

28
2400
200

BOOK
1988

PAGE 2118 0666
0621

RECORDED AND VERIFIED
MARY SUE OOTS
REGISTER OF DEEDS
NEW HANOVER CO. NC

NINTH AMENDMENT
TO THE

*96 FEB 15 AM 9 51

000015

DECLARATION OF PEMBROKE AT LANDFALL CONDOMINIUM
EXERCISING DEVELOPMENT RIGHTS TO CREATE ADDITIONAL UNITS

000020

BLAIR PROPERTIES, INC., a North Carolina corporation, with an address of P. O. Box 468, Wrightsville Beach, North Carolina, 28480 (the "Declarant") under Declaration of Condominium dated July 22, 1992, recorded in Book 1613, Page 0962 in the Office of the Register of Deeds of New Hanover County, North Carolina (the "Declaration"), pursuant to Section 47C-2-105(a)(8) of the North Carolina Condominium Act and pursuant to reservations of Development Rights reserved in Article 6 of the Declaration, does hereby amend the Declaration and does hereby declare:

ARTICLE 1

Exhibit "A" attached to the Eighth Amendment to the Declaration recorded in Book 1907 at Page 107 is hereby declared to be null and void and Exhibit "A" (revised) attached hereto is substituted therefore, adding two (2) buildings containing two (2) Units each together with their appurtenant and Limited Common Elements as shown on the Plats and Plans, and interests.

ARTICLE 2

Exhibit "B" attached to the Eighth Amendment to the Declaration recorded in Book 1907 at Page 107 is hereby declared to be null and void and Exhibit "B" (revised) attached hereto is substituted therefore, revising the percentage share of

This document is being re-recorded for - 1 -
the sole purpose of revising Exhibit "B" to
conform to the revised plat in Condo Plat Book 11
at Page 42.

[Handwritten signature]

RETURNED TO *Hogues & Hill*

the Common Elements and the percentage share of the Common Expenses appurtenant to all units to the percentages set forth therein.

ARTICLE 3

Additional Plats and Plans recorded simultaneously herewith in Condominium Book 10, Pages 365 through 368 entitled "Phase 1 thru Phase 10 Pembroke at Landfall, a Condominium" are hereby incorporated as part of the Plats and Plans of the Condominium. Limited Common Elements depicted on the Plats and Plans are hereby assigned as appurtenant to the Units indicated. Those Limited Common Elements described in Article 4 of the Declaration and not otherwise depicted on the Plats and Plans are hereby assigned to their appurtenant Units as applicable.

ARTICLE 4

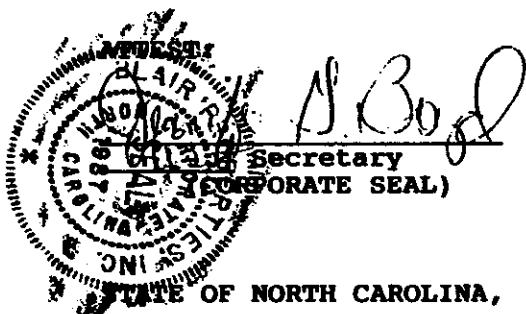
Additional certification pursuant to Section 47C-2-109(d) is attached to the additional Plats and Plans and is hereby incorporated as part of the Plats and Plans of the Condominium.

Except as modified by this amendment, all of the terms and provisions of the Condominium Documents are hereby expressly ratified and confirmed, shall remain in full force and effect and shall apply to the Condominium Units and Limited Common Elements created hereby.

IN WITNESS WHEREOF, the Declarant has caused this Amendment to be executed this 13 day of ~~January~~ ^{February}, 1996.

BLAIR PROPERTIES, INC.

BY: Robert B. Kline
ROBERT B. KLINE, President



STATE OF NORTH CAROLINA,
COUNTY OF NEW HANOVER.

I, Kelly Repko, a Notary Public in and for the County of New Hanover and State of North Carolina do hereby certify that Jennifer G. Boyd personally appeared before me this day and acknowledged that she is Asst. Secretary of BLAIR PROPERTIES, 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 its President, sealed with its corporate seal and attested by herself as its Asst. Secretary.

WITNESS my hand and notarial seal, this 13 day of ~~January~~ ^{February}, 1996.

Kelly Repko
NOTARY PUBLIC

My commission expires:
5-5-97

(SEAL)



\\declarat\pembroke.ame - kr

STATE OF NORTH CAROLINA
New Hanover County

The Foregoing / Annexed Certificate(s) of

Kelly Repko

Notary (Notaries) Public is/ are certified to be correct.

This the 15 day of Feb, 1996

by Mary Sue Gots, Registry of Deeds
Deputy / Assistant

Exhibit "A" (Revised)

November 27, 1995

Description

Phases 1-10, Pembroke at Landfall

Beginning at a new concrete monument in the westerly right-of-way line of Pembroke Jones Drive (variable width right-of-way). Said concrete monument being at the northerly end of a curve having a radius of 310.00 feet. Said beginning monument being located North 16 degrees 45 minutes 30 seconds West a chord distance of 253.08 feet from an iron pipe at the southerly end of said curve in said westerly right-of-way line. Last said pipe being located North 7 degrees 20 minutes East 125.54 feet as measured along said westerly right-of-way line from a point at the northerly end of a curve having a radius of 355.00 feet. Said point being located North 15 degrees 56 minutes 10 seconds West a chord distance of 280.49 feet from an iron pipe at the southerly end of last said curve and in said westerly right-of-way line. Last said pipe being located North 39 degrees 12 minutes 20 seconds West 100.67 feet as measured along said westerly right-of-way line from a point at the northerly end of a curve having a radius of 270.00 feet. Last said point being located North 2 degrees 09 minutes 40 seconds West a chord distance of 325.31 feet from a point at the southerly end of last said curve. Last said point being located North 34 degrees 53 minutes East 38.44 feet from the intersection of said westerly right-of-way line with the northerly right-of-way line of U.S. Highway No. 74 (150 foot right-of-way), also known as Eastwood Road, as shown on a map of "Subdivision I, Landfall" recorded in Map Book 15 at Page 4A of the New Hanover County Registry. Running thence from said beginning monument:

1. South 67 degrees 38 minutes 38 seconds West 87.19 feet to a new iron pipe; thence
2. South 47 degrees 13 minutes 05 seconds West 102.07 feet to a new iron pipe; thence
3. South 24 degrees 27 minutes 40 seconds West 39.74 feet to a new iron pipe; thence
4. South 04 degrees 52 minutes 17 seconds East 41.66 feet to a new iron pipe; thence
5. South 45 degrees 58 minutes 11 seconds East 14.83 feet to a new iron pipe; thence
6. South 18 degrees 27 minutes 14 seconds East 17.17 feet to a new iron pipe; thence

Page 2
Phases 1-10, Pembroke at Landfall

7. South 8 degrees 07 minutes 27 seconds West 16.03 feet to a new iron pipe; thence
8. South 30 degrees 28 minutes 33 seconds East 56.95 feet to a new iron pipe; thence
9. South 7 degrees 58 minutes 47 seconds East 60.03 feet to a new iron pipe; thence
10. South 3 degrees 05 minutes 19 seconds West 46.74 feet to a new iron pipe; thence
11. South 16 degrees 31 minutes 33 seconds East 64.68 feet to a new iron pipe; thence
12. South 73 degrees 28 minutes 27 seconds West 70.56 feet to a new iron pipe; thence
13. North 79 degrees 22 minutes 57 seconds West 111.50 feet to a new iron pipe; thence
14. South 61 degrees 19 minutes 48 seconds West 125.73 feet to a point; thence
15. South 79 degrees 55 minutes 16 seconds West 88.20 feet to a point; thence
16. South 32 degrees 54 minutes 38 seconds West 76.59 feet to a point in the northerly right-of-way line of said Eastwood Road; thence
17. North 55 degrees 07 minutes 22 seconds West 301.56 feet with said northerly right-of-way line to a point; thence
18. North 28 degrees 56 minutes 50 seconds East 228.91 feet to a point in the southerly line of Phase 6, Pembroke at Landfall as shown on a map recorded in Condo Map Book 10 at Pages 265-268 of said Registry; thence
19. North 84 degrees 01 minute 50 seconds East 13.24 feet with the southerly line of said Phase 6 to a point; thence
20. North 1 degree 45 minutes 00 seconds West 154.59 feet to a point; thence
21. North 84 degrees 22 minutes 43 seconds West 170.63 feet to a point in the westerly line of a tract deeded to Blair Properties, Inc. by deed recorded in Book 1557 at Page 572 of said Registry. Last said point being located North 5 degrees 12 minutes 45 seconds East 298.88 feet from the intersection of the westerly line of said Blair Properties, Inc. tract and the northerly right-of-way line of said U.S. Highway No. 74. Last

said point being on the center-line of a 100 foot wide Carolina Power & Light Company right-of-way; thence

22. North 5 degrees 12 minutes 45 seconds East 177.20 feet along the westerly line of said Blair Properties, Inc. tract and along the center-line of said Carolina Power & Light Company transmission line right-of-way to an old iron pipe; thence
23. North 79 degrees 27 minutes 27 seconds East 217.38 feet along a northerly line of said Blair Properties, Inc. tract to a new iron pipe. Last said pipe being a corner of Phase 3, and shown as Point No. 996 on said map of Pembroke at Landfall recorded in Condo Map Book 10 at Pages 208-211 of said Registry; thence
24. North 16 degrees 40 minutes 48 seconds East 38.98 feet along a line of said Blair Properties, Inc. tract to an old iron pipe; thence
25. North 10 degrees 32 minutes 33 seconds West 239.65 feet along another line of said Blair Properties, Inc. tract to an old iron pipe; thence
26. North 79 degrees 27 minutes 27 seconds East 175.00 feet along another line of said Blair Properties, Inc. tract to an old iron pipe; thence
27. South 10 degrees 32 minutes 33 seconds East 127.78 feet along another line of said Blair Properties, Inc. tract to an old iron pipe; thence
28. North 86 degrees 06 minutes 03 seconds East 195.73 feet along another line of said Blair Properties, Inc. tract to a concrete monument in the westerly right-of-way line of Pembroke Jones Drive. Last said point being in a curve having a radius of 490.00 feet; thence
29. along the arc of said curve having a radius of 490.00 feet and along said westerly right-of-way line, as it curves to the East to a point that is South 27 degrees 06 minutes 44 seconds East a chord distance of 212.36 feet from the preceding point. Last said point being a common corner between Phase 1 and Phase 2 of Pembroke at Landfall as shown on a map recorded in Condo Map Book 10 at Page 207 of said Registry; thence
30. continuing along said curve having a radius of 490.00 feet and along the westerly right-of-way line of said Pembroke Jones Drive, as it curves to the East to a point at the southerly end of said curve that is South 40 degrees 14 minutes 20 seconds East a chord distance of 10.46 feet; thence

Page 4
Phases 1-10, Pembroke at Landfall

BOOK PAGE
1988 0627

31. South 40 degrees 51 minutes East 233.36 feet along said westerly right-of-way line to the point of beginning.

The above described tract contains 11.73 acres and is a portion of that tract described in a deed to Blair Properties, Inc. recorded in Book 1557 at Page 572 of said Registry.

Subject, however, to a 30 foot public sanitary sewer easement described as follows:

Beginning at a point in the westerly right-of-way line of Pembroke Jones Drive (variable width right-of-way). Said beginning point being located South 40 degrees 51 minutes East 23.85 feet as measured along said westerly right-of-way line from the end of the 20th Call in the above described 7.43 acre tract. Running thence from said beginning point:

1. South 40 degrees 51 minutes East 34.37 feet along the westerly right-of-way line of Pembroke Jones Drive (variable width right-of-way), as shown on a map recorded in Condo Map Book 10 at Page 164; thence
2. South 78 degrees 21 minutes 47 seconds East 669.96 feet to a point; thence
3. South 5 degrees 12 minutes 45 seconds West 39.72 feet to a point in a southerly line of Phase 4, Pembroke at Landfall; thence
4. North 84 degrees 22 minutes 43 seconds West 40.00 feet along said southerly line to a point; thence
5. North 5 degrees 12 minutes 45 seconds East 58.67 feet to a point; thence
6. North 78 degrees 21 minutes 47 seconds East 685.89 feet to the point of beginning.

TABLE OF INTERESTS

<u>Unit No.</u>	<u>Percentage Share of Common Elements</u>	<u>Percentage Share of Common Expenses</u>	<u>Vote in the Affairs of the Association</u>
1	3.1%	3.030%	1
2	2.6%	3.030%	1
3	3.0%	3.030%	1
4	2.4%	3.030%	1
5	3.1%	3.030%	1
6	2.7%	3.030%	1
7	2.9%	3.030%	1
8	3.0%	3.030%	1
9	2.7%	3.030%	1
10	3.2%	3.030%	1
11	3.3%	3.030%	1
12	3.2%	3.030%	1
13	2.8%	3.030%	1
16	2.7%	3.030%	1
17	3.1%	3.030%	1
18	3.1%	3.030%	1
19	3.2%	3.030%	1
20	2.6%	3.030%	1
21	2.8%	3.030%	1
22	3.2%	3.030%	1
23	3.1%	3.030%	1
24	3.0%	3.030%	1
25	2.9%	3.030%	1

1988

0629

BK
2118

Pg
0674

26	2.8%	3.030%	1
27	3.3%	3.030%	1
28	3.6%	3.030%	1
29	3.2%	3.030%	1
30	2.7%	3.030%	1
31	3.3%	3.030%	1
32	3.3%	3.030%	1
33	3.3%	3.030%	1
34	3.4%	3.030%	1
35	3.4%	3.030%	1

blairme.sch

2118 0675

26	2377	2.8%	3.030%
27	2744	3.3%	3.030%
28	2979	3.6%	3.030%
29	2680	3.2%	3.030%
30	2301	2.7%	3.030%
31	2808	3.3%	3.030%
34	2807	3.3%	3.030%
35	2786	3.3%	3.030%
36	2853	3.4%	3.030%
37	2814	3.4%	3.030%
Total	84,107	100%	100%

blairame.ech

AS BUILT VERIFICATION

I, DARRYL R. BARKER, a North Carolina Registered architect, being duly sworn, do hereby certify that the plans being filed simultaneously with this Declaration of Condominium fully depict the layout, ceiling and floor evaluations, unit numbers and dimensions of the units as built.



Witness my hand and seal, this 13 day of February, 1996.

Darryl R. Barker
DARRYL R. BARKER (SEAL)

SWORN TO AND SUBSCRIBED before me this 13 day of ^{February} ~~January~~, 1996.

Kelley Repko
Notary Public

My Commission Expires: 5-5-97

(SEAL)



Dbarker.aff

EXPLANATION STATEMENT TO CORRECT OBVIOUS MINOR ERROR(S) MADE IN AN INSTRUMENT AS ORIGINALLY RECORDED

RE: BOOK 1988
PAGE 0621

96 DEC 20 AM 10 19

RECORDED IN THE New Hanover

RECORDED AND VERIFIED
MARY SUE OOTS
COUNTY REGISTER OF DEEDS
NEW HANOVER CO. NC

NAMES OF ALL PARTIES TO THE ORIGINAL INSTRUMENT:

GRANTORS: Blair Properties, Inc.

GRANTEES: Pembroke at Landfall

STATE OF NORTH CAROLINA
COUNTY OF New Hanover

I/WE, The Undersigned, hereby certify that the following corrections are made in the above named recorded instrument in accordance with the provisions of G.S. 47-36.1 ratified June 30, 1986.

DESCRIPTION OF CORRECTION(S): This document is being re-recorded for the sole purpose of revising Exhibit "B" to conform to the revised plat in Condo Plat Book 11 at Page 42.

THIS, THE 20 DAY OF December, 1996

W. Thomas Jones (SEAL)
____ (SEAL)
____ (SEAL)
____ (SEAL)

This explanation statement together with the attached instrument duly rerecorded at 10 19 o'clock A M this the 20 day of December, 1996 in the Book and page shown on the first page hereof.

MARY SUE OOTS
Register of Deeds
By Jacqueline Nelson
Deputy/Assistant Register of Deeds