

WAKE COUNTY, NC 273  
LAURA M RIDDICK  
REGISTER OF DEEDS  
PRESENTED & RECORDED ON  
11/07/2013 AT 14:23:36

BOOK:015497 PAGE:00438 - 00442

Prepared by and return to:  
Tina Frazier Pace  
Hatch, Little & Bunn, LLP (Box 80)

**NORTH CAROLINA**

**WAKE COUNTY**

**FOURTH AMENDMENT TO DECLARATION  
OF COVENANTS, CONDITIONS AND  
RESTRICTIONS FOR EMERALD POINTE  
SUBDIVISION**

THIS FOURTH AMENDMENT TO THE DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR EMERALD POINTE SUBDIVISION made  
this the 15<sup>th</sup> day of OCTOBER, 2013 by the Board of Directors of Emerald Pointe  
Homeowners Association, Inc.

**WITNESSETH:**

WHEREAS the Declaration of Covenants, Conditions and Restrictions for  
Emerald Pointe Subdivision (hereinafter "Covenants"), were recorded in Book 7564,  
Page 830 of the Wake County Registry (hereinafter "Covenants"); and

WHEREAS the foregoing Covenants were amended by a First Amendment dated  
September 20, 2006, recorded September 29, 2006 in Book 12193, Page 1805, Wake  
County Registry; and

WHEREAS the foregoing Covenants were amended by a Second Amendment  
dated November 23, 2008, recorded December 3, 2008 in Book 13315, Page 1334, Wake  
County Registry; and

WHEREAS the foregoing Covenants were amended by a Third Amendment dated  
February 10, 2011, recorded February 25, 2013 in Book 14279, Page 2367, Wake County  
Registry; and

WHEREAS, pursuant to Article X, Section 1, the Board of Directors of Emerald Pointe Homeowners Association, Inc., may amend the Covenants at a duly called meeting with two-thirds (2/3) approval of the members of the Board of Directors;

WHEREAS, on the 15<sup>th</sup> day of OCTOBER, 2013, at a duly-called meeting, the Board of Directors adopted the following amendment by a vote of more than two-thirds (2/3) of the Board of Directors;

NOW, THEREFORE, in consideration of the foregoing, the Declaration of Covenants, Conditions and Restrictions for Emerald Pointe Subdivision is hereby amended as follows:

**1. By deleting Article I, Section 1 in its entirety and by inserting the following Section 1:**


Section 1. The covenants and restrictions of this Declaration shall run with and bind the land, and shall inure to the benefit of and be enforceable by the Association, the Declarant, or the owner of any land subject to this Declaration, their respective legal representative, heirs, successors and assigns, for a term of twenty (20) years from the date this Declaration is recorded after which time all covenants shall be automatically extended for successive periods of ten (10) years unless two-thirds (2/3) of the members of the Association at a duly called meeting approves a change in the covenants and restrictions. The covenants may be amended at any time if two-thirds (2/3) of the members present, in person or in proxy, at a meeting of the Association approves the proposed amendment. Such amendment shall not be effective until the vote is certified by the Board of Directors and the amendment is filed in the Office of the Register of Deeds of Wake County.

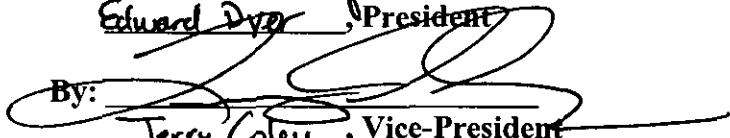
2) That this Amendment shall be effective upon the recordation in the Office of the Register of Deeds of Wake County;

3) That, except as herein provided, the remaining provisions of the Covenants, as amended, are hereby ratified and confirmed in every respect.

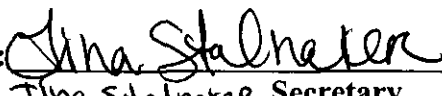
IN WITNESS WHEREOF, the Board of Directors of Emerald Pointe Homeowners Association, Inc. have caused this instrument to be signed and executed.

**EMERALD POINTE HOMEOWNERS ASSOCIATION, INC.**

By:   
Edward Dyer, President

By:   
Terry Coley, Vice-President

By: \_\_\_\_\_  
\_\_\_\_\_, Treasurer

By:   
Tina Stalner, Secretary

By: \_\_\_\_\_  
\_\_\_\_\_, Director

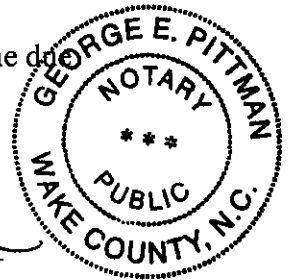
By: \_\_\_\_\_  
\_\_\_\_\_, Director

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

I, a Notary Public of the County and State aforesaid, certify that  
EDWARD DYER, personally came before me today and acknowledged the due  
execution of the foregoing instrument.

Witness my hand and official stamp or seal, this the 15<sup>th</sup> day of  
OCTOBER, 2013.

George E. Pittman  
Notary Public  
My Commission Expires: 12-17-16

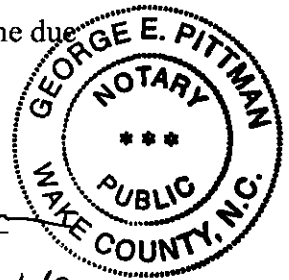


STATE OF NORTH CAROLINA  
COUNTY OF WAKE

I, a Notary Public of the County and State aforesaid, certify that  
TERRY COLEY, personally came before me today and acknowledged the due  
execution of the foregoing instrument.

Witness my hand and official stamp or seal, this the 15<sup>th</sup> day of  
OCTOBER, 2013.

George E. Pittman  
Notary Public  
My Commission Expires: 12-17-16

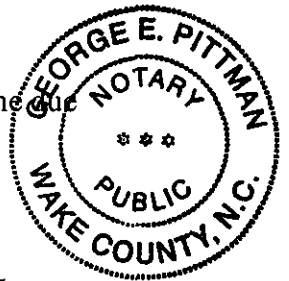


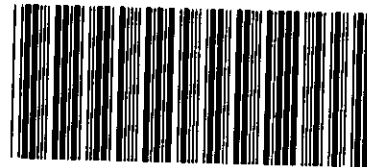
STATE OF NORTH CAROLINA  
COUNTY OF WAKE

I, a Notary Public of the County and State aforesaid, certify that  
TINA STALNAKER, personally came before me today and acknowledged the due  
execution of the foregoing instrument.

Witness my hand and official stamp or seal, this the 15<sup>th</sup> day of  
OCTOBER, 2013.

George E. Pittman  
Notary Public  
My Commission Expires: 12-17-16





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**Please retain yellow trailer page**

It is part of the recorded document and must be submitted with the original for re-recording.

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**Laura M. Riddick**  
**Register of Deeds**  
Wake County Justice Center  
300 South Salisbury Street, Suite 1700  
Raleigh, NC 27601

New Time Stamp

\$25 Non-Standard Fee

Additional Document Fee

Additional Reference Fee

**This Customer Group**

**This Document**

\_\_\_\_ # of Time Stamps Needed

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