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Robert J. Robinson
Brunswick County, NC Register of Deeds page 1 of 8

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 Document contains seats verified by original instrument that cannot be reproduced or copied.

Prepared by and Returned to:
STEVENS, MCGHEE, MORGAN, LENNON & CARTER, LLP

STATE OF NORTH CAROLINA
COUNTY OF BRUNSWICK
FIRST AMENDMENT AND SUPPLEMENT TO THE DECLARATION OF CONDOMINIUM FOR SOUTH HARBOUR STATION CONDOMINIUM

THIS FIRST AMENDMENT AND SUPPLEMENT TO THE DECLARATION OF CONDOMINIUM FOR SOUTH HARBOUR STATION CONDOMINIUM (hereinafter "First Amendment and Supplement") declared, made, and entered this the 20th day of July, 2007, by STATION DEVELOPMENT CORP., a North Carolina Corporation, hereinafter sometimes referred to as "Declarant") and by SOUTH HARBOUR STATION UOA, INC., North Carolina Nonprofit Corporation (hereinafter the "Association");

WITNESSETH:

THAT WHEREAS, STATION DEVELOPMENT CORP. has heretofore executed and caused to be recorded in the Office of the Register of Deeds of Brunswick County, North Carolina, in Book 2595, Pages 39-41, a Declaration of Condominium for Phase 1 (4132 Vanessa Drive) South Harbour Station Condominium (hereinafter the "Declaration"); and,

WHEREAS, SOUTH HARBOUR STATION UOA, INC. has been formed to perform the duties and functions as are set forth in the Declaration; and

WHEREAS, in accordance with Sections 13 and 21 of the Declaration, the Declarant expressly reserved the right to add certain additional real estate to the condominium described in Exhibit "A" to the Declaration; and,

WHEREAS, Declarant desires to supplement the Declaration in order to expand the Condominium by the addition of a portion of the Additional Real Estate described in the Declaration and to subject said property to the Declaration, as amended hereby; and

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WHEREAS, the Declarant also has determined that it is in the best interest of the proper and orderly development and operation of the said South Harbour Station Condominium, that the said Declaration be amended, and the Association has received the approvals required by the said Declaration; and

WHEREAS, the Declarant desires to exercise one of its Development rights as stated in the Declaration;

NOW, THEREFORE, the Declarant in accordance with the provisions of the Declaration and the North Carolina Condominium Act, does hereby amend and supplement the Declaration, and the Association evidences its participation herein and consent hereto, all in the following respects:

- (1) The declaration of the real property submitted to unit ownership under the Act as described in Exhibit "A" to the Declaration is hereby supplemented, amended, and revised to include the real property as shown and designated as Phase 2 (4134 Vanessa Drive) South Harbour Station Condominium, on the Plats and Plans entitled "Phase 2 (4134 Vanessa Drive) South Harbour Station Condominium" dated July 7, 2007, and recorded in Condominium Plat Book 11 at Pages 420, 421, and 422 in the Office of the Register of Deeds of Brunswick County, North Carolina (the "Registry"), said real property being included is more fully described in Exhibit "A" attached hereto and made a part hereof by this reference. The real property described in said Exhibit "A" of this First Amendment and Supplement and the real property described in Exhibit "A" to the original Declaration shall be and constitute the Property known as South Harbour Station Condominium, upon the recordation of this amendment and supplement. This First Amendment and Supplement shall be deemed to be a Declaration of Condominium for the property herein described .
- (2) Exhibit "B" attached hereto is hereby substituted in lieu of and in the place of Exhibit "B" to the Declaration.

The Condominium known as South Harbour Station Condominium shall, after the recording of this First Amendment and Supplement to the Declaration, consist of 30 units, contained in 2 phases or buildings of the condominium, with fifteen units (together with garages assigned for each unit) in Phase "1" and a like number of units and garages in Phase "2." The Plats and Plans of Phase "2" are recorded as above noted.

The common elements of the additional units subjected to the Act by this First Amendment and Supplement consist of all portions of the Condominiums not encompassed and included within the Condominium units and garages as described in the Declaration and are as shown on the Plats and Plans of Section "2" recorded as is above noted. The Limited Common Areas for the exclusive

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use of the units subjected to the Act by this amendment and supplement are also as shown on the Plats and Plans of Section "2" above noted.

(3) Section 4. of the Declaration is deleted in its entirety and the following is substituted in lieu thereof:

"4. Maximum Number of Units. The maximum number of units of SOUTH HARBOUR STATION CONDOMINIUM which the Declarant may create at any time is forty-five (45). The number of presently existing units is fifteen. As stated in Sections 13 and 21 below, the Declarant reserves the right to annex additional real estate to the condominium, and to create an additional thirty (30) units."

(4) Section 25 , subsection (f) is deleted in its entirety and the following is substituted in lieu thereof:

"(f) Only domesticated house pets, such as dogs, cats, and caged birds shall be permitted to be kept within any unit, garage, or common element. All owners of such pets shall obey and abide by all applicable health codes regulations, and , further, shall abide by all rules and regulations adopted by the Association , including those which relate to and /or govern pet ownership and maintenance."

(4) Section 30.03, is deleted in its entirety and the following is substituted in lieu thereof:

"30.03 (c) Amendment or Rescission. Except as provided herein, this Declaration may be amended or rescinded only by a written instrument executed by the Association and authorized by the affirmative written consent and approval of at least two-thirds (2/3) of all units existing at that time; provided that the terms and provisions of this Declaration may be amended by the Declarant at any time within five (5) years of the date of recording of this Declaration, without the approval of the Association or any other party; as necessary to exercise the development rights reserved in Sections 13 and 21 above or if the proposed amendment is required to obtain any approval of HUD, FRA, VA, FNMA or FHLMC. Any amendment or rescission must be recorded at the Brunswick County Registry to be effective."

EXCEPT AS SPECIFICALLY amended and supplemented hereby , the aforesaid Declaration shall be and remain in full force and effect, is confirmed, ratified, and re-adopted, and shall apply to all Units, Garages, Common Areas, Shared Common Areas and Limited Common Areas created by the said Declaration, and by this First Amendment and Supplement to the Declaration.

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IN WITNESS WHEREOF, STATION DEVELOPMENT CORP. and SOUTH HARBOUR STATION UOA, INC., have caused this document to be executed in their respective names by their respective officers, all as authorized by their respective Boards of Directors or Executive Boards, this the 20th day of July, 2007.

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STATION DEVELOPMENT CORP.

By: Edwin L. Burnett III
Edwin L. Burnett, III President

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SOUTH HARBOUR STATION UOA, INC.

By: E. L. Burnett III
E. L. Burnett, III
Executive Board Member

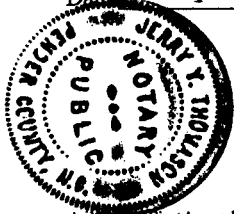
NEW HANOVER COUNTY, NORTH CAROLINA

I certify that the following persons personally appeared before me this day, acknowledging to me that they signed the foregoing document for the purposes stated therein, in the capacity indicated, and having been first authorized do so:

Edwin L. Burnett, III, President of Station Development Corp.

E. L. Burnett, III, Executive Board Member of South Harbour Station UOA, Inc.

Date: July 20, 2007



Ayl2007E:FirstAmend&SupSHS

Jerry Y. Thomason

Jerry Y. Thomason, Notary Public

(Printed Name of Notary)

My commission expires: 12/08/2010

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EXHIBIT
Page One of Two Pages
SOUTH HARBOUR STATION CONDOMINIUM
PHASE 2

TRACT 1

Beginning at the southernmost point of Phase 1 of South Harbour Station Condominium as recorded in Condo Book 11, Page 359, of the Brunswick County Registry, running thence from said beginning point

1. S83°41'27"E 142.09' to a point; thence,
2. S06°40'17"W 100.50' to a point; thence,
3. N83°41'27"W 237.08' to a point; thence,
4. N06°42'34"E 59.89' to a point; thence,
5. N33°20'53"E 79.60' to a point in the southern line of said Phase 1; running thence along said line
6. S56°33'26"E 66.35' to the point of beginning.

Containing 0.56 AC± and being a portion of Tract 3 of South Harbour Station as recorded in Map Cabinet 38, Page 61 of said registry.

TRACT 2

Beginning at the westernmost corner of Tract 3 of South Harbour Station as recorded in Map Cabinet 38, Page 61 of the Brunswick County Registry; running thence along the western line of said Tract from said beginning point

1. N17°02'24"E 138.08' to a point; thence,
2. N33°33'01"E 124.43' to a point, the southwest corner of Phase 1 of South Harbour Station Condominium as recorded in Condo Book 11, Page 359 of said registry; running thence along the south line of said Phase 1,
3. S56°24'42"E 65.73' to a point; thence,
4. S33°26'34"W 24.43' to a point; thence leaving said south line and along a new line
5. S33°20'53"W 86.71' to a point; thence,
6. S06°42'34"W 117.26' to a point in the southern line of said Tract 3, running thence along said line



7. N83°41'27"W 89.71' to the point of beginning.

Containing 0.40 AC± and being a portion of said Tract 3.

Tracts 1 and 2 together with an Ingress/Egress Easement described as follows:

Beginning at the southwestern corner of Tract 3 of South Harbour Station as recorded in Map Cabinet 38, Page 61 of the Brunswick County Registry, said point also being located in the Northern line of Vanessa Drive (60' R/W); thence, leaving said northern line from said beginning point

1. N06°40'17"E 174.50' to a point; thence,
2. N83°41'27"W 207.12' to a point; thence,
3. N06°42'34"E 117.20' to a point; thence,
4. N33°20'53"E 86.71' to a point in the southern line of the above described Phase I; thence, along said line
5. S56°33'26"E 30.00' to a point thence,
6. S33°20'53"W 79.60' to a point; thence,
7. S06°42'34"W 59.89' to a point; thence,
8. S83°41'27"E 237.08' to a point; thence,
9. S06°40'17"W 224.50' to a point in aforesaid north line of Vanessa Drive; thence, with said line
10. N83°41'27"W 60.00' to the point of beginning.

Containing 0.64 AC± and being a portion of said Tract 3 of South Harbour Station.

 2/7/10
Date

Arnold W. Carson PLS PC
406 North Third Street
Wilmington, NC 28401
(910) 772-9113



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TR2 0.003/070710J1

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EXHIBIT "B"

**TO THE FIRST AMENDMENT AND SUPPLEMENT TO THE DECLARATION
OF SOUTH H ARBOUR STATION CONDOMINIUM**

**(Which shall be substituted in lieu of the original
Exhibit "B" to the said Declaration)**

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(ONE OF TWO)

**PHASE 1
UNIT NUMBER**

PERCENTAGE OF UNDIVIDED OWNERSHIP

4132 UNIT # 1
4132 UNIT # 2
4132 UNIT # 3
4132 UNIT # 4
4132 UNIT # 5

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4132 UNIT # 6
4132 UNIT # 7
4132 UNIT # 8
4132 UNIT # 9
4132 UNIT #10

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4132 UNIT #11
4132 UNIT #12
4132 UNIT #13
4132 UNIT #14
4132 UNIT #15

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**PHASE 2
UNIT NUMBER**
4134 UNIT # 1
4134 UNIT # 2
4134 UNIT # 3
4134 UNIT # 4
4134 UNIT # 5

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EXHIBIT "B"
(TWO OF TWO)

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4134 UNIT # 6
4134 UNIT # 7
4134 UNIT # 8
4134 UNIT # 9
4134 UNIT #10

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4134 UNIT #11
4134 UNIT #12
4134 UNIT #13
4134 UNIT #14
4134 UNIT #15

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