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BK: RB 6255

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RECORDED:

10-21-2019

12:33:12 PM

BY: ANDREA CRESWELL  
ASSISTANT

2019034238

NEW HANOVER COUNTY, NC

TAMMY THEUSCH BEASLEY

REGISTER OF DEEDS

NC FEE \$26.00

Prepared By &amp; Return to:

Bonnie M. Braudway, Marshall, Williams & Gorham, LLP  
P.O. Drawer 2088, Wilmington, NC 28402STATE OF NORTH CAROLINA  
COUNTY OF NEW HANOVER**SECOND AMENDMENT TO THE DECLARATION OF DOLPHIN BAY**

This Second Amendment to the Declaration of Dolphin Bay ("Amendment") is made and entered into as of this 15 day of October, 2019 by The Dolphin Bay Homeowners Association, Inc., a North Carolina nonprofit corporation ("Association").

**WITNESSETH:**

A. The Association is the property owners' association charged with the responsibility for the operation of that certain real property known as Dolphin Bay located in New Hanover County, North Carolina, and described in a Declaration recorded in Book 1238, Page 0511, New Hanover County Register of Deeds ("Declaration").

B. Said Declaration provides in Article VIII(A) that the Declaration can be amended by affirmative vote of not less than seventy-five percent (75%) of the Members, Lot/Unit Owners.

C. The Amendment set forth below has been adopted by an affirmative vote of not less than seventy-five percent (75%) of the votes of the Members, Lot/Unit Owners in person, by proxy, or by ballot, and has otherwise been properly adopted and approved as required by the Declaration, Bylaws and Articles of Incorporation, as applicable.

D. That the President or Vice President of the Association has been duly authorized and empowered to execute this Amendment and to cause the same to be recorded in the New Hanover County Register of Deeds as the binding act of the Association, its Members, Lot/Unit Owners and Board of Directors.

Now therefore, in consideration of the recitals set forth above, and as the act and deed of the Association, its Members, Lot/Unit Owners and Board of Directors, the Declaration is hereby amended and modified as set forth below:

AMENDMENT

1. Article V shall be amended by adding the following subsection:

C. Bulk Cable, Television, and Internet Service: The Association has the authority to enter into a non-exclusive bulk rate cable, television, and/or internet contract with a single service provider to provide cable, television, and/or internet service to the Property and Lots and to make, levy, and collect assessments against the members of the Association and their residential lots. Non-developed lots shall not be assessed the cost of cable, television, and/or internet service until the cable and/or internet service is activated to those lots.

END OF AMENDMENT

Except as amended, the Declaration, as may have been previously amended, shall remain in full force and effect.

The undersigned, being the President of the Association, does, by his/her execution hereof, certify that this Amendment was duly adopted by an affirmative vote of not less than seventy-five percent (75%) of the votes of the Members of the Association in person, by proxy, or by ballot, was duly adopted by a vote of the Board of Directors (if required), and that all the procedures, steps and requirements necessary to amend said Declaration have been complied with, the day and year first above written.

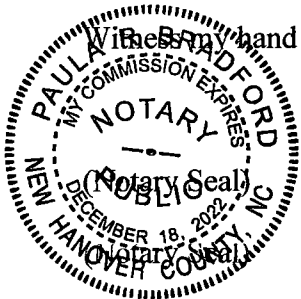
This is the 15 day of October, 2019.

THE DOLPHIN BAY HOMEOWNERS ASSOCIATION, INC., INC.

By: Ronald L Hess  
Ronald L Hess President

STATE OF NORTH CAROLINA  
COUNTY OF

I, Paula R. Bradford, notary public, do hereby certify that Ronald L. Hess (name of officer), personally appeared before me this day and acknowledged that he is the President of the Association and that he, being authorized to do so, executed the foregoing on behalf of the Association.



Witness my hand and official seal this the 15<sup>th</sup> day of October, 2019.

Paula R. Bradford  
Notary Public

My Commission Expires: 12-18-2022

My Commission Expires: \_\_\_\_\_

My Commission expires: \_\_\_\_\_

TAMMY THEUSCH  
BEASLEY  
Register of Deeds

# New Hanover County

## Register of Deeds

320 CHESTNUT ST SUITE 102 • WILMINGTON, NORTH CAROLINA 28401  
Telephone 910-798-4530 • Fax 910-798-7716



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State of North Carolina, County of NEW HANOVER  
Filed For Registration: 10/21/2019 12:33:12 PM  
Book: RB 6255 Page: 2988-2991  
4 PGS \$26.00  
Real Property \$26.00  
Recorder: ANDREA CRESWELL  
Document No: 2019034238

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