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BY: CAROL HUGHLEY
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2016012896
NEW HANOVER COUNTY, NC

TAMMY THEUSCH BEASLEY
REGISTER OF DEEDS

NC FEE \$26.00

Prepared By & Return to:

Charles D. Meier, Marshall, Williams & Gorham, LLP
P.O. Drawer 2088, Wilmington, NC 28402

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

**FIRST AMENDMENT TO THE DECLARATION OF SEA CLIFF
CONDOMINIUMS**

This First Amendment to the Declaration of Sea Cliff Condominiums ("Amendment") is made and entered into as of this 27th day of APRIL, 2016, by Sea Cliff Condominium Homeowners Association, Incorporated, a North Carolina nonprofit corporation ("Association").

WITNESSETH:

A. The Association is the property owners' association charged with the responsibility for the operation of that certain real property known as Sea Cliff Condominiums located in New Hanover County, North Carolina, and described in a Declaration recorded in Book 1307, Page 1848, New Hanover County Register of Deeds ("Declaration).

B. Said Declaration provides in Article IX that the Declaration can be amended by an affirmative vote of not less than 90% of the votes of the Members, Lot/Unit Owners.

C. The Amendment set forth below has been adopted by an affirmative vote of 100% of the votes of the Members, Lot/Unit Owners in person, by proxy, or by ballot, and has otherwise been properly adopted and approved as required by the Declaration, Bylaws and Articles of Incorporation, as applicable.

D. That the President or Vice President of the Association has been duly authorized and empowered to execute this Amendment and to cause the same to be recorded in the New Hanover County Register of Deeds as the binding act of the Association, its Members, Lot/Unit Owners and Board of Directors.

Now therefore, in consideration of the recitals set forth above, and as the act and deed of the Association, it's Members, Lot/Unit Owners and Board of Directors, the Declaration is hereby amended and modified as set forth below:

Article V shall be amended to add and include a new Paragraph G. to read as follows:

G. Smoking Prohibited. Because of the health hazards caused by smoke, including secondhand smoke, and the risk of fire caused by tobacco and other combustible products, no Unit Owner, tenant, occupant, or any guest shall smoke cigarettes, cigars, pipes or any other tobacco products, marijuana or other substances anywhere within or about the Condominium. This includes electronic cigarettes or any other type of device that creates a vapor designed for the inhalation of nicotine. This prohibition shall include all Units, Common Areas, and Limited Common Areas. Any Unit Owner that sells, rents, or otherwise allows someone to reside or occupy his/her Unit shall specifically disclose to all potential buyers, real estate agents, or tenants, as applicable, that smoking is prohibited within all Units, Common Areas, and Limited Common Areas. The Board of Directors shall have the authority and power to enact Rules and Regulations which it deems necessary to enforce this restriction.

Article V shall be amended to add and include a new Paragraph H. to read as follows:

H. Tenant Animals. This paragraph only applies to the tenants of Unit Owners. No animal shall be kept on or about the Condominium, except household pets ordinarily kept in homes. A tenant may keep as pets dogs and cats with maximum combined weight of seventy five (75) pounds. All cats must live and reside inside the Unit at all times. A Tenant may also keep a reasonable number of small caged animals (limited to guinea pigs, hamsters, gerbils, birds and ferrets) and fish in aquariums inside the Unit. EXCEPT FOR THE ANIMALS DESCRIBED ABOVE, NO OTHER ANIMAL OF ANY SPECIES SHALL BE KEPT ON OR ABOUT THE CONDOMINIUM. Such pets may not be kept or bred for any commercial purpose and shall have such care and restraint as is necessary to prevent them from being or becoming obnoxious or offensive on account of noise, odor, unsanitary conditions, or

other nuisance. All pets shall be properly registered, vaccinated and display at all times proof of same as required by law. All dogs allowed upon the Common Areas must wear a collar with a tag identifying the owner. No pet may be permitted to run loose upon the Common Areas, and any Tenant who causes or permits any animal to be brought or kept on or about the Condominium shall indemnify and hold the Association harmless for and from any loss, damage, or liability which it sustains as a result of the presence of such animal on or about the Condominium, regardless of whether the Association or the Board of Directors has given its permission therefor. Whenever a dog is allowed outside the Unit, the dog must be on a leash and any animal droppings which occur during such time as the dog is outside the Unit must be immediately collected by the Tenant and disposed of as required by law. The Board may adopt further Rules and Regulations regarding pets, including, but not limited, behavior standards.

Article II, Paragraph G. and Paragraph Q., shall be amended as follows:

Notwithstanding any other provisions of the Declaration, the exterior doors and windows, including glass, frames and hardware, located on the ocean facing side of the Units, shall be deemed Common Areas, and not part of the Units, and the maintenance, repair and replacement of the same shall be deemed a Common Expense.

END OF AMENDMENTS

Except as amended, the Declaration, as may have been previously amended, shall remain in full force and effect.

The undersigned, being the President of the Association, does, by his/her execution hereof, certify that this Amendment was duly adopted by an affirmative vote of 100% of the votes of the Members of the Association in person, by proxy, or by ballot, was duly adopted by a vote of the Board of Directors (if required), and that all the procedures, steps and requirements necessary to amend said Declaration have been complied with, the day and year first above written.

Sea Cliff Condominium-Homeowners Association, Incorporated

By: Samuel Peter Suintz

President

STATE OF NORTH CAROLINA
COUNTY OF Orange

I, Kristen C Zimmerman, notary public, do hereby certify that Samuel Peter Suintz (name of officer), personally appeared before me this day and acknowledged that he/she is President (title of officer) of the Association and that he/she, being authorized to do so, executed the foregoing on behalf of the Association.

Witness my hand and official seal this the 27 day of April, 2016.

Kristen C Zimmerman
Notary Public
My Commission Expires: April 27, 2020

(Notary Seal)

KRISTEN C ZIMMERMAN
Notary Public
Wake Co., North Carolina
My Commission Expires April 27, 2020

TAMMY THEUSCH
BEASLEY
Register of Deeds

New Hanover County Register of Deeds

216 NORTH SECOND STREET • WILMINGTON, NORTH CAROLINA 28401
Telephone 910-798-4530 • Fax 910-798-7751



State of North Carolina, County of NEW HANOVER
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