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BOOK

PAGE

RECORDED AND VERIFIED  
MARY SUE DOTS  
REGISTER OF DEEDS  
NEW HANOVER COUNTY

2699

0385

**FIRST AMENDMENT TO  
DECLARATION OF CONDOMINIUM  
FOR WRIGHTSVILLE TOWN CENTER PHASE II, A CONDOMINIUM**

**THIS FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM FOR**

**WRIGHTSVILLE TOWN CENTER PHASE II, A CONDOMINIUM** (this "Amendment")

made this 27<sup>th</sup> day of January, 2000, by **WRIGHTSVILLE TOWN CENTER PHASE II,**

L.L.C., a North Carolina limited liability company ("Declarant") pursuant to the North Carolina

Condominium Act (the "Act").

**WHEREAS,** Declarant created Wrightsville Town Center Phase II, a Condominium (the "Condominium") by recording a Declaration of Condominium for Wrightsville Town Center Phase II, a Condominium in Book 2552, at Page 153 in the Office of the Register of Deeds of New Hanover County, North Carolina (the "Declaration"); and,

**WHEREAS,** pursuant to Section 47C-2-105(a)(8) of the Act and pursuant to the Reservation of Rights under Article XII of the Declaration, Declarant has the right and power to amend the Declaration to add Units, Common Elements and Limited Common Elements to the Condominium.

**NOW, THEREFORE,** pursuant to Section 47C-2-105(a)(8) of the Act and Article XII of the Declaration, the Declarant does hereby amend the Declaration and does hereby declare as follows:

**ARTICLE 1**

EXHIBIT A attached to the Declaration as recorded in Book 2552, at Page 153 in the Office of the Registry of Deeds of New Hanover County, North Carolina (the "Registry") is hereby amended to add that certain tract of real property situated in New Hanover County, North Carolina, more particularly described on EXHIBIT A attached hereto and incorporated herein by

DRAWN BY *Alan M. Solana*

**RETURNED TO**

020493

this reference, together with all improvements now or hereafter constructed or located thereon, and all rights, privileges, easements and appurtenances belonging to or in any way pertaining to said real property.

#### **ARTICLE 2**

Additional Plats and Plans recorded in Condominium Book 11 Pages 376 through 378 entitled "Wrightsville Town Center-Phase II, Section II" and "Building 'A' Wrightsville Town Center" attached hereto as EXHIBIT B 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. The plat complies with N.C.G.S. Section 47C-2-109. The Plats and Plans add one (1) building identified as Building A, which contains two (2) Units designated as A and B. Unit A is a first floor unit and Unit B is a second floor unit. Each Unit will be designated by its respective letter. Unit A contains approximately 1,500 square feet of enclosed heating area and has appurtenant to it as a Limited Common Element a vestibule, covered porch and service porch. Unit B contains approximately 1,500 square feet of enclosed heating area and has appurtenant to it as a Limited Common Element a stairway, vestibule, covered porch and service porch.

#### **ARTICLE 3**

EXHIBIT C attached to the Declaration as recorded in Book 2552, at Page 153 in the Registry is hereby declared to be null and void and EXHIBIT C (Revised) attached hereto is substituted therefore, revising the percentage share of the Common Elements and the percentage share of the Common Expenses appurtenant to all Units to the percentages set forth therein.

EXCEPT as specifically amended or modified by this Amendment all of the terms, covenants, conditions and provisions of the Declaration shall be and remain in full force and effect

and shall apply to the Condominium Units and Limited Common Elements created hereby.

IN WITNESS WHEREOF, the undersigned Limited Liability Company has caused this instrument to be signed in its company name by its duly authorized manager and its seal to be hereunto affixed by authority of this members, the day and year first above written,

WRIGHTSVILLE TOWN CENTER PHASE, II, L.L.C. (SEAL)

By: Eastland Development Companies, Inc.  
Member/Manager

By: [Signature]  
Robert Swagerty, President



ATTEST:

By: [Signature]  
Kay Humbles, Secretary

STATE OF NORTH CAROLINA  
COUNTY OF NEW HANOVER

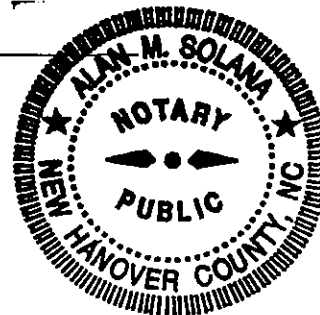
I, Alan M. Solana, a Notary Public for the County and State aforesaid, certify that Kay Humbles personally appeared before me this day and acknowledged that she is Secretary of Eastland Development Companies, Inc., a North Carolina Corporation, as Member/Manager of WRIGHTSVILLE TOWN CENTER PHASE II, L.L.C., a North Carolina Limited Liability Company, 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 her as its Secretary, for and on behalf of the Limited Liability Company.

Witness my hand and official seal, this 27th day of January, 2000.

[Signature]  
Notary Public

My Commission Expires:

5/30/2004



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

Alan M. Solana

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

This the 2 day of Feb 2000

Mary Sue Oots, Register of Deeds

by [Signature]  
Deputy/Assistant

## EXHIBIT A

DESCRIPTION OF REAL PROPERTY BEING SUBMITTED FOR  
WRIGHTSVILLE TOWN CENTER PHASE II,  
SECTION II, A CONDOMINIUM

Being all that certain tract of land lying and being located in Wilmington Township, New Hanover County, North Carolina and being more particularly described as follows:

Commencing from the intersection of right of ways of the eastern public 60' of Wood Dale Drive and the northern 60' right of way of Wrightsville Avenue. Thence running with the northern right of way of Wrightsville Avenue South 79 degrees 15 minutes 00 seconds East 164.91 feet to the POINT OF BEGINNING. Thence leaving said right of way North 10 degrees 45 minutes 00 seconds East 122.40 feet to a new iron pipe. Thence running South 79 degrees 15 minutes 00 seconds East 92.89 feet to a new iron pipe. Thence running South 10 degrees 45 minutes 00 seconds West 122.40 feet to a new iron pipe located in the northern right of way of Wrightsville Avenue. Thence running with said right of way North 79 degrees 15 minutes 00 seconds West 92.89 feet to the point of beginning and containing 11,370 square feet and being shown on a Condominium Plat prepared by Hobbs Surveying Company, Inc. dated January 17, 2000 and recorded in Condominium Book 11 Page 376 to which reference is hereby made for a more full and accurate description.

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EXHIBIT B

PLATS AND PLANS FOR WRIGHTSVILLE TOWN CENTER  
PHASE II, SECTION II, A CONDOMINIUM



**CERTIFICATE OF ACCURACY & WARNING**

I, R. N. Hobbs, do hereby certify that this plot was drawn from my own field notes and that the same are true and correct to the best of my knowledge and belief. I am a duly licensed Surveyor in the State of North Carolina, and I am not aware of any facts which would render this map or plan inaccurate or misleading. I have not been furnished with any title or interest in the land shown hereon, and I have not been furnished with any title or interest in the land shown hereon, and I have not been furnished with any title or interest in the land shown hereon.

R. N. Hobbs  
Surveyor

**CERTIFICATE OF OWNERSHIP, DEDICATION & JURISDICTION**

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon and that I (we) hereby consent to the plan of a subdivision with my (our) own free will and without any reservation, and I (we) agree to dedicate to public use all streets, easements, and other rights shown on this plan, and I (we) agree to pay for the same. I (we) further certify that the land shown hereon is within the platted jurisdiction of the City of Wilmington, North Carolina.

L. S. Jones  
R. N. Hobbs

**STATE ORDER GENERAL**

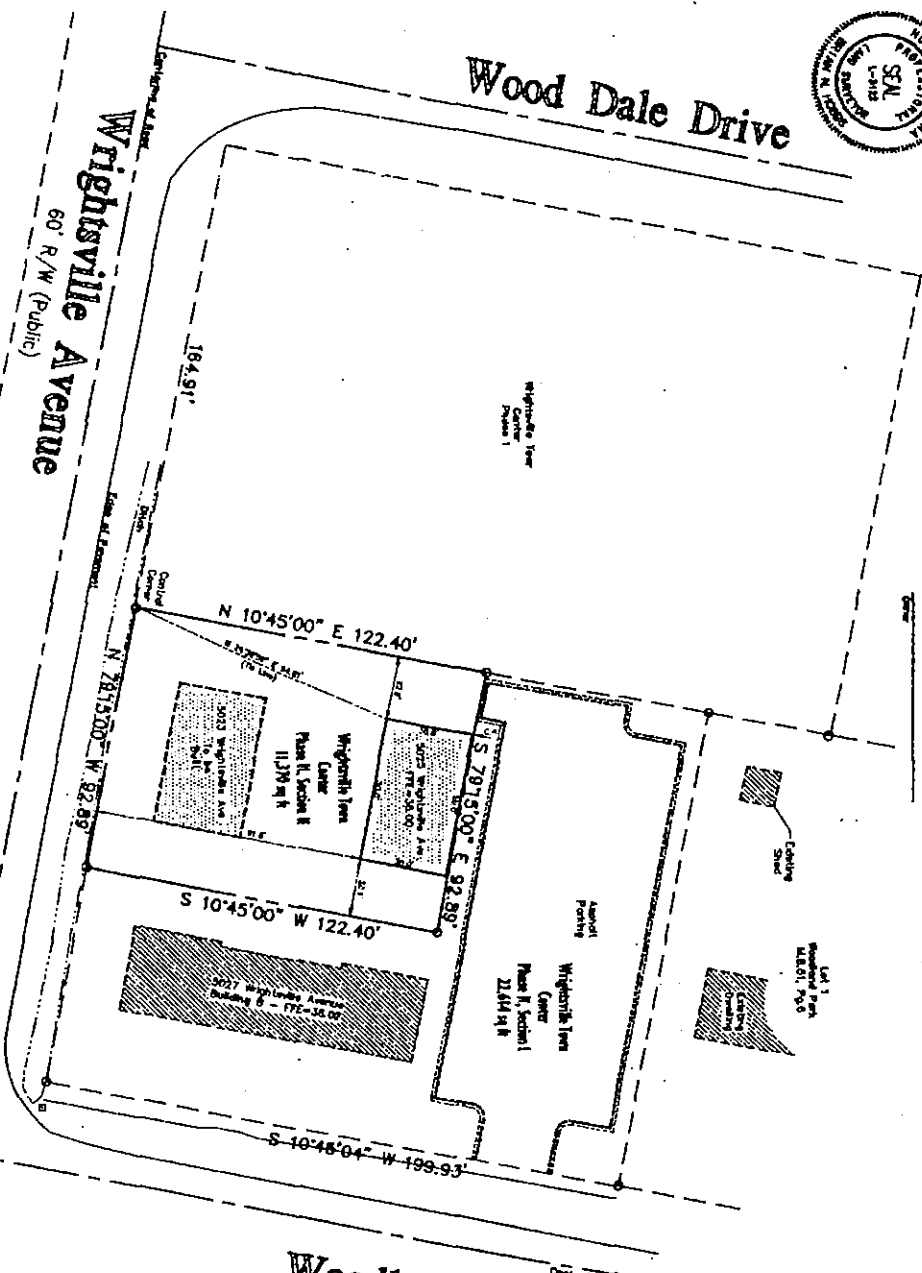
Under Order of the State of North Carolina, the map or plan is hereby declared to be a public record and is hereby recorded in the public records of the State of North Carolina.

Recorded in the Public Records of the State of North Carolina, Book 216, Page 99.

**CERTIFICATE OF REVISION**

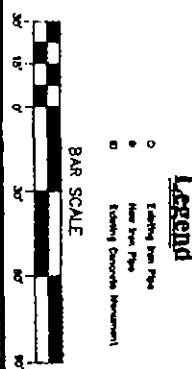
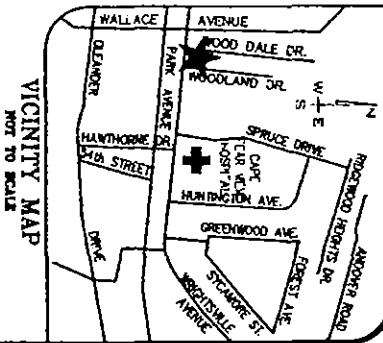
BY THE RECORDING OFFICE

This map or plan is hereby recorded in the Public Records of the State of North Carolina, Book 216, Page 99.



**Woodland Drive**  
60' R/W (Public)

**THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS**



**Wrightsville Town Center-Phase II, Section II**  
Wilmington, North Carolina

Condominium Plat  
5025 Wrightsville Avenue

1 of 3

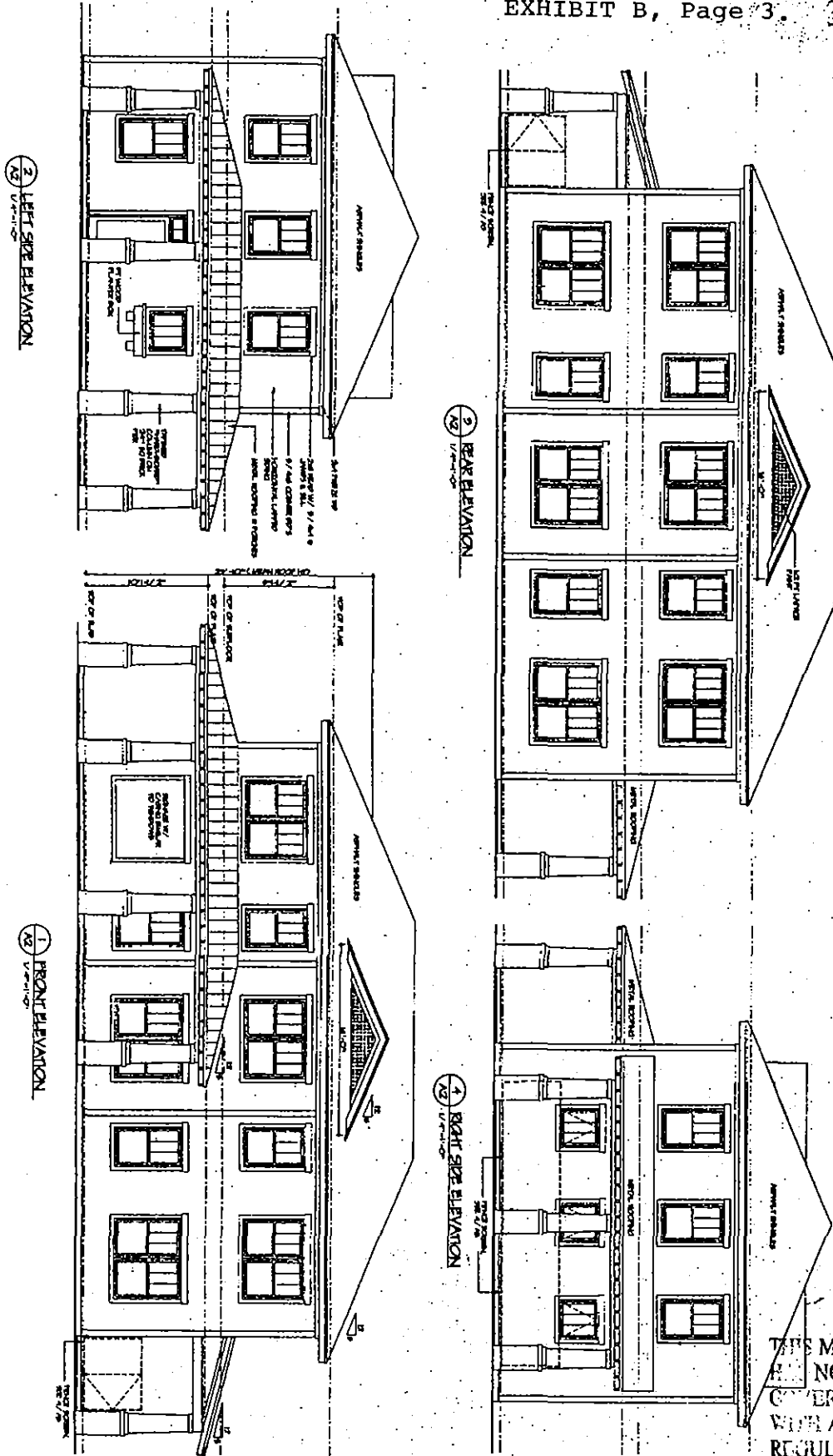
**HOBBS SURVEYING COMPANY, INC.**  
7235 WRIGHTSVILLE AVENUE - SUITE 100  
WILMINGTON, NORTH CAROLINA 28405 TEL: (910) 266-6098

**CERTIFICATE OF ARCHITECT**

I, Mark Andrew Stadler, the undersigned, an Architect duly registered to practice the laws of the state of North Carolina, hereby certify that these plans entitled Wrightsville Town Center - Phase II, Section II - Condominium Plat, presented on sheet 1 of survey map and three (3) sheets of floor plans are an accurate copy of portions of the original plans, and that the same are true and correct to the best of my knowledge and belief.

Mark Andrew Stadler  
Architect





THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS


<p><b>A2</b></p>	<p>Architect: [Name]                  Date: 11/17/09                  Scale: 1/8" = 1'-0"</p>		<p>building "A"  <b>Wrightsville Town Center</b>                  9017 Wrightsville Avenue                  Winston, North Carolina</p>	<p>PROVIDED PERMANENT RECORD</p>	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Revisions</th> </tr> <tr> <th>date</th> <th>description</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> </tr> </tbody> </table>	Revisions		date	description						
Revisions															
date	description														

EXHIBIT C (Revised)

WRIGHTSVILLE TOWN CENTER PHASE II, SECTIONS I AND II

PERCENTAGES OF UNDIVIDED INTEREST AND VOTES

Unit	% of Common Expenses	% of Undivided Interest	Votes
A	19.25	19.25	1
B	19.25	19.25	1
C	11.50	11.50	1
D	11.50	11.50	1
E	7.75	7.75	1
F	7.75	7.75	1
G	11.50	11.50	1
H	11.50	11.50	1