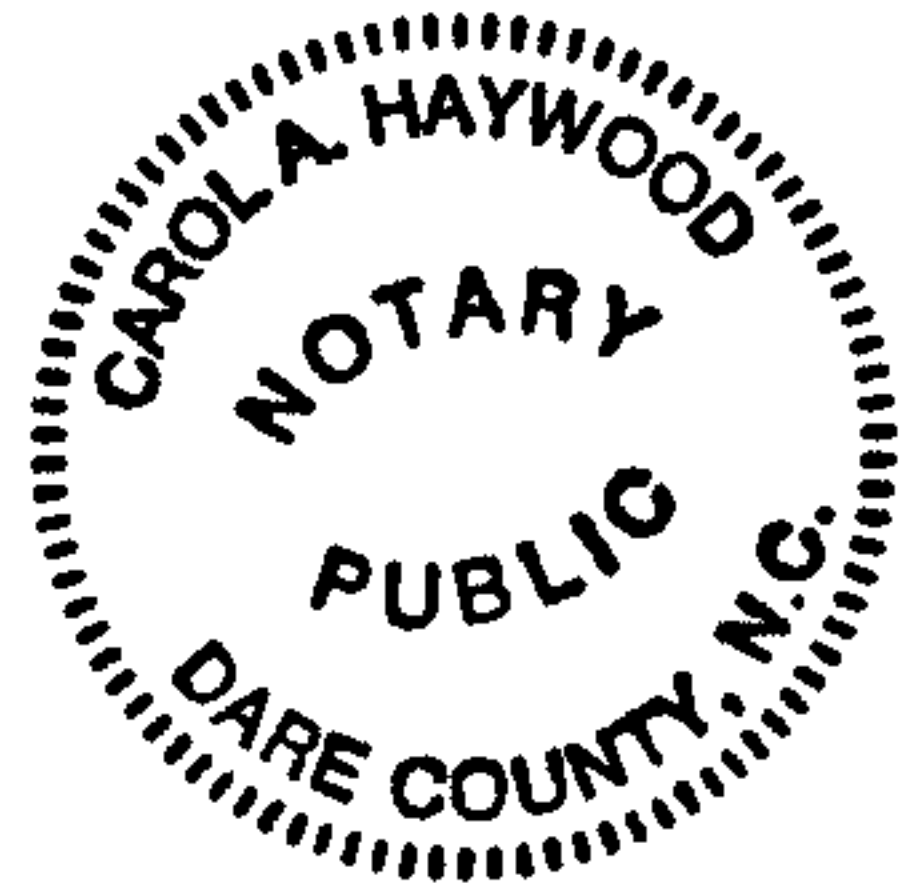
STATE OF NORTH CAROLINA  
CITY/COUNTY OF DARE

I, CAROL A. HAYWOOD, a Notary Public of the County and State aforesaid,  
certify that Beth Norfleet, personally  
appeared before me this day and acknowledged the execution of the foregoing instrument.  
Witness my hand and official stamp or seal, this 22nd day of JANUARY,  
2007.

Carol A. Haywood  
Notary Public

SEAL STAMP

My Commission Expires: 08/31/2011



Unofficial Document

Unofficial Document

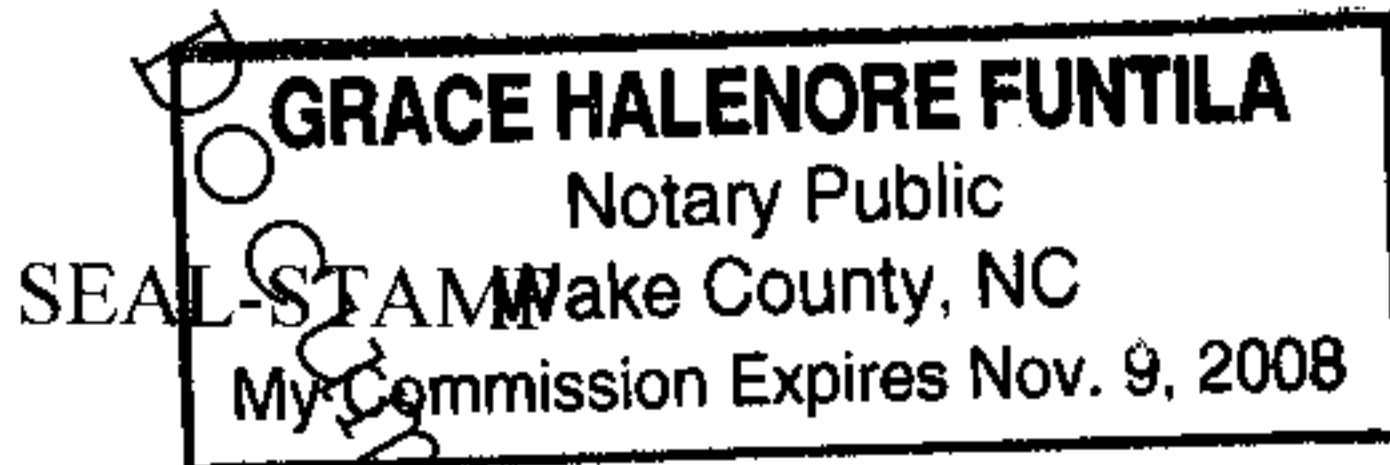
  
Dan Mitchell

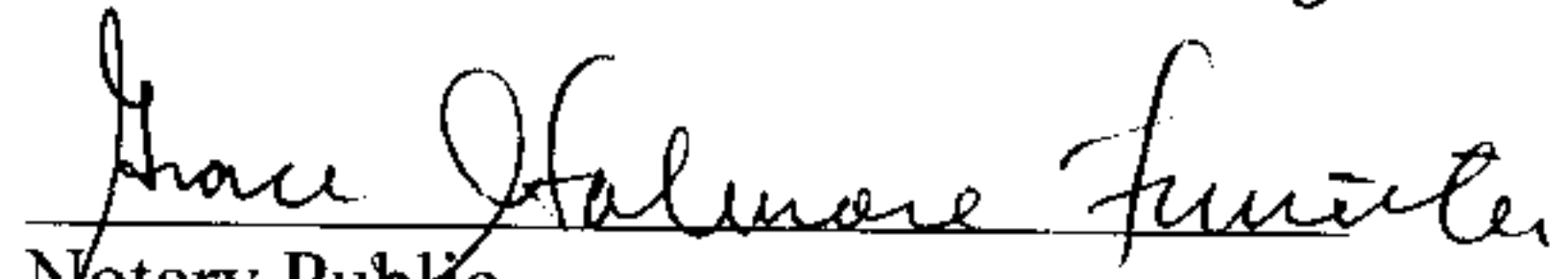


6222914  
Page: 10 of 12  
06/26/2007 09:09A

STATE OF North Carolina  
CITY/COUNTY OF Wake

I, GRACE HALENORE FUNTILA, a Notary Public of the County and State aforesaid,  
certify that DAN MITCHELL, personally  
appeared before me this day and acknowledged the execution of the foregoing instrument.  
Witness my hand and official stamp or seal, this 17th day of January,  
2007.



  
Notary Public

My Commission Expires: Nov, 9, 2008

Unofficial Document

Unofficial Document



STATE OF N.C.  
CITY/COUNTY OF DARE

I, PAMELIA D. EVERSON, a Notary Public of the County and State aforesaid,  
certify that Linda M. Leske, personally  
appeared before me this day and acknowledged the execution of the foregoing instrument,  
by signing in the notary acknowledgment.  
Witness my hand and official stamp or seal, this 21st day of DECEMBER,  
2006.

Pamela D. Everson  
Notary Public

My Commission Expires: 02-26-2011

Unofficial Document

Unofficial Document



the purposes of a short-term rental, and weekly rentals of a single-family residence shall not be permitted.

The last sentence of Paragraph 17 of the original Declaration shall be amended to read as follows:

"Provided, however, that no such agreement to change shall be effective unless made and recorded one (1) year in advance of the effective date of such change, and unless written notice of the proposed agreement is sent to every owner at least ninety (90) days in advance of any action taken by the Association."

IN TESTIMONY WHEREOF, the Colony on Roanoke Association, Inc., has set its hand and seal, this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

COLONY ON ROANOKE ASSOCIATION, INC.

By: \_\_\_\_\_

STATE OF N.C.  
CITY/COUNTY OF DAVE

I, PAMELA D. EVERSEN, a Notary Public of the County and State aforesaid, certify that Gerald A. McIsaac personally came before me this day and acknowledged that he is President of Colony on Roanoke Association, Inc., a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by himself as its President. Witness my hand and official stamp or seal, this 21st day of DECEMBER, 2006.

Pamela D. Eversen  
Notary Public

My Commission Expires: 02-26-2011

