

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

SUPPLEMENTAL DECLARATION TO
DECLARATION CREATING UNIT OWNERSHIP
OF PROPERTY UNDER THE PROVISIONS OF
CHAPTER 47A OF THE GENERAL STATUTES
OF THE STATE OF NORTH CAROLINA
(Recorded: Book 1187, Page 1534)

THIS SUPPLEMENTAL DECLARATION, made this 24th day of May, 1982, by SUGGS AND HARRELSON CONSTRUCTION COMPANY, a North Carolina General Partnership, successor in title to SUGGS AND HARRELSON CONSTRUCTION COMPANY, a North Carolina Corporation, with its principal place of business located in the County of New Hanover, State of North Carolina, hereinafter referred to as "DECLARANT";

KNOW ALL BY THESE PRESENTS:

THAT, WHEREAS, the Declarant is the owner of that certain real property in the County of New Hanover, State of North Carolina, which is more particularly described in Exhibit "A" attached hereto and made a part hereof by reference; and

WHEREAS, the Declarant is the owner of the one multi-unit building, and certain other improvements, heretofore constructed upon the aforesaid property; and

WHEREAS, it is the desire and the intention of the Declarant to market, sell and convey interests in the property and the improvements thereon as a condominium project pursuant to the provisions of Chapter 47A of the North Carolina General Statutes, entitled "Unit Ownership Act"; and

41
WHEREAS, said real property is located south of and adjacent to PHASE TWO and south of PHASE ONE and southeast of and adjacent to PHASE THREE of the real property known and designated as THE BREAKERS, a condominium project established by the Declarant by that DECLARATION CREATING UNIT OWNERSHIP OF PROPERTY UNDER THE PROVISIONS OF CHAPTER 47A OF THE GENERAL STATUTES OF THE STATE OF NORTH CAROLINA (hereinafter "Declaration"), which is recorded in Book 1187, beginning at Page 1534, et. seq., in the Office of the Register of Deeds of New Hanover County, North Carolina; the site plan and building plans of said PHASE ONE having been recorded with said Declaration and in Condominium Plat Book 2, beginning at Page 55; and

WHEREAS, the real property described in Exhibit "A", attached hereto, is a portion of that real property described in Exhibit "B" attached to said Declaration, recorded in Book 1187, beginning at Page 1534 which Declarant reserved the right and option to add and subject to the provisions of said recorded Declaration, as set forth in Article III thereof; and

WHEREAS, it is the desire and intention of the Declarant in the recordation of this Supplemental Declaration in the Office of the Register of Deeds of New Hanover County, North Carolina, to submit all of the real property and the improvements thereto, described in Exhibit "A" attached hereto, to the provisions of the said Chapter 47A, and specifically to the provisions of the above referenced recorded Declaration;

NOW, THEREFORE, THE DECLARANT DOES HEREBY DECLARE THAT ALL OF THE REAL PROPERTY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, AS WELL AS ALL OF THE IMPROVEMENTS CONSTRUCTED THEREON, IS HELD AND SHALL BE HELD, CONVEYED, HYPOTHECATED, ENCUMBERED, USED, OCCUPIED, AND IMPROVED SUBJECT TO THE FOLLOWING ARTICLES OF COVENANTS, CONDITIONS, RESTRICTIONS, USES, LIMITATIONS AND OBLIGATIONS, ALL OF WHICH ARE DECLARED TO BE IN FURTHERANCE OF A PLAN FOR THE IMPROVEMENT OF SAID PROPERTY AND THE DIVISION THEREOF INTO CONDOMINIUM UNITS AND SHALL BE DEEMED TO RUN WITH THE LAND AND SHALL BE A BURDEN AND A BENEFIT TO THE DECLARANT, ITS SUCCESSORS AND ASSIGNS, AND ANY PERSON OR ENTITY ACQUIRING OR OWNING AN INTEREST IN THE REAL PROPERTY AND IMPROVEMENTS, OR ANY SUBDIVISION THEREOF, THEIR GRANTEEES, SUCCESSORS, HEIRS, EXECUTORS, ADMINISTRATORS, DEVISEES AND ASSIGNS.

RETURNED TO *J. J. Jackson*

RECORDED AND VERIFIED
REBECCA P. TUCKER
REGISTER OF DEEDS
NEW HANOVER CO. NC

ARTICLE I.

Submission of Property

JUN 2 3 28 PM '82

A. Pursuant to the provisions of Chapter 47A of the North Carolina General Statutes, Section 47A-2, the Declarant does hereby submit all of the real property described in Exhibit "A", attached hereto and made a part hereof by reference, together with all improvements thereon and described herein, to the provisions of the "Unit Ownership Act" of the State of North Carolina, which is codified as Chapter 47A of the General Statutes of the State of North Carolina.

B. In furtherance thereof, Declarant declares and affirms that the real property described in Exhibit "A", attached hereto, is a portion of the real property described in Exhibit "B" attached to the DECLARATION CREATING UNIT OWNERSHIP OF PROPERTY UNDER THE PROVISIONS OF CHAPTER 47A OF THE GENERAL STATUTES OF THE STATE OF NORTH CAROLINA (hereinafter "Declaration"), which is recorded in Book 1187, beginning at Page 1534, in the Office of the Register of Deeds of New Hanover County, North Carolina, and, therefore, by virtue of the exclusive right and option belonging to the Declarant, as reserved to it in Article III of said Declaration, the Declarant further declares that all of the real property described in Exhibit "A" attached hereto and made a part hereof by reference, as well as all of the improvements constructed thereon, is hereby subjected to and henceforth shall be held, conveyed, hypothecated, encumbered, used, occupied and improved subject to each and every provision of those Articles of Covenants, Conditions, Restrictions, Uses, Limitations and Obligations which are set forth in that recorded Declaration referred to hereinabove, except as those provisions are necessarily altered or changed for this submission as set forth hereinbelow.

Hereinbelow, Declarant has set forth those provisions of said recorded Declaration which of necessity must change for this submission, and has incorporated by reference those provisions which do not.

ARTICLE II.

DEFINITIONS

The definitions for the terms used in this Supplemental Declaration and used in the Articles of the said recorded Declaration (recorded in Book 1187, beginning at Page 1534), as they are applicable to this Submission of real property by incorporation herein shall be as follows:

1. The terms Act, Association, Assessment, Board, By-Laws, Common Areas and Facilities, Common Expenses, Common Surplus, Condominium, Declarant, Majority or Majority of Unit Owners, Person, Real Property, Singular, Plural Gender, and Unit Owner are defined in Article II of the Declaration recorded in Book 1187, at Page 1534, referred to hereinabove, and said definitions are incorporated herein by reference.

2. The term Building shall mean and refer to the single multi-unit building which the Declarant has constructed upon the real property described in Exhibit "A", to be used for residential purposes, as hereinafter provided. Attached hereto and made a part hereof by reference is Exhibit "B" which consists of a full and exact copy of the layout of the building as well as a survey of the real property, drawn by Jack G. Stocks, R.L.S., showing the location of the building thereon. In general, the building has three stories built above a storage and garage level situated on the finished grade. There are no basements. The building has a total of 11,520 gross square feet of heated area within the three levels or stories above the garage and storage level, with 3,840 square feet on each of said three levels. The building has been subdivided into eighteen (18) units, hereinafter defined, as well as the common areas and facilities, also hereinabove defined, of the building. The building has been principally constructed with wood, concrete and asbestos shingle roofing.

3. The term Declaration shall mean and refer to that DECLARATION CREATING UNIT OWNERSHIP OF PROPERTY UNDER THE PROVISIONS OF CHAPTER 47A OF THE GENERAL STATUTES OF THE STATE OF NORTH CAROLINA which is recorded in Book 1187, beginning at Page 1534, in the Office of the Register of Deeds of New Hanover County, North Carolina.

4. The term Supplemental Declaration shall mean and refer to this instrument.

5. The term Unit or Condominium Unit shall mean and refer to any one of those eighteen (18) subdivisions of enclosed space within the building, together with any additional areas or spaces accompanying the same as defined hereinbelow, and which are intended to or will be sold as dwelling units pursuant to the Act and this Supplemental Declaration. The deed for any particular unit shall convey such unit by its unit designation and the same shall be deemed to include all that is defined as a part of that unit as stated specifically in this definition, as well as the privileges and appurtenances accompanying any such unit and subject to the covenants, conditions, restrictions, and obligations applicable to unit owners as all are more generally stated and described throughout this Supplemental Declaration.

The eighteen (18) units of the building are and will be indentified by their unit designations, which are Units D-1 through D-18, inclusive. These units and their designations are shown upon the plans of the building attached hereto in Exhibit "B" which also shows graphically all particulars of the building and its eighteen (18) units, including, but not limited to, the layout, location, ceiling, and floor elevations, dimensions of the units, and the area and location of the common areas and facilities. Reference is hereby made to said plans for the purposes of identifying and locating each unit within the building, as well as identifying its dimensions and approximate areas. No unit bears the same designation as any other. Any conflict between said plans and this definition shall be resolved by reference to the said plans, which shall control.

All units, as well as the additional areas defined as part of each unit hereinbelow, are bounded both as to horizontal and vertical boundaries by the interior finished surface of the units' perimeter walls, ceilings and floors, of the interior surface of the perimeter walls, ceilings, and floors of the additional areas conveyed as part of each unit as defined hereinbelow, subject to the easement reserved hereinbelow for such encroachments as are contained in the building whether the same now exist or may be caused or created by existing construction, settlement, or movement of the building, or by permissible repairs, construction, or alteration.

All units shall be substantially the same in design, construction and material. Each of the eighteen (18) units is wholly contained within one of the three levels or stories of the building; there being six (6) units upon or within each of the three levels or stories of the building above the garage and storage level situated on finished grade. Each unit shall have one bedroom, one bathroom, a combined living/dining/kitchen area, a linen closet, a clothes storage closet and a closet housing the unit's heating and air conditioning equipment.

Each unit is hereby defined also to include two open-air balconies or decks, shown on said plans, one of which is located adjacent to the living area of the unit and which provides the access to the unit from the stairway, stairwell and stairs. The second deck is located adjacent to the bedroom of the unit. It provides access to the outside storage room which is also defined as part of the unit (located on this deck). The outside storage room provides space and the necessary utility connections for the installation of a "stacked" washer/dryer unit.

The decks are bounded horizontally by the interior finished surface of the floor and ceiling overhangs of the decks and are bounded vertically by the interior finished surface or interior plane of either the deck railings or perimeter walls of the decks. The outside storage room is bounded both horizontally and vertically by the interior finished surface of its ceiling, floor and perimeter walls.

Those units hereinafter referred to as "Interior Units" shall be Units D-2, D-3, D-4, D-5, D-8, D-9, D-10, D-11, D-14, D-15, D-16 and D-17 and each of these units shall have 590 square feet.

Those units hereinafter referred to as "End Units" shall be Units D-1, D-6, D-7, D-12, D-13 and D-18 and each of these units shall have approximately 600 square feet.

Located within the garage and storage level situated upon the finished grade of the building are eighteen (18) storage rooms, as shown upon said plans. They are designated as D-1-S through D-18-S, inclusive, as shown upon said plans. Each unit is hereby defined to include one of these storage rooms as a part of the unit. The storage room which is a part of any certain unit is the storage room whose designation corresponds to the unit designation of the unit of which it is a part; that is, storage room D-1-S is defined to be a part of Unit D-1, storage room D-2-S is defined to be a part of Unit D-2, and so on. Each storage room is bounded both horizontally and vertically by the interior finished surface of its perimeter walls, ceilings, floor, and its closed entrance door.

Access to storage rooms D-1-S, D-2-S, D-3-S, D-4-S, D-5-S, D-6-S by the owners of the unit which they are a part shall be through the doorway leading to said storage room from the garage which is hereinbelow defined as part of the Units D-1 through D-6, respectively.

Access to all other storage rooms by their owners shall be had only through the western entranceway to and along the hall or passageway adjacent to said storage rooms (said halls or passageways being common areas) all as are shown on the plans attached hereto.

Located within the garage and storage level situated upon the finished grade of the building are six (6) garages intended for passenger automobile storage. They are bounded both horizontally and vertically by the finished interior surface of their perimeter walls, ceilings, floors, and closed garage door. They are designated upon the hereinabove referenced plans of the building as D-1-G, D-2-G, D-3-G, D-4-G, D-5-G and D-6-G. Each garage has a total of approximately 340 square feet. The garage which is hereby defined as a part of any certain unit is the garage whose designation corresponds to the unit designation of the unit which it is a part; that is, garage D-1-G is defined to be a part of Unit D-1; garage D-2-G is defined to be a part of Unit D-2, and so on. Units D-7, D-8, D-9, D-10, D-11, D-12, D-13, D-14, D-15, D-16, D-17 and D-18 shall not have garages.

The kitchen of each unit shall be furnished by the Declarant with prefinished wood cabinets with laminated plastic counter tops, electric range, range hood, double sink, electric dishwasher, electric garbage disposal and electric water heater (which shall be located under the kitchen cabinets).

The bathrooms of each unit shall be furnished by the Declarant with a fiberglass bath tub with shower head, porcelain water closet and porcelain lavatory in laminated plastic vanity top.

All floor areas of each unit, except the deck floors, storage rooms, floors, garage floors, kitchen and bathroom floors shall be carpeted and the kitchen and bathroom floors shall have vinyl floors as provided by the Declarant.

Each unit shall be equipped by the Declarant with and is defined to include its own electrical meter, and a split system heat pump. The air handling equipment for said heat pump shall be housed within the unit within the closet designated for said purpose. The condensing units of said heat pumps shall be housed and stored on a treated wooden rack located within the garage and storage level of the building as shown in said plans. The thermostat for said equipment shall be located within the unit as shown upon said plans.

Each unit is hereby defined also to include:

1. All non-load bearing partition walls located entirely within the unit;

1203 0543

2. All materials, including, but not limited to, carpet, paint, and vinyl attached to, or on, the interior finished surfaces of the perimeter walls, floors, and ceilings of the unit; and all window panes, frames, panes and exterior doors (including garage doors);
3. All air handling and condensing units, ducts and components, and all water, power, telephone, television and cable television, electricity, plumbing, gas and sewage lines, located within the unit; provided, however, that the portion of said lines located within a common compartment for, or installation of, such lines shall be common areas and facilities as defined hereinabove.

Each unit is hereby defined to exclude all pipes, ducts, wires, conduits and other facilities for the furnishing of utility services and other services to the units up to and including the point of entry of such pipes, ducts, wires, conduits and other facilities through the interior finished surface material for perimeter walls, ceilings and floors of the units. All such pipes, ducts, wires, conduits, and other such facilities are defined as a part of the unit at and from their point of entry into the unit.

The definition stated hereinabove for "Unit" is complete and all other aspects of the condominium not hereinabove defined as a part of the units of Phase Four, Phase Three, Phase Two, or Phase One, is defined hereby as a part of the common areas and facilities of the condominium.

6. The term Unit Designation shall mean and refer to the letter and number combination which designates a unit within the condominium as the same is shown upon the plans of the building in Exhibit "B" attached hereto.

ARTICLE III.

Plan of Development and Scope of Declaration

The name by which the entire condominium project is known is THE BREAKERS. The Declarant has caused to be constructed upon the real property described in Exhibit "A" the single multi-unit building, containing the eighteen (18) units of the building as well as the common areas and facilities of both the building and the real property, all as defined hereinabove and as shown upon the plans contained in Exhibit "B" attached hereto and made a part hereof by reference. The units of the building, together with their privileges and appurtenances, shall be offered for sale to the public by the Declarant as condominium units pursuant to the provisions of Chapter 47A of the General Statutes of the State of North Carolina, subject to the covenants, conditions, restrictions, and obligations stated in the Articles of this Supplemental Declaration, the Articles of the Declaration recorded in Book 1187, beginning at Page 1534, referred to hereinabove, which have been incorporated herein by reference, the Articles of Incorporation of the Association, its duly adopted By-Laws and its Rules and Regulations. The units and their owners shall be subject to the jurisdiction of the Association of which each unit owner shall be a member and which shall manage the upkeep and maintenance of the entire condominium project, including Phase One, Two, Three and Four of THE BREAKERS as a whole, as envisioned and provided for in its Articles of Incorporation and the Declaration (recorded in Book 1187, beginning at Page 1534).

The Declarant, by this Supplemental Declaration, submits only the real property described in Exhibit "A", attached hereto, together with the improvements thereon, to the Act and hereinafter this submission shall be referred to as THE BREAKERS, PHASE FOUR.

ARTICLE IV.

The Nature and Incidents of Unit Ownership

- A. Each unit shall be conveyed and treated as an individual real property capable of independent use and fee simple ownership, and the

owner of each unit shall also own, as an appurtenance to the ownership of each said unit, an undivided interest in the common areas and facilities of THE BREAKERS, PHASE ONE, PHASE TWO, PHASE THREE and PHASE FOUR.

Pursuant to the provisions of Paragraph F of Article III of the Declaration recorded in Book 1187, beginning at Page 1534, the Declarant does hereby establish 1.38% as the undivided fractional or percentage interest belonging to each unit owner of units in THE BREAKERS, PHASE ONE, PHASE TWO, PHASE THREE and PHASE FOUR, which said interest is appurtenant to each of the seventy-two (72) units of THE BREAKERS, PHASE ONE, PHASE TWO, PHASE THREE and PHASE FOUR. Declarant covenants with all unit owners of Units in PHASE ONE, PHASE TWO, PHASE THREE and PHASE FOUR of THE BREAKERS and all future unit owners of Units in either PHASE ONE, PHASE TWO, PHASE THREE or PHASE FOUR of THE BREAKERS that the undivided fractional or percentage interest in the total common areas and facilities of THE BREAKERS, PHASE ONE, PHASE TWO, PHASE THREE and PHASE FOUR as stated hereinabove, was determined in a manner consistent both with the provisions of Paragraph F of Article III of the Declaration and with the Act.

B. The provisions of Paragraphs B, C, and D of Article IV of the Declaration are adopted and incorporated herein by reference, changing the reference to 'Exhibit "C"' in Paragraph B thereof to 'Exhibit "B"' and the reference to "the owners of Units in THE BREAKERS, PHASE ONE" in Paragraph C thereof, line 3 to "the owners of Units in THE BREAKERS, PHASE ONE, PHASE TWO, PHASE THREE and PHASE FOUR."

ARTICLE V.

Incorporation

The terms and provisions of Articles V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII and Exhibit "D" of the Declaration are hereby adopted in their entirety and incorporated herein by reference.

IN WITNESS WHEREOF, the Declarant, SUGGS AND HARRELSON CONSTRUCTION COMPANY has caused this Supplemental Declaration to be signed by one of its General Partners the day and year first above written.

SUGGS AND HARRELSON CONSTRUCTION COMPANY

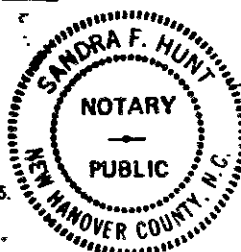
By: Bobby W. Harrelson (SEAL)
General Partner

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, Sandra F. Hunt, a Notary Public in and for the State and County aforesaid do hereby certify that SUGGS AND HARRELSON CONSTRUCTION COMPANY, a North Carolina General Partnership by and through its General Partner, Bobby W. Harrelson, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal, this the 2nd day of June, 1987.



Sandra F. Hunt
Notary Public

My Commission Expires:
My Commission expires January 15, 1985.

JOINER AND CONSENT OF TRUSTEES AND BENEFICIARIES/MORTGAGEES

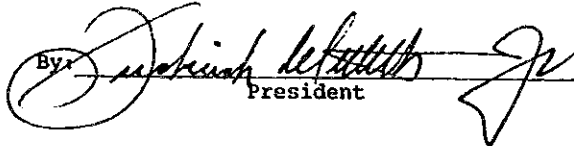
COOPERATIVE SAVINGS AND LOAN ASSOCIATION and FREDERICK WILLETTS, JR., as Trustee, join in the execution of this "SUPPLEMENTAL DECLARATION TO DECLARATION CREATING UNIT OWNERSHIP OF PROPERTY UNDER THE PROVISIONS OF CHAPTER 47A OF THE GENERAL STATUTES OF THE STATE OF NORTH CAROLINA" for the sole purpose of subjecting, submitting and subordinating, and they, and each of them, do hereby subject, submit and subordinate any and all right, title and interest in the property described in EXHIBIT "A", attached hereto, that they have, or either of them has, or may have, by virtue of that Deed of Trust recorded in BOOK 1196, at PAGE 108, in the Office of the Register of Deeds of New Hanover County, North Carolina, to said SUPPLEMENTAL DECLARATION, and every provision hereof, and to the jurisdiction of THE BREAKERS HOMEOWNERS ASSOCIATION, INC., as the same may be amended or supplemented from time to time.

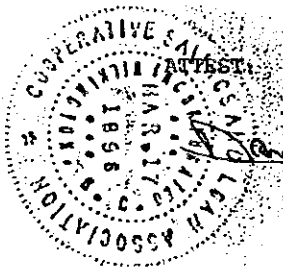
IN WITNESS WHEREOF, Cooperative Savings and Loan Association has caused this JOINER AND CONSENT to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, this the 1st day of June, 1982 and, FREDERICK WILLETTS, JR., as TRUSTEE, has hereunto set his hand and seal, this the 1st day of June, 1982.


 (SEAL)
FREDERICK WILLETTS, JR., TRUSTEE

COOPERATIVE SAVINGS AND LOAN ASSOCIATION

(CORPORATE SEAL)

By: 
President



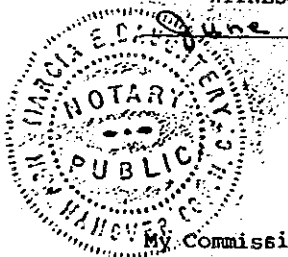

Secretary

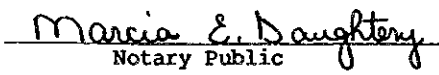
STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, Marcia E. Daughtery, a Notary Public in and for the state and county aforesaid do hereby certify that Daniel W. Eller personally appeared before me this day and acknowledged that he is the _____ Secretary of COOPERATIVE SAVINGS AND LOAN ASSOCIATION, a corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its _____ President, sealed with its corporate seal, and attested by himself as its _____ Secretary.

WITNESS my hand and notary seal this the 1st day of June, 1982.




Notary Public

My Commission Expires:
Dec. 16, 1985

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

I, Marcia E. Daughtery, a Notary Public in and for the state and county aforesaid do hereby certify that FREDERICK WILLETTS, JR., Trustee personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and notary seal this the 1st day of June, 1982.

Marcia E. Daughtery
Notary Public



My Commission Expires:
December 16, 1985

JOINDER AND CONSENT OF TRUSTEES AND BENEFICIARIES/MORTGAGEES

BOBBY W. HARRELSON et ux, JOAN C. HARRELSON, JIMMIE L. SUGGS et ux, MYRTLE F. SUGGS and FRANKLIN N. JACKSON JR., as Substitute Trustee, join in the execution of this "SUPPLEMENTAL DECLARATION TO DECLARATION CREATING UNIT OWNERSHIP OF PROPERTY UNDER THE PROVISIONS OF CHAPTER 47A OF THE GENERAL STATUTES OF THE STATE OF NORTH CAROLINA" for the sole purpose of subjecting, submitting and subordinating, and they, and each of them, do hereby subject, submit and subordinate any and all right, title and interest in the property described in EXHIBIT "A", attached hereto, that they have, or either of them has, or may have, by virtue of that Deed of Trust recorded in BOOK 1195, at PAGE 1912, in the Office of the Register of Deeds of New Hanover County, North Carolina, to said SUPPLEMENTAL DECLARATION, and every provision hereof, and to the jurisdiction of THE BREAKERS HOMEOWNERS ASSOCIATION, INC., as the same may be amended or supplemented from time to time.

IN WITNESS WHEREOF, BOBBY W. HARRELSON et ux, JOAN C. HARRELSON, JIMMIE L. SUGGS et ux, MYRTLE F. SUGGS and FRANKLIN N. JACKSON, Substitute Trustee, have caused this JOINDER AND CONSENT to be signed and sealed this 2nd day of June, 1982.

Franklin N. Jackson (SEAL)
FRANKLIN N. JACKSON,
SUBSTITUTE TRUSTEE

Bobby W. Harrelson (SEAL)
BOBBY W. HARRELSON

Joan C. Harrelson (SEAL)
JOAN C. HARRELSON

Jimmie L. Suggs (SEAL)
JIMMIE L. SUGGS

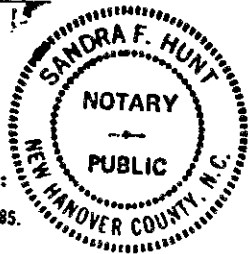
Myrtle F. Suggs (SEAL)
MYRTLE F. SUGGS

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, Sandra L. Hunt, a Notary Public in and for the state and county aforesaid do hereby certify that FRANKLIN N. JACKSON, Substitute Trustee, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and notary seal this the 2nd day of June, 1982.



Sandra L. Hunt
Notary Public

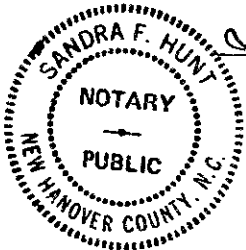
My Commission Expires:
My Commission expires January 15, 1985.

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, Sandra L. Hunt, a Notary Public in and for the state and county aforesaid do hereby certify that BOBBY W. HARRELSON et ux, JOAN C. HARRELSON and JIMMIE L. SUGGS et ux, MYRTLE F. SUGGS, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and notary seal this the 2nd day of June, 1982.



Sandra L. Hunt
Notary Public

My Commission Expires:
My Commission expires January 15, 1985.

JOINDER AND CONSENT OF TRUSTEES AND BENEFICIARIES/MORTGAGEES

EURO ATLANTA EQUITIES, a sole proprietorship, by and through its owner, and W. Talmage Jones, Trustee, join in the execution of this "SUPPLEMENTAL DECLARATION TO DECLARATION CREATING UNIT OWNERSHIP OF PROPERTY UNDER THE PROVISIONS OF CHAPTER 47A OF THE GENERAL STATUTES OF THE STATE OF NORTH CAROLINA" for the sole purpose of subjecting, submitting and subordinating, and they, and each of them, do hereby subject, submit and subordinate any and all right, title and interest in the property described in EXHIBIT "A", attached hereto, that they have, or either of them has, or may have, by virtue of that Deed of Trust recorded in BOOK 1195, at PAGE 1916, in the Office of the Register of Deeds of New Hanover County, North Carolina, to said SUPPLEMENTAL DECLARATION, and every provision hereof, and to the jurisdiction of THE BREAKERS HOMEOWNERS ASSOCIATION, INC., as the same may be amended or supplemented from time to time.

IN WITNESS WHEREOF, EURO ATLANTA EQUITIES has caused this JOINDER AND CONSENT to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, this the 24th day of May, 1982, and, W. TALMAGE JONES, as TRUSTEE, has hereunto set his hand and seal, this the 24th day of May, 1982.

W. Talmage Jones (SEAL)
W. TALMAGE JONES, TRUSTEE

EURO ATLANTA EQUITIES

By: David C. Loughlin (SEAL)
DAVID C. LOUGHLIN, OWNER

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, Dannie Ruth Gardner, a Notary Public in and for the state and county aforesaid do hereby certify that W. TALMAGE JONES, Trustee, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and notary seal this the 24th day of May, 1982.

Dannie Ruth Gardner
Notary Public



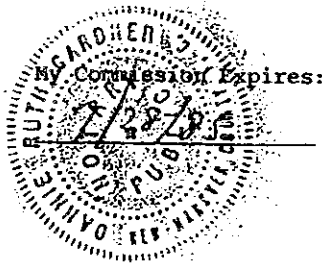
STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, Dannie Ruth Gardner, a Notary Public in and for the state and county aforesaid do hereby certify that DAVID C. LOUGHLIN, sole proprietor of EURO ATLANTA EQUITIES, a sole proprietorship, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and notary seal this the 24th day of May, 1982.

Dannie Ruth Gardner
Notary Public



STATE OF NORTH CAROLINA

NEW HANOVER COUNTY

The Foregoing Certificate(s) of _____

STATE OF NORTH CAROLINA, New Hanover County

The Foregoing Certificate(s) of Sandra F Hunt, Marcia E Daughtry, Dannie Ruth Gardner
Notaries Public

(is)(are) certified to be correct.

This 2 day of June A.D., 19 82

Rebecca P. Tucker, Register of Deeds

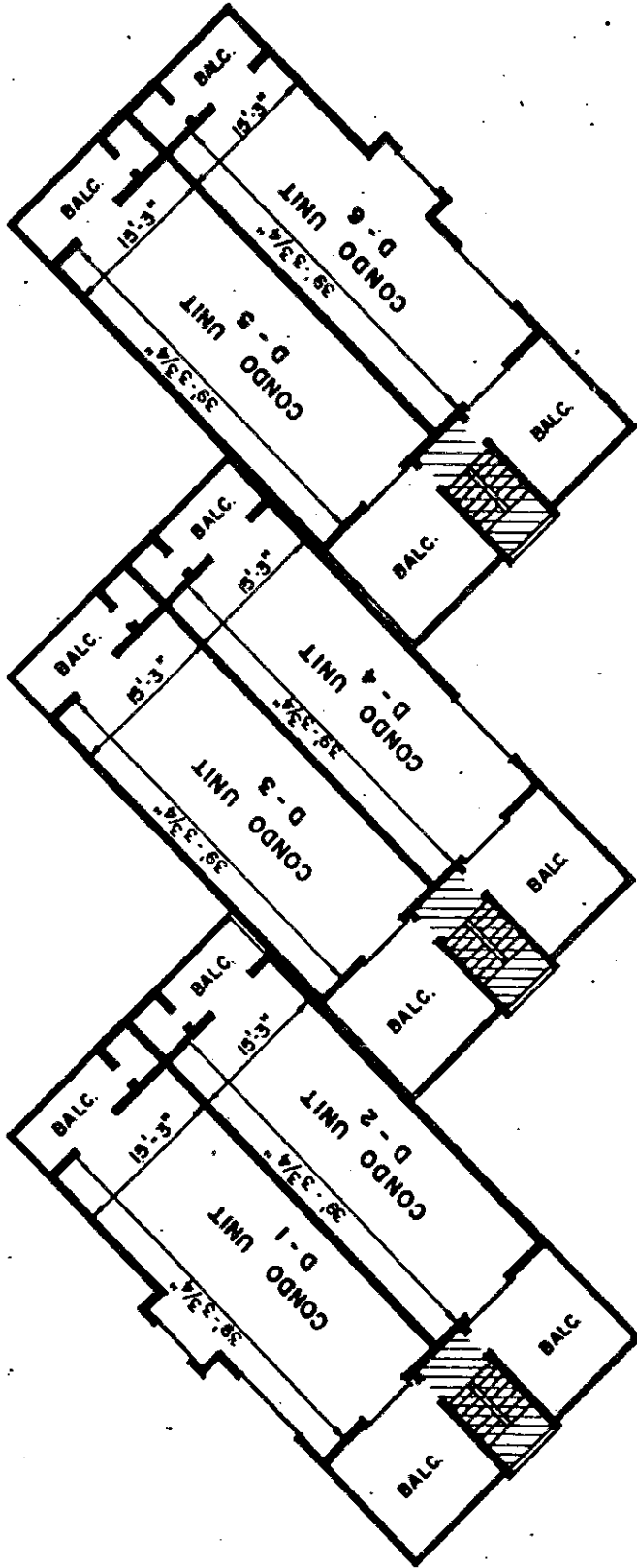
By *Rebecca P. Tucker*
Ass't

EXHIBIT "A"

In the Town of Carolina Beach, North Carolina:

BEGINNING at a point on the West side of Canal Drive, said point being the Northeast corner of Lot 14 of Carolina Beach Extension No. 1 as shown on a map of same recorded in Map Book 18, at Page 103 of the New Hanover County Registry. Runs thence along the Southern line of said Lot 14, North 61 degrees 54 minutes West 120.0 feet to a point; running thence South 28 degrees 06 minutes West 30.0 feet to a point; running thence North 42 degrees 54 minutes West 80.0 feet to a point; running thence North 4 degrees 54 minutes West 50.0 feet to a point; running thence South 88 degrees 50 minutes East 81.74 feet to a point; running thence South 61 degrees 54 minutes East 150.0 feet to a point on the West side of Canal Drive; running thence South 28 degrees 06 minutes West 75.0 feet to the point of beginning, containing 0.37 acres, more or less.

PHASE 4
THE BREAKERS
CAROLINA BEACH, N.C.



FLOOR PLAN - FIRST LEVEL

BUILDING "D"

SHOWING CONDOMINIUM UNITS,
BALCONIES, STAIRS, COMMON AREA




SUBFLOOR ELEV. 16.1

FIN. C.G. ELEV. 24.13

ELEVS. IN MEAN SEA LEVEL

16' 12" 8' 4" 0' 6" 10' 24"

LEGEND

-  CONDOMINIUM UNIT
-  BALCONY
-  COMMON AREA