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NORTH CAROLINA)	
)	FIRST AMENDMENT TO DECLARATION OF
)	COVENANTS CONDITIONS AND RESTRICTIONS
FORSYTH COUNTY)	

Know all men by these presents, that this First Amendment to Declaration of Covenants, Conditions, and Restrictions (the "First Amendment") is made and entered into as of the 13th day of January, 1994, by SIHO Properties, Inc. , a North Carolina corporation (hereinafter referred to as "Developer");

W I T N E S S E T H:

WHEREAS, Developer entered into that certain Declaration of Covenants, Conditions, and Restrictions (hereinafter the "Declaration") dated October 16, 1991, and recorded in Book 1763, at Page 496 et seq., of the Catawba County Public Registry (the "CPR"); and

WHEREAS, Developer desires to amend the Declaration with respect to the definition of Non-Waterfront Lots as said definition relates to the use of common area dock facilities in the Bay Pointe subdivision; and

WHEREAS, Developer, pursuant to Article Ten, subparagraph (b) of such Declaration, is expressly authorized to amend the Declaration during the first twenty year period with written permission of the Board of Directors of the Bay Pointe Homeowners Association, Inc., (the "Board") which written permission has been obtained;

NOW, THEREFORE, in consideration of the premises herein contained, the Declaration is hereby amended as follows:

1. Article Two, subparagraph (i) is hereby amended to read, in its entirety:

" "Lot" shall mean and refer to any plot of land within The Properties shown upon any recorded subdivision map of The Properties or any portion thereof, with the exception of Common Properties as heretofore defined. "Non-Waterfront Lots" shall mean and refer to those Lots in the Development which do not adjoin the waters of Lake Norman plus Lot 40 which joins the Pier, Boatslips and Access Lot. "Waterfront Lots" shall mean and refer to those other lots in the Development which adjoin the waters of Lake Norman."

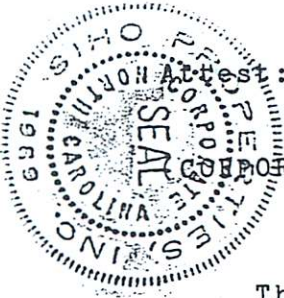
2. All other provisions contained in the Declaration shall remain unchanged and in full force and effect, and shall apply equally to all such Lots subject to this Declaration.

IN WITNESS WHEREOF, the Developer has caused this First Amendment to Declaration of Covenants, Conditions, and Restrictions to be executed effective as of the 13th day of January, 1994.

Developer

SIHO PROPERTIES, Inc., a North Carolina Corporation

By: [Signature]
Richard F. Simpson, President



Attest: [Signature]
William E. Hollan, Jr. Secretary

(CORPORATE SEAL)

The undersigned does hereby certify that the Board has duly adopted and approved this First Amendment and that the Board has given its written permission to this First Amendment.

BAY POINTE HOMEOWNERS ASSOCIATION, INC.

By: [Signature]
Richard F. Simpson, President



Attest: [Signature]
William E. Hollan, Jr., Secretary

(CORPORATE SEAL)

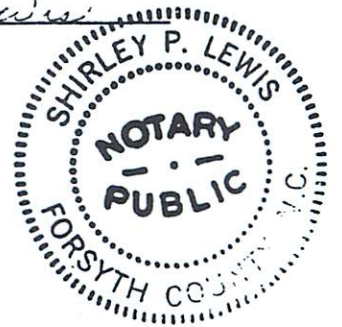
STATE OF NORTH CAROLINA

COUNTY OF FORSYTH

This 14th day of January, 1994, personally came before me, Shirley P. Lewis, a Notary Public, William E. Hollan, Jr., who being by me duly sworn, says that he knows the corporate seal of Bay Pointe Homeowners Association, Inc. and is acquainted with Richard F. Simpson who is the President of said corporation, and that he, the said William E. Hollan, Jr., is the Secretary of the said Corporation, and saw the said President sign the foregoing instrument and saw the corporate seal of said corporation affixed to said instrument by said President, and that he, the said Secretary, signed his name in attestation of the execution of said instrument in the presence of said President of said corporation.

WITNESS my hand and notarial seal or stamp, this the 14th day of January, 1994.

Shirley P. Lewis
Notary Public



My Commission Expires:

My Commission Expires January 27, 1996

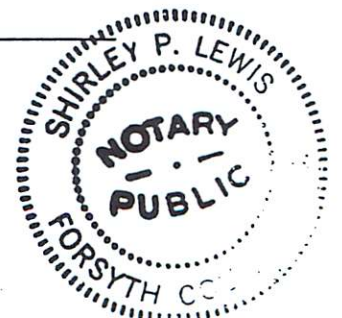
STATE OF NORTH CAROLINA

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WITNESS my hand and notarial seal or stamp, this the 14th day of January, 1994.

Shirley P. Lewis
Notary Public



My Commission Expires:

My Commission Expires January 27, 1996

FILED
RUTH MACKIE

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REGISTER OF DEEDS
CATAWBA CO., N.C.

STATE OF NORTH CAROLINA CATAWBA COUNTY

The foregoing certificates of Shirley P. Lewis, a Notary Public of Forsyth County, N.C. are certified to be correct. This instrument was presented for registration this 14th day of January, 1994 at 12:45 P.M. and duly recorded in the office of the Register of Deeds of Catawba County, N.C. in Book 1866 at Page 918.



RUTH MACKIE - REGISTER OF DEEDS

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