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- Document contains seals verified by original instrument that cannot be reproduced or copied.

STATE OF NORTH CAROLINA )  
 )  
 COUNTY OF BRUNSWICK )

**AMENDMENT AND SUPPLEMENTAL  
 DECLARATION TO  
 DEVAUN PARK PROCLAMATION  
 OF PROTECTIVE COVENANTS**

THIS AMENDMENT AND SUPPLEMENTAL DECLARATION to the DEVAUN PARK PROCLAMATION OF PROTECTIVE COVENANTS (the original "Proclamation" recorded on September 11, 2002 in Book 1628, Page 1129 of the Brunswick County Registry), as amended by many supplements and amendments with the last amendments, AMENDMENTS TO DEVAUN PARK PROCLAMATION OF PROTECTIVE COVENANTS (the "Latest Amendment" recorded on June 20, 2017 in Book B3926, Page 352), is made and entered into this 29<sup>th</sup> day of January, 2018;

WHEREAS, Stanaland Stewart Company, LLC is the developer (the "Founder") of Devaun Park pursuant to the Proclamation of Protective Covenants of Devaun Park set forth above; and

WHEREAS, Pulte Home Company, LLC, its successor and assigns ("Pulte") desires to purchase the lots developed by LAKESHORES INC. OF NMB, a South Carolina corporation



("Owner"), within the property described on Exhibit "A" (the "Pulte Property") and to construct homes on the lots within the Pulte Property; and

WHEREAS, Pulte and the Owner have requested that the Founder clarify the Latest Amendment and extend the operation and effect of the covenants and restrictions of this Proclamation to the Pulte Property.

WHEREAS, the Founder has the right to amend the Proclamation, with the written consent of the Board of Aldermen, pursuant to Section 15.2 Amendments by Founder, as amended by the Latest Amendment; and

WHEREAS, the Founder, with the written consent of the Board of Aldermen, has the right to bring within the plan and operation of the Proclamation the Pulte Property pursuant to Section 2.2(a) Additions By Founder of the Proclamation as amended by the Latest Amendment by filing Of Record a Supplemental Declaration and Site Plan with respect to the land to be added hereto (the Site Plan is attached as Exhibit "B") and which shall extend the operation and effect of the covenants and restrictions of this Proclamation thereto, and which, upon filing Of Record of a Supplemental Declaration, shall constitute a part of the property encumbered by the Proclamation.

NOW, THEREFORE, Founder, by and with the consent of the Board of Aldermen of the Association, the Owner and Pulte, hereby amends the Proclamation and hereby annexes and brings within the plan and operation of the Proclamation, the Pulte Property, upon the terms and conditions as follows:

I.  
**AMENDMENTS**  
TO  
**ADDITIONS TO ARTICLE 17**

The Proclamation is hereby amended to add to Article 17 as follows:

17.6. Construction and Sale of Homes on the Pulte Property. Notwithstanding any of the provisions and restrictions contained in the Proclamation, as amended, to the contrary, Pulte may maintain and carry on such facilities and activities as may be reasonably required, convenient, or incidental to the construction, completion, improvement, and sale of the homes on the Pulte Property, including, without limitation, the following:

A. The installation and operation of development, sales and construction trailers and offices on the Lots and the Pulte Property, and to display signage as it determines necessary for building and sale of homes on the Pulte Property.

B. The use of a Unit as a model home and/or office and the holding of "open houses" in the Units, as it determines necessary to sell Units and for related activities.

C. The use of the name "Devaun Park" for marketing and sales purposes as it determines.

17.7. Authority to Approve Plans for the Construction of Homes on the Pulte Property. Notwithstanding any of the provisions and restrictions contained in the Proclamation, as amended, to the contrary, the Unimproved Property Committee ("UPC") and the Association have full and sole authority to approve plans for the construction of the homes and other improvements within the Pulte Property until the lots are sold to a third Party, the ARC will not have jurisdiction over the improvements and construction of the homes built by Pulte on the Pulte Property. Notwithstanding bringing the Property within the plan and operation of the Proclamation as amended, the approval of the plans for the construction of the homes by the



UPC and other matters set out in the written agreement between Pulte and the Association of the same date hereof shall control.

**II.**  
**Supplemental Declaration**

Pursuant to the Proclamation, as amended, the Proclamation is supplemented to add and annex the Pulte Property and to bring the Property within the plan and operation of the Proclamation, and is amended and supplemented, as follows:

1. The Pulte Property is incorporated into the said Proclamation, as amended.
2. The Pulte Property shall be subject to said Proclamation, as amended hereby, in every way as if incorporated therein originally.
3. Furthermore, the Pulte Property shall be subject to allowable build-upon area pursuant to Section 3.15 of said Proclamation, as amended. The allowable build-upon area for said lots within the Property is 3,500 square feet per lot.

IN WITNESS WHEREOF, the Amendment has been signed and executed by the Founder, the Owner and Pulte respectively this 9<sup>th</sup> day of February, 2018.



FOUNDER:

STANALAND STEWART COMPANY, LLC

*W. Vaughn Stanaland* (SEAL)  
By: W. Vaughn Stanaland, Member-Manager

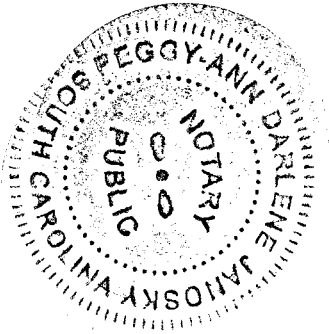
STATE OF SOUTH CAROLINA )  
)  
COUNTY OF HORRY )

ACKNOWLEDGEMENT

I, *PEGGY-ANN DARLENE JANOSKY*, a Notary Public of the County and State aforesaid, certify that **W. Vaughn Stanaland**, member/manager for Stanaland Stewart Company, LLC, a North Carolina limited liability company, personally appeared before me this day and acknowledged the due execution of the foregoing instrument on behalf of the company. Witness my hand and official stamp or seal, this *09* day of *JANUARY*, 2018.

My commission expires: *4-6-22*

*Peggy Ann Darlene Janosky*  
(Notary Public)



\_\_\_\_\_  
Peggy Ann Darlene Janosky  
(print Notary's name)  
My commission expires  
April 6th, 2022

OWNER:



B4038 P0084 04-05-2018 15:56:17.002  
Brenda M. Clemmons PROF  
Brunswick County, NC Register of Deeds page 6 of 9

LAKESHORES INC. OF NMB,  
a South Carolina corporation

By: Harry A Thomas

Harry A Thomas

President

Date: 1-29-, 2018

STATE OF SOUTH CAROLINA )

ACKNOWLEDGEMENT

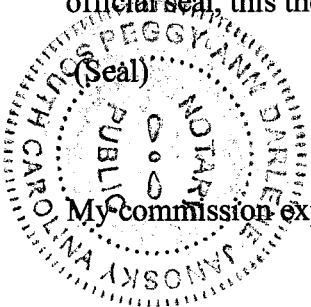
COUNTY OF HORRY )

I, Peggy Ann Darlene Janosky, a Notary Public of the County and State aforesaid, certify that **Harry A Thomas**, President of **LAKESHORES INC. OF NMB**, a South Carolina corporation, personally appeared before me, and being known to me, this day and acknowledged the due execution of the foregoing instrument on behalf of the company. Witness my hand and official seal, this the 29 day of JANUARY, 2018.

Peggy Ann Darlene Janosky

(Notary Public)

Peggy-Ann Darlene Janosky  
My commission expires April 6th, 2022  
(print Notary Name)



My commission expires: 4-6-22

Pulte:



B4038 P0085 04-05-2018 15:56:17.002  
Brenda M. Clemmons PROF  
page 7 of 9

**PULTE HOME COMPANY, LLC,**  
a Michigan limited liability company

Charles J.R. Tipton (SEAL)  
By: Charles J.R. Tipton, Division President

Date: February 9th, 2018

STATE OF S. CAROLINA )

COUNTY OF Charleston )

ACKNOWLEDGEMENT

I, Maureen A. McCarthy, a Notary Public of the County and State aforesaid, certify that **Charles J.R. Tipton**, Division President for Pulte Home Company, LLC, a limited liability company, personally appeared before me, and being known to me, this day and acknowledged the due execution of the foregoing instrument on behalf of the company. Witness my hand and official seal, this the 9 day of February, 2018.

(Seal)

Maureen A. McCarthy  
(Notary Public)

My commission expires:

Maureen A. McCarthy  
(print Notary's name)



Consent of the Board of Alderman

AT A DULY CALLED MEETING OF THE ASSOCIATION'S BOARD OF ALDERMEN, AT WHICH A QUORUM WAS PRESENT, A MAJORITY OF THE BOARD OF ALDERMEN PASSED A RESOLUTION CONSENTING TO THIS AMENDMENT AND SUPPLEMENTAL DECLARATION TO DEVAUN PARK PROCLAMATION OF PROTECTIVE COVENANTS dated September 9, 2002 and recorded in the Brunswick County Register of Deeds Office on September 11, 2002 in Book 1628 at Page 1129 (together with any amendments, modifications or supplements pertaining thereto, collectively, the "Proclamation"); with the last amendments, AMENDMENTS TO DEVAUN PARK PROCLAMATION OF PROTECTIVE COVENANTS, the "Latest Amendment", recorded on June 20, 2017 in Book B3926, Page 352; AND THE UNDERSIGNED BOARD OF ALDERMEN DO HEREBY CERTIFY THAT THE RESOLUTION WAS DULY AUTHORIZED AND APPROVED:

Board of Aldermen

Gary Miller  
Gary Miller

Dennis Major  
Dennis Major

Diane Mangiapane  
Diane Mangiapane

Charles Evanoff  
Carl

STATE OF SOUTH CAROLINA

COUNTY OF HORRY

I, Peggy-Ann Darlene Janosky, a Notary Public of the state and county aforesaid, do hereby certify that **Gary Miller, Dennis Major, Diane Mangiapane, Carl Evanoff** personally appeared before me this day and, being personally known by me or after property photo identification shown to me, acknowledged that they are **Aldermen of Devaun Park Community Association, Inc.**, a North Carolina nonprofit corporation, and further acknowledged due execution of the foregoing document on behalf of and as the act of the nonprofit corporation.

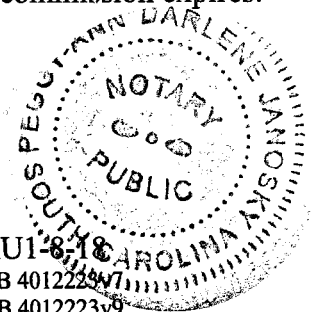
Witness my hand and official seal, this 29 day of JANUARY, 2018.

My commission expires: 4-6-22

Peggy-Ann Darlene Janosky  
(Notary Public)

Peggy-Ann Darlene Janosky  
(print Notary Public) My commission expires  
**April 6th, 2022**

RMU1-8-18  
PPAB 4012223v7  
PPAB 4012223v9





**EXHIBIT A**

**LEGAL DESCRIPTION OF PULTE PROPERTY**

BEING All of that tract of land referred to as "Devaun Park, Phase 5, Tract 1, 4.19 Acres" as shown on that map prepared by Howard E. Hoadley, P.L.S. on August 20, 2009 and recorded in Map Cabinet 61, Page 50 of the Brunswick County Register of Deeds.

BEING All of that tract of land referred to as "Devaun Park, Phase 5, Tract 3, 4.65 Acres" as shown on that map prepared by Howard E. Hoadley, P.L.S. on August 20, 2009 and recorded in Map Cabinet 61, Page 50 of the Brunswick County Register of Deeds.

BEING All of that tract of land referred to as "Devaun Park, Phase 5, Tract 2, 4.80 Acres" as shown on that map prepared by Howard E. Hoadley, P.L.S. on August 20, 2009 and recorded in Map Cabinet 61, Page 50 of the Brunswick County Register of Deeds.

BEING a portion of "Phase Three-B 471,710 S.F. 10.83 Acres" on that map prepared by Donald G. Crews, P.L.S. on September 19, 2017 and recorded in Map Cabinet 103, Page 17 of the Brunswick County Register of Deeds.