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BOOK

PAGE

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

BOOK

PAGE

1526 0358

1523 0716

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

JUN 14 12 01 PM '91

FIRST AMENDMENT TO
DECLARATION OF CONDOMINIUM
THE EASTWOOD CENTER CONDOMINIUM
SECTION 2

KNOW ALL MEN BY THESE PRESENTS:

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WHEREAS, Rex C. Healy and wife, Cynthia Healy, of New Hanover County, North Carolina (hereinafter referred to as the "Declarant") heretofore caused to be executed a Declaration of Condominium with respect to Section 1, The Eastwood Center Condominium and caused the same to be recorded in the Office of the Register of Deeds of New Hanover County, North Carolina, in Book 1500 at Page 236 (hereinafter referred to as the "Declaration"); and

WHEREAS, pursuant to said Declaration, the Declarant has the absolute right to construct additional units and to annex the same to said Condominium by an Amendment to the Declaration without the joinder of the unit owners; and

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WHEREAS, the Declarant has constructed an additional unit (unit #2) as shown upon the Plat of Section 2, The Eastwood Center Condominium, recorded in Condominium Plat Book 10 at Pages 73 ^{ca.} 74 ^{ca.} in the Office of the Register of Deeds of New Hanover County, North Carolina, and now desires to annex the same to the Condominium project and thereby submit the property shown thereon to the provisions of the North Carolina Condominium Act, Chapter 47C of the North Carolina General Statutes; and

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WHEREAS, the Condominium Plat for Section 1 was erroneously recorded in Map Book 31 at Page 80 of the New Hanover County Registry instead of the Condominium Plat Book; and

WHEREAS, said plat contains certain errors; and

WHEREAS, the Declarant desires to amend certain provisions in the Declaration as recorded in Book 1500 at Page 236 as hereinafter provided to correct and clarify certain provisions of the Declaration.

NOW, THEREFORE, the Declarant does hereby amend and Supplement the Declaration in the following respects:

1. The Condominium Plat for Section 1, which was erroneously recorded in Map Book 31 at Page 80 of the New Hanover County Registry instead of the Condominium Plat Book contained certain errors which have been corrected by the surveyor, Sherwin Cribb. The revised Condominium Plat for Section 1 has been re-recorded in Condominium Plat Book 10 at Pages 72 ^{ca.} 73 ^{ca.}. This re-recording is to correct and amend the Exhibit "A" which is attached to the original Declaration recorded in Book 1500 at Page 236 (being specifically at Page 256 thereof). The original Declaration recorded in Book 1500 at Page 236 is thereby amended accordingly and is furthermore amended to show the correct reference to the

DRAWN BY Kenneth A. Shanklin
RETURNED TO Pam Craig

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Condominium Plat Book for the Plans and Layout for the Condominium designated as Section 1 of The Eastwood Center Condominium.

2. The description of the property submitted to unit ownership under the provisions of Chapter 47C of the General Statutes of North Carolina (The North Carolina Condominium Act) as now recorded in Condominium Plat Book 10 at Page ~~72~~ 73^{CH} for Section 1 is hereby further amended and supplemented to include the property shown and designated as Section 2, The Eastwood Center Condominium, upon the Plat and Plans, thereof recorded in Condominium Plat Book 10 at Pages ~~73~~ 74 ~~74~~ 75 of the New Hanover County Registry. Wherever applicable in the original Declaration, the property is hereby amended to include both the original property submitted and the additional property submitted by this First Amendment to Declaration of Condominium for The Eastwood Center Condominium, Section 2.

3. The ratio of undivided interest of each unit owned in the common areas and facilities shall be as set out for Phase 2 upon Exhibit D-1 attached to the Declaration.

4. Wherever the reference to Chapter 47A of the North Carolina General Statutes is used in the Declaration is hereby deleted and in its place Chapter 47C is referenced, which is the current Statute with respect to condominiums.

5. The technical name of the Condominium project is "The Eastwood Center Condominium," not "The Eastwood Center, Section 1."

6. Article XVIII(A)(2)(b) references Section 47A-25 of the North Carolina General Statutes. This reference was erroneous. If more than two-thirds of the condominium units are destroyed and the owners of three-fourths of the units of the entire condominium should determine not to proceed with repair or restoration, then the procedures outlined in and provided for in Chapter 47C shall apply, not Chapter 47A. N.C.G.S. §47C-3-113 entitled "Insurance" addresses such an event.

7. Attached hereto is a reduced copy of each of the plats of Section 1 (Revised) of Eastwood Center Condominium and Section 2 of Eastwood Center Condominium.

EXCEPT as herein amended and supplemented, the aforesaid Declaration of condominium shall be and remain in full force and effect applicable to Sections 1 and 2 of The Eastwood Center Condominium.

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

JAN 28 2 45 PM '91

This the 31st day of December, 1990.

REX C. HEALY (SEAL)
REX C. HEALY

CYNTHIA HEALY (SEAL)
CYNTHIA HEALY

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, Barbara G. DeLeo, a Notary Public of the County and State aforesaid, certify that REX C. HEALY and wife, CYNTHIA HEALY, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

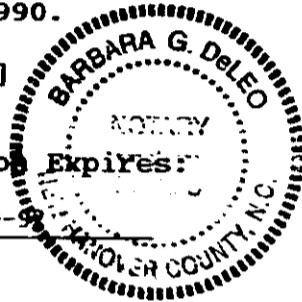
WITNESS my hand and official stamp or seal, this 31st day of December, 1990.

[Stamp-Seal]

My Commission Expires:

10-20-9

BD0289.DOC



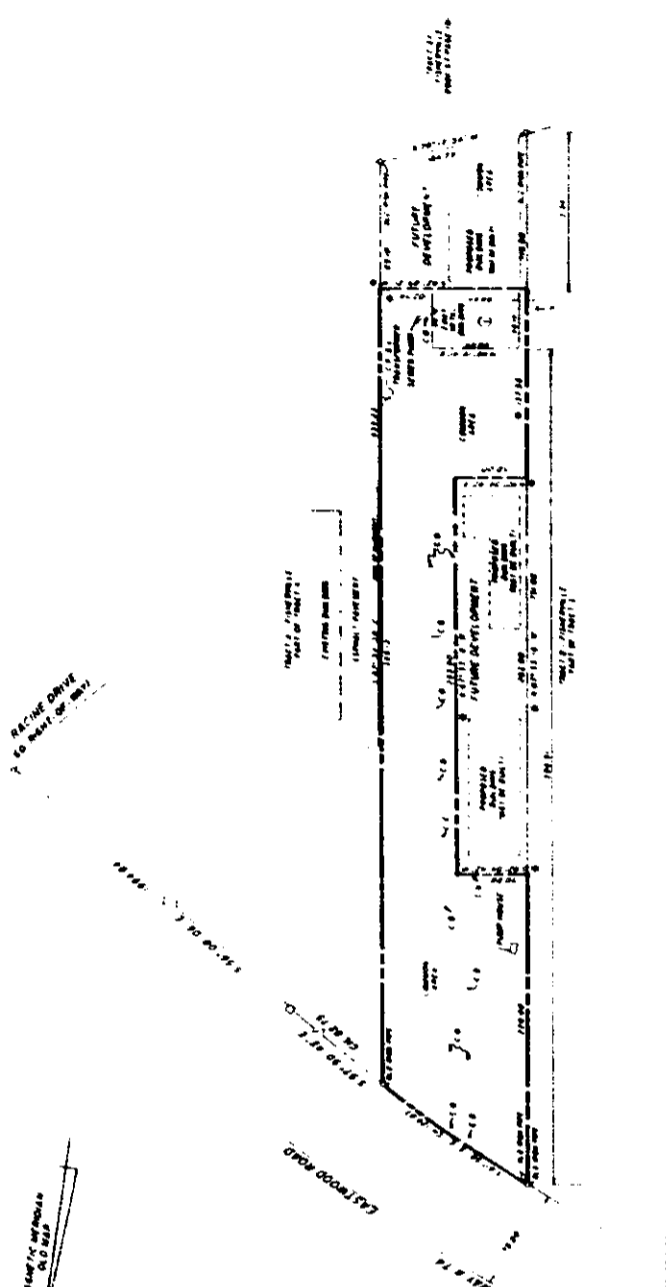
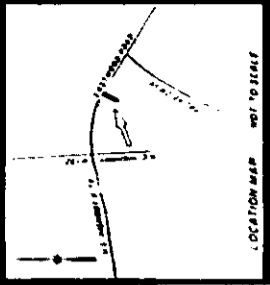
Barbara G. DeLeo
Notary Public

STATE OF NORTH CAROLINA
New Hanover County
The Foregoing/Annexed Certificate(s) of
Barbara G. DeLeo

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

This the 14 day of January 19 91
Rebecca P. Tucker, Register of Deeds

By *Becky Williams*
Deputy/Assistant



REVISED SECTION I
EASTWOOD CENTER CONDOMINIUM

DEVELOPED BY
REX C. HEALY
 1175 W. 10th Street
 Charlotte, N.C. 28202
 SCALE: 1" = 50' SCALE OF PLOT: 1" = 100' 1/2" = 100' 0"

REGISTERED
 11/17/90
 1175 W. 10th Street
 Charlotte, N.C. 28202

THE UNDERSIGNED AN ENGINEER HAS REGISTERED TO PRACTICE IN NORTH CAROLINA UNDER THE PROVISIONS OF CHAPTER 88C OF THE GENERAL STATUTES OF NORTH CAROLINA. THE GENERAL STATUTES OF NORTH CAROLINA, CHAPTER 88C, SECTION 88C-10, PROVIDES THAT AN ENGINEER SHALL NOT BE HELD RESPONSIBLE FOR THE ACCURACY OF ANY MEASUREMENTS OR CALCULATIONS MADE BY HIM OR HER IN CONNECTION WITH HIS OR HER PROFESSIONAL SERVICES UNLESS HE OR SHE HAS BEEN ADVISED BY THE CLIENT OF THE NATURE OF THE SERVICES TO BE RENDERED AND HAS AGREED TO ACCEPT SUCH RESPONSIBILITY IN WRITING. THE UNDERSIGNED HAS BEEN ADVISED OF THE NATURE OF THE SERVICES TO BE RENDERED AND HAS AGREED TO ACCEPT SUCH RESPONSIBILITY IN WRITING.

DATE: _____ ENGINEER: _____

I, JIMMY D. CARR, COUNTY CLERK OF NEW HAMPSHIRE COUNTY, NORTH CAROLINA, DO HEREBY CERTIFY THAT THE MAP WAS FILED FOR RECORD IN MAP BOOK 1523, PAGE 0719, ON THE 11TH DAY OF NOVEMBER, 1990, AT 10:00 O'CLOCK, A.M. THE MAP WAS FILED FOR RECORD IN MAP BOOK 1523, PAGE 0719, ON THE 11TH DAY OF NOVEMBER, 1990, AT 10:00 O'CLOCK, A.M. THE MAP WAS FILED FOR RECORD IN MAP BOOK 1523, PAGE 0719, ON THE 11TH DAY OF NOVEMBER, 1990, AT 10:00 O'CLOCK, A.M.

REX C. HEALY
 ENGINEER
 1175 W. 10th Street
 Charlotte, N.C. 28202

NOTARY PUBLIC
 My Commission Expires December 28, 1990

NOTARY PUBLIC
 My Commission Expires December 28, 1990

FILED FOR REGISTRATION ON THE 11TH DAY OF NOVEMBER, 1990, AT 10:00 O'CLOCK, A.M. IN MAP BOOK 1523, PAGE 0719.

REBECCA TUCKER
 REGISTER OF DEEDS

THE FEE FOR THIS MAP IS \$1,000.00. THE FEE FOR THE RECORDING OF THIS MAP IS \$100.00. THE FEE FOR THE RECORDING OF THIS MAP IS \$100.00. THE FEE FOR THE RECORDING OF THIS MAP IS \$100.00.



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

1526 0363

RE: BOOK 1523

PAGE 0716

RECORDED IN THE New Hanover COUNTY REGISTRY

NAMES OF ALL PARTIES TO THE ORIGINAL INSTRUMENT:

GRANTEES: FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM THE EASTWOOD CENTER CONDOMINIUM SECTION - Rex C. Healy and wife, Cynthia Healy

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): The Register of Deeds incorrectly assigned the Condo Book Page Numbers at the time this document was recorded in the New Hanover County Registry, which was simultaneous with the recording of the Condominium Maps. The errors have been corrected and are re-recorded to reflect these corrections

THIS, THE 25th DAY OF January, 19 91

Cynthia Healy (SEAL) Rex C. Healy (SEAL) Attorney (SEAL)

This explanation statement together with the attached instrument duly rerecorded at 2:45 o'clock P M this the 28 day of January, 19 91 in the Book and page shown on the first page hereof.

REBECCA P. TUCKER Register of Deeds By Becky Williams Deputy/Assistant Register of Deeds