

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

JUN 14 2 44 PM '91

SUPPLEMENTAL DECLARATION OF CONDOMINIUM
PHASE 4, SECTION 3, INDEPENDENCE EAST VILLAS AT
INDEPENDENCE EAST CONDOMINIUMS

KNOW ALL MEN BY THESE PRESENTS that, C & T Investment, a North Carolina General Partnership, hereinafter called "C&T", heretofore executed and caused to be recorded in the Office of the Register of Deeds of New Hanover County, North Carolina, a Declaration of Condominium with respect to Phase I, Independence East Condominiums, in Book 1273 at Page 1059; a Supplemental Declaration of Condominium for Phase 2, recorded in Book 1298 at Page 1003; a Supplemental Declaration of Condominium for Phase 3, Section 1, recorded in Book 1326 at Page 1504; a Supplemental Declaration of Condominium, Phase 3, Section 2, recorded in Book 1365 at Page 876; a Supplemental Declaration of Condominium Phase 4, Section 1, Independence East Villas at Independence East Condominiums recorded in Book 1505 at Page 1610; and a Supplemental Declaration of Condominium Phase 4, Section 2, Independence East Villas at Independence East Condominiums recorded in Book 1554 at Page 0181 of the New Hanover County Registry, (herein collectively referred to as the "Declaration"); and

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WHEREAS, C&T conveyed to Carolina Savings Bank (herein "CSB") all of the undeveloped land in Independence East (herein "Undeveloped Land") and its rights to develop the same, and by Amendment to the Declaration recorded in Book 1505 at Page 1607 of the New Hanover County Registry, the date by which the Declarant may develop and annex the undeveloped land to the condominium has been extended to December 31, 1992; and

WHEREAS, Terry F. Turner & Co. (herein the "Declarant") has purchased the development rights to the Undeveloped Land from CSB and has developed a portion thereof into Phase 4, Section 3, Independence East Villas, which he now desires to annex to the Condominium as provided in Paragraph 3 of the Declaration, as amended; and

WHEREAS, the Declarant also desires to correct previously recorded Supplemental Declarations with respect to Sections 1, 2 and 3 of Phase 4.

NOW, THEREFORE, the Declarant does further amend the Declaration in the following respects:

1. The description of the property submitted to unit ownership under the provisions of Chapter 47-A of the General Statutes of North Carolina is hereby further amended to include the property described upon Exhibit A hereto attached and incorporated by reference and shown upon the plat designated as Phase 4, Section 2, Independence East Villas at Independence East Condominiums upon Exhibit A-1 hereto attached and incorporated by reference, which plat is also recorded in Condominium Plat Book 10 at Pages 100 & 101 of the New Hanover County Registry and rerecorded in Condominium Plat Book 10 at Pages 102, 103, 104 & 105 of said Registry.
2. The description of the building is hereby amended to provide that the Declarant has constructed or will construct upon the property described upon Exhibit A hereto attached, the building shown upon Exhibit B hereto attached. The building is more particularly described in the plans thereof, a copy of the floor plan of which is hereto attached as Page 1 of Exhibit C and made a part hereof, showing the particulars of the buildings as required by law.

Draftsman: DAVID C. BAREFOOT
BAREFOOT & KAUFMAN
2002 Eastwood Road, Suite 202
Wilmington, North Carolina 28403

RETURNED TO
Barefoot & Kaufman /cmw

3. Exhibit C, Pages 2 and 3, hereto attached and incorporated by reference, are hereby substituted in place of Exhibit C, Pages 1 and 2 in the Supplemental Declaration recorded in Book 1505 at Page 1610, which are hereby canceled and deleted. The Unit Nos. (3744 & 3746) were transposed on the pages of Exhibit C hereby deleted and replaced.

4. The ratio of the undivided interest of each unit in the common areas and facilities shall be as shown upon Exhibit D-6, hereto attached and incorporated by reference, which exhibit is hereby substituted in place of Exhibit D-5, which is hereby canceled and deleted.

5. Exhibit E-6, the revised budget, hereto attached and incorporated by reference, is hereby substituted in place of Exhibit E-5, which is hereby canceled and deleted.

EXCEPT AS HEREIN AMENDED, the aforesaid Declaration of Condominium shall be and remain in full force and effect.

IN TESTIMONY WHEREOF, Terry F. Turner & Co. has caused this Instrument to be executed in its corporate name and its corporate seal affixed by its duly authorized officers, all the 7th day of June, 1991.

TERRY F. TURNER & CO.

By Terry F. Turner
President

ATTEST:

Buany
ASST. Secretary



I, MARY W. JAMES, a Notary Public in and for the aforesaid County and State do hereby certify that J. SUAREZ personally appeared before me this day and acknowledged that he/she is the ASST. Secretary of TERRY F. TURNER & CO., a North Carolina corporation, and that by authority duly given and as the act of the said corporation the foregoing Instrument was signed in its name by its President, sealed with its corporate seal, and attested by herself as its Asst. Secretary.

WITNESS my hand and notarial seal, this the 10th day of June, 1991.



Mary W. James
Notary Public

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

The foregoing certificate of MARY W. JAMES is certified to be correct. This the 14 day of JUNE, 1991.

REBECCA P. TUCKER
Register of Deeds-New Hanover County

By M. A. Ote
Deputy/Assistant

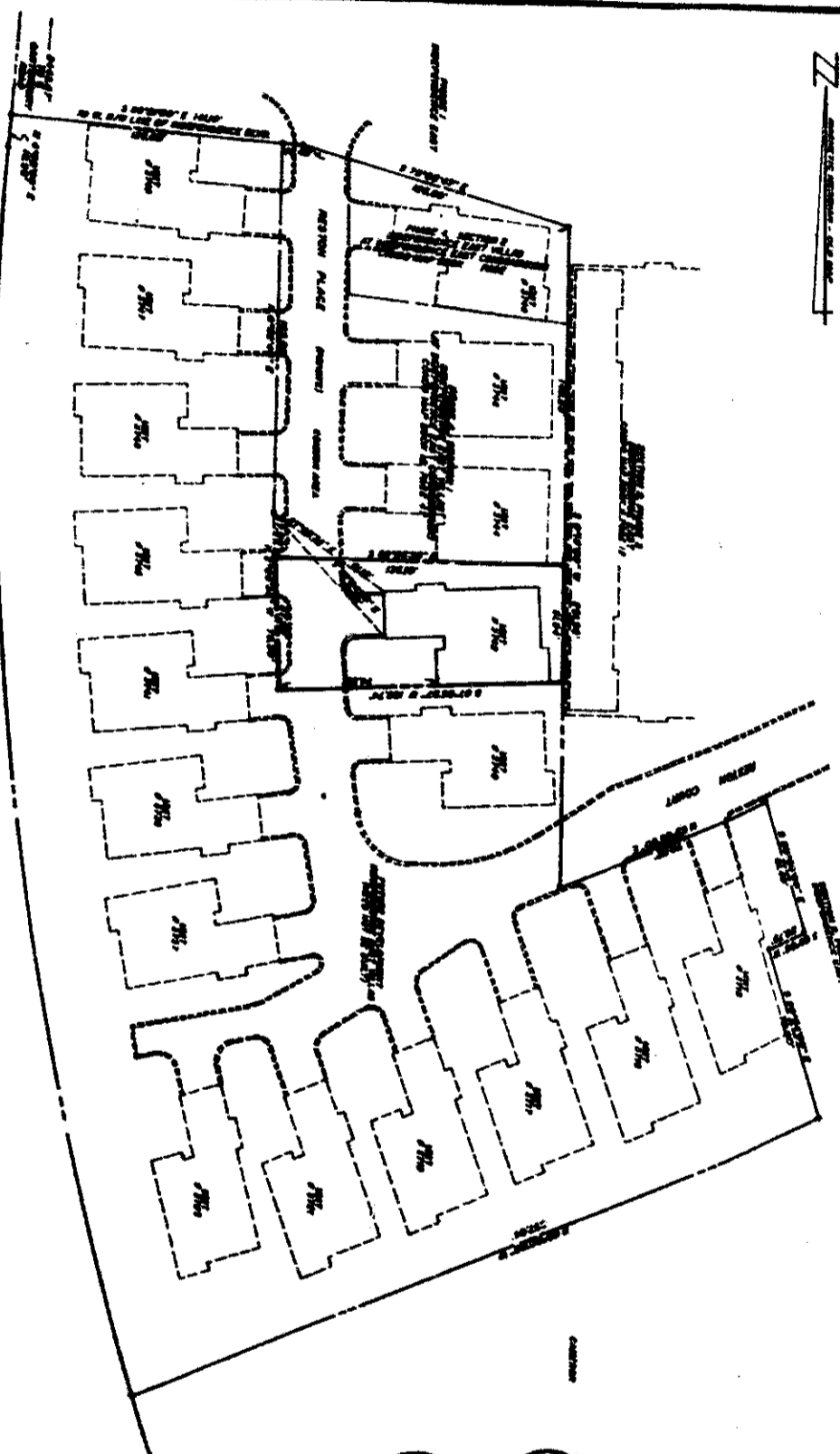
EXHIBIT A
TO
SUPPLEMENTAL DECLARATION OF CONDOMINIUM
INDEPENDENCE EAST CONDOMINIUMS
PHASE 1; PHASE 2; PHASE 3, SECTIONS 1 and 2;
PHASE 4, SECTIONS 1, 2 and 3

DESCRIPTION FOR PHASE 4, SECTION 3,
INDEPENDENCE EAST VILLAS AT INDEPENDENCE EAST CONDOMINIUMS

BEGINNING at the southwestern corner of Phase 4, Section 1, Independence East Villas at Independence East Condominiums as shown on a map recorded in Condo Map Book 10 at Page 47 of the New Hanover County Registry. Said beginning point being located South 2 degrees 08 minutes 35 seconds East 17.99 feet from a concrete monument. Said concrete monument being located South 0 degrees 52 minutes 45 seconds West 163.66 feet from another concrete monument at the northwesterly corner of said Phase 4, Section 1. Last said concrete monument being located South 85 degrees 21 minutes 00 seconds East 128.69 feet from a point in the easterly right-of-way line of Independence Boulevard (100 foot right-of-way), also known as S.R. No. 1209. Last said point being located South 4 degrees 39 minutes 00 seconds West 2443.67 feet as measured along the easterly right-of-way line of said Independence Boulevard from its intersection with the center-line of Canterbury Road. Running thence from said beginning point:

1. South 89 degrees 26 minutes 38 seconds East 136.10 feet along the southerly line of said Phase 4, Section 1, Independence East Villas to a point at the southeasterly corner of said Phase 4, Section 1; thence
2. South 0 degrees 18 minutes 00 seconds West 51.84 feet along the westerly line of Section 2, Phase 3, Independence East as shown on a map recorded in Condo Map Book 8 at Page 12 of said Registry; thence
3. South 87 degrees 56 minutes 57 seconds West 133.74 feet to a point; thence
4. North 2 degrees 08 minutes 3 seconds West 57.99 feet to the point of beginning.

The above tract contains 0.17 acres.



PHASE 4, SECTION 3
INDEPENDENCE EAST VILLAS
AT
INDEPENDENCE EAST CONDOMINIUMS

SCALE: 1/8" = 1'-0"
DATE: 04/11/88



W. & A. HALL ARCHITECTS, P.C.
1111 17th Street, N.W.
Washington, D.C. 20036

EXHIBIT A-1
01/15/88



THIS PLAN IS THE PROPERTY OF W. & A. HALL ARCHITECTS, P.C. AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF W. & A. HALL ARCHITECTS, P.C.

W. & A. Hall

BY: *W. & A. Hall*
DATE: 04/11/88
PROJECT: INDEPENDENCE EAST CONDOMINIUMS
PHASE 4, SECTION 3

CONTINUATION OF INSTRUMENT AND RECORDING

THE UNDERSIGNED, COUNTY CLERK OF THE COUNTY OF HENRY, MISSISSIPPI, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT WAS FILED FOR RECORD IN THE OFFICE OF THE COUNTY CLERK OF SAID COUNTY ON THE 5TH DAY OF FEBRUARY, 1991, AT THE HOUR OF 10:00 A.M. AND THAT THE SAME IS A TRUE AND CORRECT COPY OF THE ORIGINAL INSTRUMENT AS FILED.

Done at New Orleans, Louisiana
this 5th day of February, 1991.
Henry F. Tinsley
County Clerk

Henry F. Tinsley
COUNTY CLERK
NEW ORLEANS, LOUISIANA 70112

NOTARY PUBLIC
NEW ORLEANS, LOUISIANA

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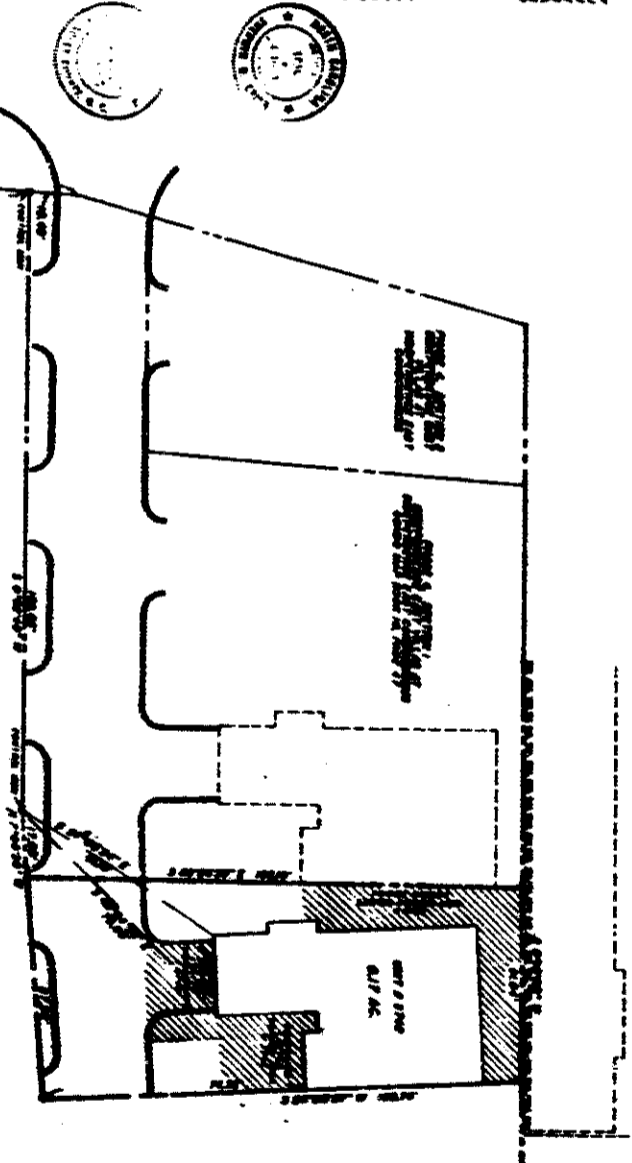
Henry F. Tinsley
COUNTY CLERK
NEW ORLEANS, LOUISIANA 70112

NOTARY PUBLIC
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Henry F. Tinsley
COUNTY CLERK
NEW ORLEANS, LOUISIANA 70112

NOTARY PUBLIC
NEW ORLEANS, LOUISIANA



PROPERTY BOUNDARY
AS SHOWN ON THIS PLAN

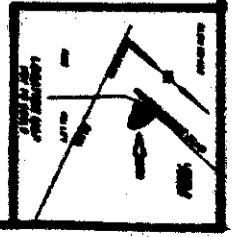
PROPERTY BOUNDARY
AS SHOWN ON THIS PLAN

PHASE 4 SECTION 2
INDEPENDENCE EAST VILLAS
AT
INDEPENDENCE EAST CONDOMINIUMS

SCALE OF FEET
0 10 20

NEW ORLEANS, LOUISIANA 70112

EXHIBIT B



1555 1545

EXHIBIT "D-6"

SUPPLEMENTAL DECLARATION OF CONDOMINIUM
INDEPENDENCE EAST VILLAS AT
INDEPENDENCE EAST CONDOMINIUMS
PHASE 1; PHASE 2; PHASE 3; PHASE 4, SECTIONS 1, 2 & 3

PERCENTAGE OF OWNERSHIP OF EACH UNIT IN THE COMMON ELEMENTS

UNIT	HEATED AREA	GARAGE AREA	TOTAL AREA	UNDIVIDED INTEREST	MONTHLY ASSESSMENT
3701A	2183 s.f.	498 s.f.	2681 s.f.	3.47965%	\$ 127.56
3701B	2446 s.f.	576 s.f.	3022 s.f.	3.92223%	143.78
3701C	1471 s.f.	576 s.f.	2047 s.f.	2.65679%	97.39
3701D	1898 s.f.	498 s.f.	2396 s.f.	3.10975%	114.00
3703A	1398 s.f.	384 s.f.	1782 s.f.	2.31284%	84.78
3703B	2446 s.f.	576 s.f.	3022 s.f.	3.92223%	143.78
3703C	1471 s.f.	576 s.f.	2047 s.f.	2.65679%	97.39
3703D	1898 s.f.	498 s.f.	2396 s.f.	3.10975%	114.00
3705A	1898 s.f.	498 s.f.	2396 s.f.	3.10975%	114.00
3705B	2446 s.f.	576 s.f.	3022 s.f.	3.92223%	143.78
3705C	1471 s.f.	576 s.f.	2047 s.f.	2.65579%	97.39
3705D	1898 s.f.	384 s.f.	2282 s.f.	2.96178%	108.57
3707A	2630 s.f.	576 s.f.	3206 s.f.	4.16104%	152.53
3707B	1708 s.f.	391 s.f.	2099 s.f.	2.72428%	99.87
3707C	1898 s.f.	498 s.f.	2396 s.f.	3.10975%	114.00
3709A	1550 s.f.	384 s.f.	1934 s.f.	2.51012%	92.01
3709B	1708 s.f.	391 s.f.	2099 s.f.	2.72428%	99.87
3709C	2446 s.f.	576 s.f.	3022 s.f.	3.92223%	143.78
3709D	1464 s.f.	391 s.f.	1855 s.f.	2.40759%	88.26
3711A	1464 s.f.	391 s.f.	1855 s.f.	2.40759%	88.26
3711B	2630 s.f.	576 s.f.	3206 s.f.	4.16104%	152.53
3711C	2630 s.f.	576 s.f.	3206 s.f.	4.16104%	152.53
3711D	1898 s.f.	498 s.f.	2396 s.f.	3.10975%	114.00
3712A	2446 s.f.	576 s.f.	3022 s.f.	3.92223%	143.78
3712B	2630 s.f.	576 s.f.	3206 s.f.	4.16104%	152.53
3712C	1900 s.f.	576 s.f.	2476 s.f.	3.21358%	117.80
3712D	2100 s.f.	498 s.f.	2598 s.f.	3.37192%	123.61
3742	1790 s.f.	390 s.f.	2180 s.f.	2.82941%	103.71
* 3744	1956 s.f.	390 s.f.	2346 s.f.	3.04486%	111.61
* 3746	**2198 s.f.	390 s.f.	2588 s.f.	3.35895%	123.13
* 3748	<u>1828 s.f.</u>	<u>390 s.f.</u>	<u>2218 s.f.</u>	<u>2.87872%</u>	<u>105.52</u>
TOTAL	61,798	15,250	77,048	100.00%	3,665.75

*Note 1: Square footage on these units incorrectly shown on previously recorded Exhibits D-4 and D-5 which have been deleted and replaced by this exhibit D-6.

**Note 2: Unit 3746 is only villa unit with finished heated second floor area above garage. Second floor area above garage in Units 3742, 3744 and 3748 is unfinished. If any of those areas are later completed by the owners the square footage and the allocated interests in the common elements of each such altered unit will be increased accordingly and a revised Exhibit D executed reflecting such change will be executed and recorded.

EXHIBIT "E-6"

SUPPLEMENTAL DECLARATION OF CONDOMINIUM
INDEPENDENCE EAST CONDOMINIUMS
PHASE 1; PHASE 2; PHASE 3; PHASE 4, SECTIONS 1, 2 and 3

ESTIMATED OPERATING EXPENSES**ADMINISTRATIVE EXPENSES:**

1. Legal and Audit \$ 465.00

OPERATING EXPENSES:

1. Utilities 11,160.00
2. Exterminating 1,209.00
3. Trash 5,580.00

REPAIRS AND MAINTENANCE:

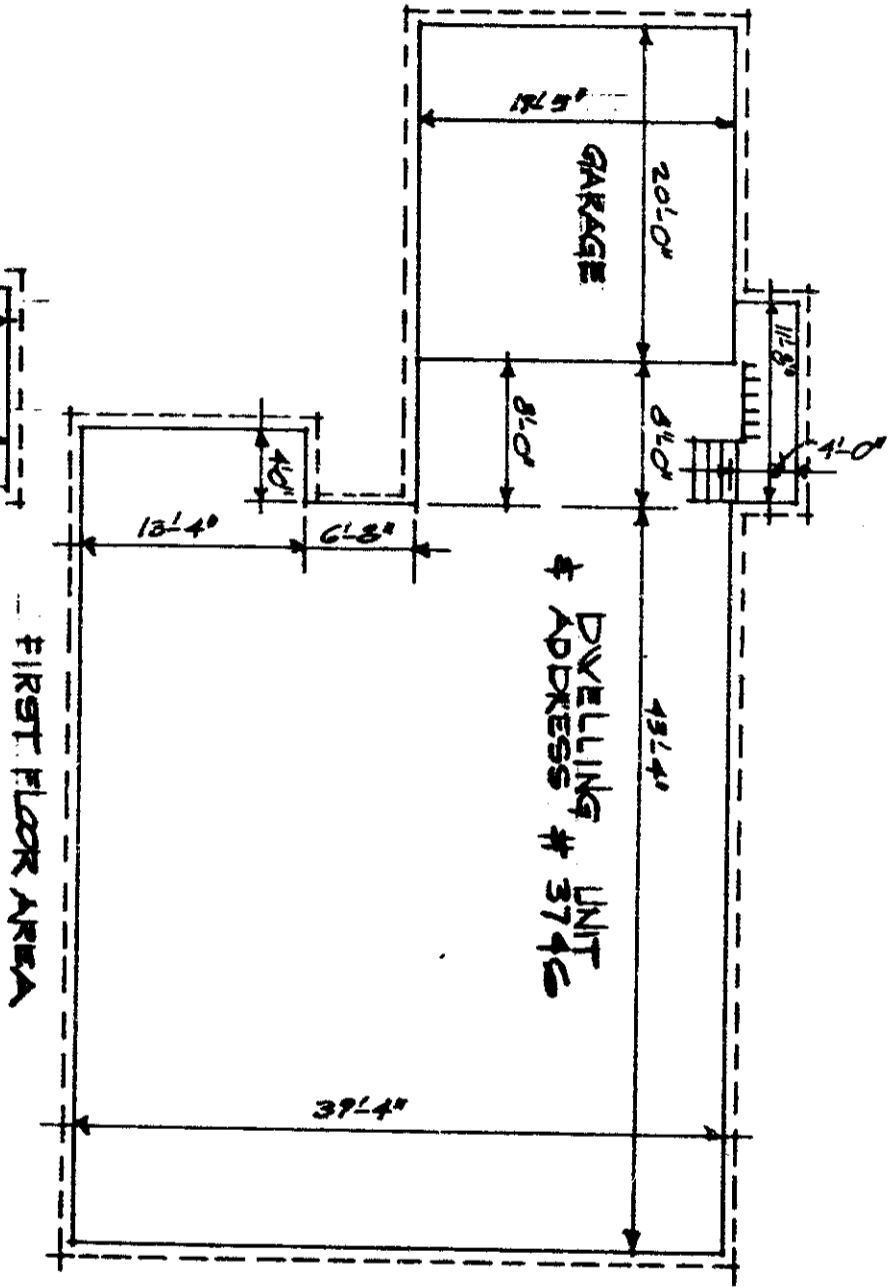
1. Building maintenance, repairs and replacement reserves 7,440.00
2. Gardening and yard maintenance and repairs including shrub replacement 11,160.00

FIXED EXPENSES:

1. Insurance premiums 6,975.00

TOTAL ANNUAL EXPENSES:

\$43,989.00



AREA DISTRIBUTION
 FIRST FLOOR 437.90 S.F.

SECOND FLOOR
 ABOVE GARAGE (FINISHED)
 GARAGE 99.0 S.F.

FIRST FLOOR AREA

SECOND FLOOR AREA - ABOVE GARAGE (FINISHED)

CAMDEN - EXHIBIT 'C'
 PHASE 4 SECTION 1 INDEPENDENCE EAST VILLAS
 AT INDEPENDENCE EAST CONDOMINIUMS

(REVISED)