

FILED

BOOK 348 PAGE 685

AUG 5 PM 3 01

DRAFTED BY: FRANK M. BELL, JR.

MAIL TO: Frank M. Bell, Jr., P.O. Box 49, Winston-Salem, NC

ALVA C. WISE
REGISTER OF DEEDS
27102 W. GARDEN CITY, N.C.

STATE OF NORTH CAROLINA)
COUNTY OF DARE)

THIRD SUPPLEMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS

KNOW ALL MEN BY THESE PRESENTS, that this Third Supplement to Declaration of Covenants, Conditions and Restrictions, is made and entered into on this the 4th day of August, A.D., 1983, by RDC, INC., a North Carolina corporation, hereinafter referred to as "Declarant";

W I T N E S S E T H:

WHEREAS, Declarant is the holder of fee title to the real property described in Exhibit A, attached hereto and incorporated herein by reference, of this Third Supplement to Declaration of Covenants, Conditions and Restrictions (hereinafter called "Third Supplement"), and Declarant desires to submit the real property described in Exhibit A (hereinafter called the "Property") to the provisions, terms and conditions of the Declaration of Covenants, Conditions and Restrictions dated May 8, 1981, as amended, and recorded in the Office of the Register of Deeds of Dare County, North Carolina in Book 310 at page 557, et seq. (said instrument being hereinafter referred to as the "Declaration"); and

WHEREAS, pursuant to Article One of the Declaration additional real property may become subject to the Declaration by recordation of supplemental declaration(s) by the Declarant wherein any such real property is specifically made subject to and governed by all or a portion of the Declaration, and by any such action of the Declarant the operation and effect of the Declaration shall extend to such additional property or properties;

WHEREAS, the Declarant is willing to and desirous of subjecting the Property to the terms, conditions and provisions of the Declaration, so that such Property shall be governed by all of the covenants, conditions, restrictions, rights and obligations contained in the Declaration;

NOW, THEREFORE, in consideration of the premises and the benefits accruing to the Declarant, the Declarant specifically declares that the Property is and shall be held, transferred, sold, conveyed and occupied subject to and

governed by all the terms and provisions of the covenants, conditions, restrictions, rights and obligations contained in the Declaration and any amendment thereto; and upon the filing of this document in the Office of the Register of Deeds of Dare County, North Carolina, the operation and effect of the Declaration shall extend to the Property.

IN WITNESS WHEREOF, the Declarant has caused this Third Supplement to Declaration of Covenants, Conditions and Restrictions to be executed by its duly authorized officers and its corporate seal to be hereunto affixed, all pursuant to authority duly granted, as of the 4th day of August, 1983.

DECLARANT:

RDC, INC.

By: *William J. Hill*
Vice President



ATTEST:
By: *James W. Smith*
Secretary

STATE OF NORTH CAROLINA)
COUNTY OF FORSYTH)

This 4th day of August, 1983, personally came before me, Shirley W. Marshall, a notary public, Jane H. Smith who, being by me duly sworn, says that he/she knows the corporate seal of RDC, INC., and is acquainted with William E. Hollan, Jr. who is the Vice President of said Corporation, and that he/she, the said Jane H. Smith is the Vice Secretary of the said Corporation, and saw the said Vice President sign the foregoing or annexed instrument, and saw the said corporate seal of said Corporation affixed to said instrument by said Vice President, and that he/she, the said Jane H. Smith signed his/her name in attestation of the execution of said instrument in the presence of said Vice President of said Corporation.

Witness my hand and notarial seal or stamp, this 4th day of August, 1983.

Shirley W. Marshall
Notary Public

My Commission Expires: SHIRLEY W. MARSHALL, Notary Public
Forsyth County, North Carolina
My Commission Expires May 28, 1988.

STATE OF NORTH CAROLINA - Dare County

The foregoing (or annexed) certificate ___ of Shirley W. Marshall a Notary Public of Forsyth Co., NC is(are) certified to be correct. This the 5 day of August, 1983.

STAMPS \$ -0-

Alva Wise, Register of Deeds

Probate and filing fee \$ _____ paid

By Ungella McMan
Deputy Assistant

Register of Deeds

RECORDED Aug 8, 1983

EXHIBIT A

Lying and being in Dare County, North Carolina, and beginning at a point located in the East right-of-way line of North Carolina State Road 1200, said point being located at the northwestern corner of the Common Properties (Solid Waste Containerized Area) as shown on a map of Phase 5 of Sanderling recorded in Plat Cabinet A, Slides 385 and 386 of the Dare County Registry, reference to which is hereby made; and running thence with the east right-of-way line of State Road 1200 the following five (5) courses and distances: (1) North 15° 52' 39" West 381.795 feet to a point in the westernmost line of Lot 247 of Sanderling Phase 6, (2) thence on a curve to the left in a northwesterly direction (said curve having a radius of 1715.268 feet and an arc distance of 299.61 feet) to the point of tangency of a curve to the right leading into the south right-of-way line of Martin Lane, (3) thence North 26° 03' 01" West 366.65 feet, more or less, to a point in the westerly line of Lot 253 of Sanderling Phase 6, (4) thence with said westerly line of Lot 253 and the westerly lines of Lots 254, 255 and 256 on a curve to the right in a northwesterly direction (said curve having a radius of 1940.878 feet and an arc distance of 294.87 feet) to a point in the westerly line of Lot 256 of Sanderling Phase 6, and (5) thence North 17° 20' 45" West 290.99 feet to a point, the northwest corner of Lot 258 of Sanderling Phase 6; thence with the northern boundary line of Phase 6 the following six (6) courses and distances: (1) North 75° 22' 55" East 134.11 feet to the northeastern corner of Lot 258 of Sanderling Phase 6, (2) thence with the east line of said Lot 258 South 15° 53' 01" East 26.76 feet to a point, the northern terminus of the cul-de-sac of Martin Lane, (3) thence with said terminus North 74° 06' 59" East 60 feet to a point in the west line of Lot 230 of Phase 6, (4) thence North 15° 53' 01" West 25.44 feet to a point, (5) thence North 75° 22' 55" East 384.39 feet to the northeast corner of Lot 230 of Phase 6, and (6) thence North 75° 22' 55" East with the northern line of Common Properties 55.83 feet, more or less, to a point in the mean high water line of the western edge of the Atlantic Ocean; running thence with the mean high water line of the western edge of the Atlantic Ocean in a southeasterly direction, a chord bearing and distance of South 22° 36' 32" East 1527.56 feet to a point in said mean high water line, said point being North 66° 30' 00" East 55.29 feet, more or less, from the northeast corner of Lot 178 of Sanderling Phase 5; running thence with the northern boundary line of said Phase 5 South 66° 30' 00" West 691.54 feet to the point and place of beginning. The foregoing description was taken from a plat of survey prepared by Quible and Associates, Inc., dated October 22, 1982, entitled "Phase 6, Lots 212-258 Sanderling, Atlantic Township, Dare County, North Carolina", and constitutes all of Sanderling Phase 6.