

Recorded: 07/28/2020 01:11:28 PM

BY: TONI MIDGETT

Cheryl L. House, Register of Deeds

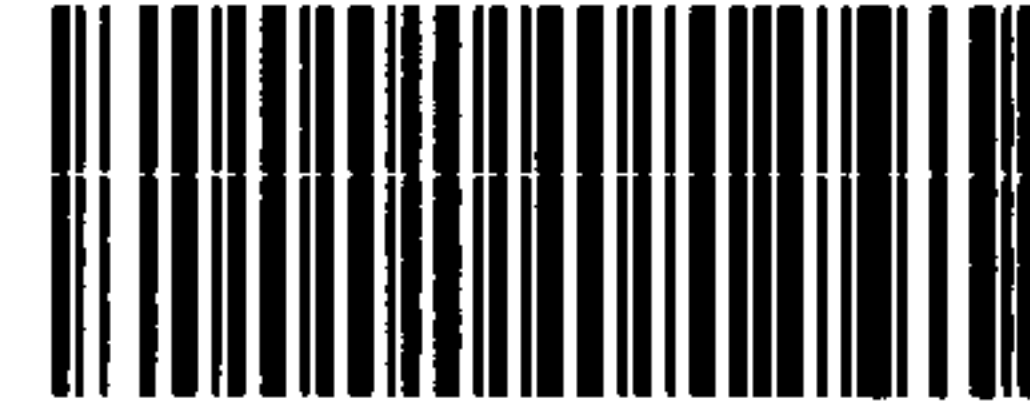
Dare County, NC

Fee Amt: \$26.00

NC Excise Tax: \$0.00

BOOK 2396 PAGE 515 (3)

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AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS OF  
PORT TRINITIE SUBDIVISION, DUCK, NC

Prepared by: Stacia Le Blanc, 113 Trinitie Drive, Duck, NC 27949

Return to: Stacia Le Blanc, 113 Trinitie Drive, Duck, NC 27949

THIS AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS OF  
PORT TRINITY SUBDIVISION is made this July 28, 2020 by PORT TRINITY HOME OWNERS  
ASSOCIATION, a North Carolina nonprofit corporation, hereinafter referred to as the "Association";

WITNESSETH:

WHEREAS, Association is a nonprofit corporation composed of all of the single-family home lot  
owners in Port Trinitie Subdivision; and

WHEREAS, Association previously established for the aforesaid Homes certain covenants,  
conditions and restrictions which are set forth in that certain instrument entitled "Declaration of  
Covenants, Conditions, and Restrictions of Port Trinitie Subdivision" recorded in Book 505, Page 639,  
Dare County Registry (hereinafter referred to as "CCRs"); and

WHEREAS, the community has historically been a sound to sea walking community,

WHEREAS, the issue regarding adding oceanside or sound-side parking spaces for any motorized  
vehicles has arisen several times before the Board of Directors and Member Annual Meetings. At the  
March 2019 meeting the PTA Board voted unanimously to prohibit additional parking spaces to the  
community upon presentation of a Petition signed by 60% of its membership which was similarly  
supported by PTHOA members;

WHEREAS, the community has voiced its opinion against golf cart operation and parking at  
meetings of the 2019 Board of Directors and Member Annual meetings, as well as in written and oral  
presentations to the Boards;

WHEREAS, after the March 7, 2020 meeting of the PTA Board, the PTHOA voted on the same  
Resolution passed by its sister association, PTA, and adopted a Board Resolution banning golf cart use

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and prohibiting the addition of any sound side or oceanside parking of any motorized vehicles, including, but not limited to cars, motor cycles, and golf carts, in the Port Trinitie community on any common areas;

WHEREAS, pursuant to Article XI, Section 1, approval by the signature of 60 percent (60%) of the entire membership (32 lots) of the Association may amend the CCRs;

WHEREAS, Association through its Board of Directors and membership, now deems it desirable to amend the CCRs in order to express the determination by the community that golf carts should be prohibited in the community and that any expansion of oceanside or sound side parking of any motorized vehicles be prohibited;

WHEREAS, the 60 percent of the PTHOA members have expressed approval of this amendment, by their signature below, acceptable in counterparts, prohibiting golf cart operation and banning additional parking for any type of motorized vehicle on common areas,

WHEREAS, pursuant to approval by signature of its Board of Directors and 60% of its membership, hereby amends Article X "Restrictions on Use and Occupancy" of the Declaration of Covenants, Conditions, and Restrictions of Port Trinitie Subdivision recorded in Book 505, Page 362, specifically at Page 669 of the Dare County Registry to add Sections 12 and 13 to read as follows:

12. Parking Prohibitions. The construction or creation of any additional sound side or oceanside parking spaces for any motorized vehicles, including, but not limited to cars, motorcycles and golf carts, in the Port Trinitie community is strictly prohibited.

Section 13. Golf Cart Prohibitions No golf carts of any type, whether licensed or not, may be operated by anyone, including owners or renters in the entire community of Port Trinitie, Duck NC, on the roads, lands, walkways or pathways, whether upon community facilities, common elements, or limited common elements. Unlawful use and operation of golf carts in the community are subject to fines and penalties under the state and local motor vehicle codes and laws, Town of Duck Code of Ordinances, Chapter 70 Traffic Regulations and Chapter 72 Parking Schedules. All home owners must inform all renters of their property of the golf cart prohibition in this community.

Except as herein amended, the terms and conditions of the Second Amended and Restated Declaration of Unit Ownership of Port Trinitie shall remain in full force and effect.

IN WITNESS WHEREOF, Port Trinitie Home Owners Association has caused this instrument to be executed in its corporate name by its President and Secretary as the act and deed of said corporation by authority of its Board of Directors duly and legally given the day and year first above written.

PORT TRINITIE HOMEOWNERS ASSOCIATION

By: Stacia Le Blanc  
Stacia Le Blanc, President  
113 Trinitie Drive, Duck, NC 27949-4366

By: Carol McKeown  
Carol McKeown, Secretary

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NOTARIZED BY:

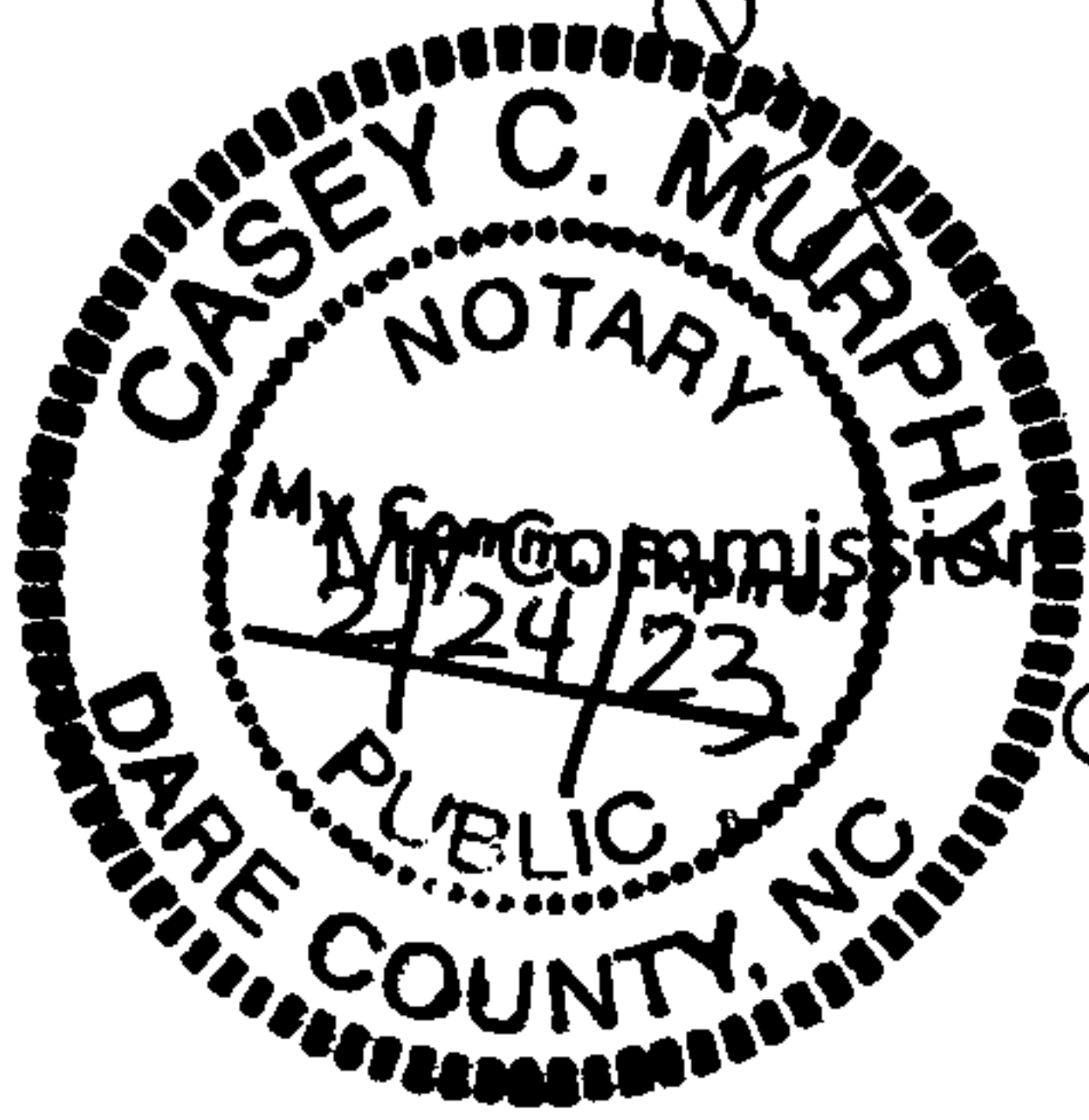
State of North Carolina

County of Dare

I, Casey C Murphy, a Notary Public for said County and State, do hereby certify that Stacia DeBlanc / Card J McKeaw personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this the 16 day of July, 2020

Casey C Murphy  
Notary Public



My Commission Expires: 2/24/2023

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