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Register of Deeds
Book 200 Page 466**

STATE OF NORTH CAROLINA
COUNTY OF PERQUIMANS

DECLARATION OF RESTRICTIVE COVENANTS
RE: WATER ACCESS LOT, HERITAGE SHORES PLANTATION
(2 Pages)

WHEREAS, on September 24, 1999 Carolina Coast and Lakes, Inc., as the Owner and Developer of certain property located on Yeopim Creek in Bethel Township, Perquimans County, North Carolina did impose upon that realty a Declaration of Covenants, Conditions and Restrictions recorded in Book 200, Page 124 of the Perquimans County Registry;

AND WHEREAS, Carolina Coast and Lakes, Inc. has retained ownership of that certain parcel known as the "Open Space" or "Water Access Lot" as depicted on that certain Map of Survey by Robey Associates Engineering, entitled "Final Plat for Heritage Shores Plantation (Sheets 1-3)" dated 08/04/1999 and recorded 09/24/1999 in Plat Cab. 2, Slide 77 Maps 6, 7 & 8 of the Perquimans County Registry which is incorporated herein for a more complete and accurate description;

AND WHEREAS, prior to conveying the "Water Access Lot" Carolina Coast and Lakes, Inc., as the Declarant herein, wishes to impose upon the said parcel the following restrictions which are in addition to those set forth in the said Declaration:

- (1) No boat ramp may be erected, constructed or maintained on the said "Water Access Lot".
- (2) The "Water Access Lot" may be used only by those persons who own lots within Heritage Shores Plantation, Lots 1 -39, as depicted in the Incorporated Map of Survey, or by their guests when accompanied by a lot owner.
- (3) With the exception noted, all vehicular parking for persons using the "Water Access Lot" shall be limited to the northeastern one-third of the parcel adjacent to Pine Point Road. The exception shall be that parking may occur on the remaining two-thirds of the "Water Access Lot" for the purpose of loading and unloading and shall be limited to a maximum of fifteen (15) minutes.
- (4) In regards to the term of this restriction, Paragraph 11 of the said Declaration shall be applicable to this instrument. In regards to the amendment of this restriction, Paragraph 11 of the said Declaration shall be applicable to this instrument with the only change being that such amendment to this instrument must be signed by not less than one-hundred percent (100%) of the Lot Owners in the subdivision.
- (5) These restrictions shall be applicable to all parties who have any right, title or interest in this "Water Access Lot", or any part thereof, their heirs, successors, or assigns and shall be enforceable pursuant to Paragraph 4 of the said Declaration.
- (6) Notwithstanding anything within this instrument, it is understood that the Declarant may otherwise improve the "Water Access Lot" by constructing thereon or appurtenant thereto a ten slip marina and associated improvements (excluding a boat ramp as set forth above). This marina shall be owned by the Declarant and may

be subsequently conveyed in whole or in part by the Declarant to such person(s) and/or entities as the Declarant may so desire.