

WAKE COUNTY, NC 132  
LAURA M RIDDICK  
REGISTER OF DEEDS  
PRESENTED & RECORDED ON  
09/24/2014 AT 14:17:37

BOOK:015789 PAGE:02184 - 02188

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

**NORTH CAROLINA**  
**WAKE COUNTY**

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

THIS FIFTH AMENDMENT TO THE DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR EMERALD POINTE SUBDIVISION made  
this the 21<sup>st</sup> day of JUNE, 2014 by the members 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 the foregoing Covenants were amended by a Fourth Amendment dated October 15, 2013, recorded November 7, 2013 in Book 15497, Page 438, Wake County Registry; and whereas a scrivener's error was discovered and the Amendment was re-recorded on August 6, 2014 in Book 15744, Page 1498, Wake County Registry.

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

WHEREAS, on the 21st day of June, 2014, at a duly-called meeting, the members adopted the following amendment by a vote of more than two-thirds (2/3) of the members present;

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 adding the following section, as Article VIII, Section 15:**

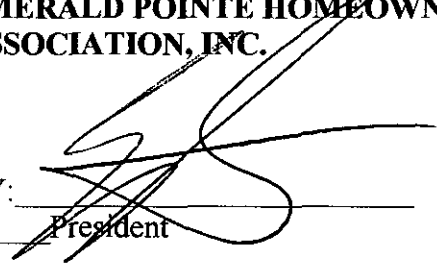
Section 15. a) Homes and lots may have no debris and/or trash visible from any street; b) Homeowners must maintain a clean and presentable exterior of their home year-round. Mold and/or dirt (sometimes on one side of the home) must be removed with a pressure washer or other means; c) Flower boxes and/or other areas meant to have flowers must be weed-free; d) Lawns must be maintained including edging where concrete meets grass and/or turf areas. No grass or weeds are allowed to creep over the edges of sidewalks and/or curbs; e) Trees visible from any street shall be maintained and trimmed as needed. Broken and/or dead limbs must be removed and discarded via the Town of Knightdale or other means. No trees or shrubs shall extend over the sidewalk and/or street to impede foot or vehicle traffic; f) Fences and/or other structures visible from any street shall be maintained on a regular basis. Decks, fences or other structures visible from any street shall not have loose or broken pieces and shall be clean and presentable at all times; g) Lawn/patio furniture and barbeque grills must be kept to the rear of the property and not on the front lawn.

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 approving Members of the Emerald Pointe Subdivision, comprising at least 2/3 of the members present at a duly-called meeting of the membership at which a quorum was present, have approved this amendment; and that the Board of Directors of Emerald Pointe Homeowners Association, Inc. hereby certifies the validity of this Amendment in all respects, and have caused this instrument to be signed and executed as of the day and year first above written.

**EMERALD POINTE HOMEOWNERS ASSOCIATION, INC.**

BY:   
\_\_\_\_\_  
President

**ATTEST:**

SEAL

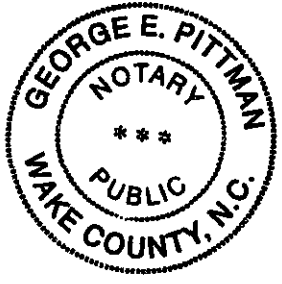
BY:   
\_\_\_\_\_  
Secretary

STATE OF NC

COUNTY OF WAKE

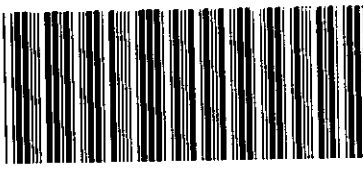
I, a Notary Public of the County and State aforesaid, certify that DIRK J. HART, personally came before me today and acknowledged that he is the \_\_\_\_\_ Secretary of Emerald Pointe Homeowners Association, Inc, a North Carolina corporation, and that by authority duly given and as the action of the corporation, the foregoing instrument was signed in its name by its \_\_\_\_\_ President, sealed with its corporate seal, and attested by DIRK J. HART, as its \_\_\_\_\_ Secretary.

Witness my hand and official stamp or seal, this the 16<sup>th</sup> day of SEPTEMBER, 2014.



George E. Pittman  
Notary Public

My Commission Expires: 12-17-16



BOOK:015789 PAGE:02184 - 02188



**WAKE  
COUNTY**  
NORTH CAROLINA

---

**Please retain yellow trailer page**

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

---

**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**

1 # of Time Stamps Needed

**This Document**

5 # of Pages  
F