



2014003892

FOR REGISTRATION REGISTER OF DEEDS
TAMMY THEUSCH BEASLEY
NEW HANOVER COUNTY, NC
2014 FEB 18 03 17:42 PM
BK 5798 PG 1212-1216 FEE \$26 00

INSTRUMENT # 2014003892

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

**SUPPLEMENTAL DECLARATION
COVIL GARDENS CONDOMINIUMS
(PHASE 2)**

THIS SUPPLEMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR COVIL GARDENS CONDOMINIUMS, is made on this the 19th day of February, 2014, by R L BLANTON & Co., Inc., a North Carolina Corporation, hereinafter referred to as "DECLARANT"; and

W I T N E S S E T H:

WHEREAS, DECLARANT has previously caused to be recorded a Declaration of Covenants, Conditions And Restrictions For COVIL GARDENS CONDOMINIUMS, Phase 1, hereinafter referred to as "DECLARATION", recorded in Book 5659 beginning at page 2383 in the New Hanover County Register of Deed Office; and

WHEREAS, DECLARANT reserves the right in Section 1.T. and Section 2, to amend the said DECLARATION to include additional properties to COVIL GARDENS CONDOMINIUMS; and

WHEREAS, R L BLANTON & Co., Inc. is still the holder of all Declarant rights contained in the said Declaration and Amendment; and

WHEREAS, DECLARANT now desires to incorporate additional property to COVIL GARDENS CONDOMINIUMS, and to specifically designate all roads and streets as being Public, as provided for above.

NOW THEREFORE, Declarant does hereby amend the Declaration for COVIL GARDENS CONDOMINIUMS by including within the jurisdiction of the property covered by the said restrictions, as amended, that property more particularly described by that plat recorded in the New Hanover County Registry in Condominium Map Book 18 beginning at Page 264, incorporated herein by reference, which property shall be known as Phase 2, COVIL GARDENS CONDOMINIUMS, per Exhibit A.

RETURN TO *Calder & Calder*

FURTHER THEREFORE, all roads and streets in COVIL GARDENS, all Phases and Sections are, and will be Public Roads and Streets, yet will be maintained by the COVIL GARDENS Homeowners Association until and unless that responsibility is accepted by another entity.

FURTHER THEREFORE, the said Phase 2 is subject to all of the terms and conditions contained in the original restrictions recorded in Book 5659 at Page 2383, and following, and all amendments, re-recordings, and supplements thereto, specifically including that Conservation Declaration Amendment to be recorded, and the revised Exhibits attached hereto and incorporated herein by reference.

Except as specifically amended above, the Declaration remains in full force and effect, unchanged.

The Declarant has caused this document to be executed in its name by its duly authorized Member/Manager, this the day and year first above written.

R L BLANTON & Co., Inc.

By:


RANDY L. BLANTON

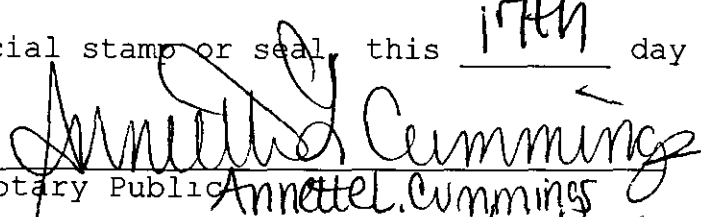
Its: President

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, a Notary Public of the County and State aforesaid, certify that **RANDY L. BLANTON** personally came before me this day and acknowledged that he is **President of R L BLANTON & Co., Inc.**, a North Carolina Corporation, and that by authority duly given and as the act of the Corporation, the foregoing instrument was duly signed in its name by him in the stated capacity.

Witness my hand and official stamp or seal, this 17th day of February, 2014.


Notary Public Annette L. Cummings

My Commission Expires: 05/18/2015

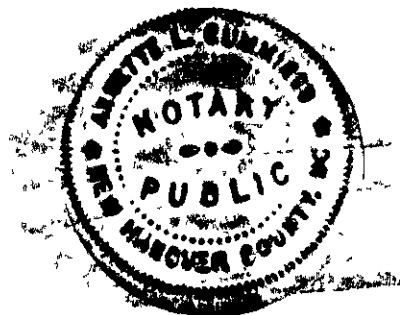


EXHIBIT "A"

AMENDED TO ADD PHASE 2

DECLARATION OF CONDOMINIUM

COVIL GARDENS CONDOMINIUM

DESCRIPTION OF PROPERTY - PHASE 2

LOCATED IN THE STATE OF NORTH CAROLINA, COUNTY OF NEW HANOVER,
AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Being that property located at 123 Covil Avenue, Wilmington, NC, and described on a plat recorded in Condominium Map Book 18 beginning at Page 264, New Hanover County Registry, and being a portion of that property described in a deed recorded in Book 5546 at Page 1519 of the New Hanover County Register of Deeds Office.

UNIT DESIGNATION AND DESCRIPTION

DESIGNATION. The unit designation of each unit, its location and dimensions, are shown on the recorded plats, made a part hereof. Each unit is identified by a street number a numeric designation (Ex.: 123-101 a first floor unit, 123-201 a second floor unit, 123-301 a third floor unit).

DESCRIPTION. The legal description of each unit shall consist of the street number, and a unit number which identifies such unit as shown on the said recorded plat incorporated herein by reference.

EXHIBIT "C"
REVISED

DECLARATION OF CONDOMINIUM

COVIL GARDENS CONDOMINIUM

Phases 1 and 2

All of the units in Phases 1 and 2 shall have an equal undivided interest in the common elements and all units will be assessed with an estimated annual assessment of **\$1,800.00**, which is the equivalent of a monthly assessment of **\$150.00**. (Plus additional \$50.00 per month for cable and \$20.00 per month for home security monitoring, if applicable.)

The undivided interest of each unit in both Phases is determined by a ratio formulated based the number of units in both Phases. The undivided interest for units added after submission of expansion sections to COVIL GARDENS CONDOMINIUM will be computed in a similar manner. The resulting number from the computation is the percent undivided interest of each unit in COVIL GARDENS CONDOMINIUM.

Annual assessments will increase if, and when, a swimming pool or other amenity is installed upon the Common Area. Declarant has the right, but not the obligation to install at least one pool.

If this Condominium project is expanded as per the rights of the Developer, this expansion will be of an additional Twelve (12) units maximum, making the total units in COVIL GARDENS CONDOMINIUM, Thirty Six (36). The fewest number of units possible in COVIL GARDENS CONDOMINIUM regime shall be twelve (24). The maximum undivided interest in the common area of any unit owner will be 8.84%; the minimum undivided interest in the common area will be approximately 2.77%.

The maximum base homeowners assessment for the initial year of operation of the Owners Association shall be \$150.00 per month per unit. Owners Association dues beyond the first year of operation of the Owners Association shall be as set by the Owners Association and the maximum and minimum dues may vary through time, according to need. (Plus additional \$50.00 per month for cable and \$20.00 per month for home security monitoring, if applicable.)



TAMMY THEUSCH BEASLEY
REGISTER OF DEEDS, NEW HANOVER
216 NORTH SECOND STREET

WILMINGTON, NC 28401

Filed For Registration: 02/18/2014 03:17:42 PM

Book: RE 5798 **Page:** 1212-1216

Document No.: 2014003892

5 PGS \$26.00

Recorder: CRESWELL, ANDREA

State of North Carolina, County of New Hanover

PLEASE RETAIN YELLOW TRAILER PAGE WITH ORIGINAL DOCUMENT.

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