

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

SUPPLEMENT TO DECLARATION
RECORDED IN BOOK 1187 AT PAGE 1534,
NEW HANOVER COUNTY, NORTH CAROLINA REGISTRY

THIS DECLARATION, made this the 3rd day of July, 1981, by THE BREAKERS HOMEOWNERS ASSOCIATION, INC., a nonprofit North Carolina corporation, with its principal office located in New Hanover County, North Carolina, hereinafter referred to as "DECLARANT";

KNOW ALL MEN BY THESE PRESENTS:

THAT, WHEREAS, the Declarant is the owner of record of the fee simple title to 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, by 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, (hereinafter referred to as "DECLARATION"), Pleasure Properties, Inc., a North Carolina corporation, did submit all of the real property described in the Exhibit "A" to that Declaration to the "Unit Ownership Act" of the State of North Carolina, codified as Chapter 47A of the General Statutes of North Carolina, and thereby established the condominium project known as "THE BREAKERS, PHASE ONE"; and

WHEREAS, upon the property described in Exhibit "A", attached hereto, a swimming pool has been constructed, which was designed and intended by Pleasure Properties, Inc. to be a recreational common area and facility for the entire condominium project known as THE BREAKERS, present and future phases, if any; and

WHEREAS, it had been intended to submit the property described in Exhibit "A", attached hereto, to the provisions of said "Unit Ownership Act", together with the property submitted thereto by that Declaration, referred to hereinabove; but, however, by mutual mistake, the property described in Exhibit "A", attached hereto, was omitted from said Declaration; and

WHEREAS, it is the desire of the Declarant, with the consent and agreement of Pleasure Properties, Inc., to correct said omission.

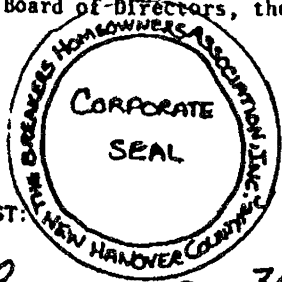
NOW, THEREFORE, the Declarant does hereby declare that all of that real property described in Exhibit "A", attached hereto and made a part hereof by reference, as well as all of the improvements constructed thereon, shall henceforth be held and owned by the Declarant as a "common area and facility" of the condominium project known as THE BREAKERS; and shall be maintained and operated by the Declarant as a swimming pool facility for said condominium project, present and future phases, if any; and, therefore, 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 to the provisions of the Unit Ownership Act of the State of North Carolina, codified as Chapter 47A of the General Statutes of the State of North Carolina, by hereby incorporating said property into said Declaration and hereby subjecting said property to all of the provisions, conditions, restrictions, uses, and limitations applicable to "common areas and facilities" as the same are stated in 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 said Registry; and

Pleasure Properties, Inc., in its capacity as the Declarant under that Declaration, referred to hereinabove, joins in the execution of this Declaration to manifest its consent to the incorporation of the property described in Exhibit "A", attached hereto, into said Declaration.

IN WITNESS WHEREOF, THE BREAKERS HOMEOWNERS ASSOCIATION, INC. and PLEASURE PROPERTIES, INC., have both caused this Declaration to be signed in their respective corporate names by their respective duly authorized officers

RETURNED TO 

and their respective seals to be hereunto affixed by authority of their respective Board of Directors, the day and year first above written.

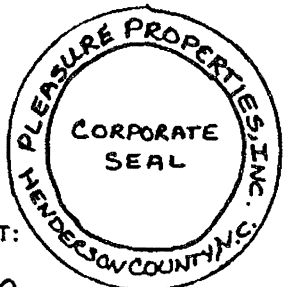


THE BREAKERS HOMEOWNERS ASSOCIATION, INC.

BY: W L Barnwell
President

ATTEST:

Lawrence A. Hogan
Secretary



PLEASURE PROPERTIES, INC.

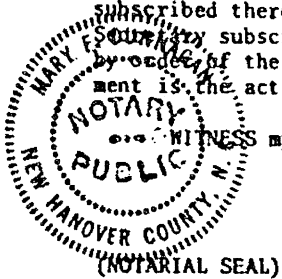
BY: W L Barnwell
Vice President

ATTEST:

Lawrence A. Hogan
Secretary

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

This is to certify that on the 3rd day of July, 1981, before me personally came W.L. Barnwell, ~~President~~ President, with whom I am personally acquainted, who, being by me duly sworn, says that he is the ~~President~~ President, and Lawrence A. Hogan is the Secretary of THE BREAKERS HOMEOWNERS ASSOCIATION, INC., the corporation described in and which executed the foregoing instrument; that he knows the common seal of said corporation; that the seal affixed to the foregoing instrument is said common seal, and the name of the corporation was subscribed thereto by the said ~~President~~ President, and that said ~~President~~ President and ~~Secretary~~ subscribed their names thereto, and said common seal was affixed, all by order of the Board of Directors of said corporation, and that the said instrument is the act and deed of said corporation.

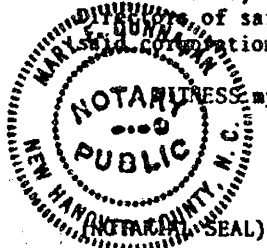


WITNESS my hand and notarial seal, this the 3rd day of July, 1981.

Mary E. Dunagan
Notary Public
My Commission Expires: 2/18/85

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

This is to certify that on the 3rd day of July, 1981, before me personally came W.L. Barnwell, Vice President, which whom I am personally acquainted, who, being by me duly sworn, says that he is the Vice President, and Lawrence A. Hogan is the Secretary of PLEASURE PROPERTIES, INC., the corporation described in and which executed the foregoing instrument; that he knows the common seal of said corporation; that the seal affixed to the foregoing instrument is said common seal, and the name of the corporation was subscribed thereto by the said Vice President, and that said Vice President and Secretary subscribed their names thereto, and said common seal was affixed, all by order of the Board of Directors of said corporation, and that the said instrument is the act and deed of said corporation.



WITNESS my hand and notarial seal, this the 3rd day of July, 1981.

Mary E. Dunagan
Notary Public
My Commission Expires: 2/18/85

BOOK PAGE
1188 0844½

STATE OF NORTH CAROLINA, New Hanover County

The Foregoing Certificate (s) of MARY F. DUNNAGAN, a NOTARY Public

This 3rd day of July A. D., 19 81

(is) certified to be correct.

Rebecca P. Tucker, Register of Deeds

By Linda P. Alston, Dep.

JUL 3 4 20 PM '81

Pool

RECORDED AND VERIFIED
REBECCA P. TUCKER
CLERK OF RECORDS
NEW HANOVER CO. NC

BEGINNING at a point which is located North 28 degrees 75.0 feet, North 61 degrees 54 minutes West 100.0 feet and North 00 degrees 46 minutes 45 seconds East 135.49 feet from the Northeast corner of lot 14, Carolina Beach, Ext. # 1, as recorded in Map Book 18 at Page 103 of the New Hanover County Registry; Running thence from said beginning point North 00 degrees 08 minutes 15 seconds East 27.67 feet to a point; Running thence North 27 degrees 54 minutes West 85.0 feet to a point; Running thence North 08 degrees 54 minutes West 35.0 feet to a point; Running thence North 85 degrees 36 minutes East 100.0 feet to a point; Running thence North 59 degrees 36 minutes East 9.93 feet to a point; Running thence South 05 degrees 30 minutes 30 seconds East 117.1 feet to a point; Running thence South 61 degrees 54 minutes East 6.43 feet to a point; Running thence South 69 degrees 09 minutes 45 seconds West 85.67 feet to the point of beginning. Containing 0.28 acres more or less.