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BOOK PAGE

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REBECCA P. TUCKER
REGISTER OF DEEDS
NEW HANOVER CO. NC

APR 15 4 09 PM '02

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

AMENDMENT TO DECLARATION
CREATING UNIT OWNERSHIP

This Amended Declaration, made and entered into this 15th day of April, 1982, by SUGGS AND HARRELSON CONSTRUCTION COMPANY, a North Carolina General Partnership, successor in title and interest to SUGGS AND HARRELSON CONSTRUCTION COMPANY, a North Carolina Corporation, hereinafter referred to as "Declarant";

W I T N E S S E T H:

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THAT WHEREAS, by instrument dated 10 March 1982 and recorded in Book 1200, beginning at Page 969, of the New Hanover County Registry, SUGGS AND HARRELSON CONSTRUCTION COMPANY filed a Declaration Creating Unit Ownership of Property Under the Provisions of Chapter 47A of the General Statutes of North Carolina, said Declaration pertaining to Seascape, Phase I as shown upon a map recorded in Condominium Plat Book 2, at Page 66 of said Registry; and

WHEREAS, Exhibit A to said Declaration, which is recorded in Book 1200 at Page 997 of said Registry contains the legal description of the property submitted to said Unit Ownership Act; and

WHEREAS, Page 66 of Condominium Plat Book 2 of said Registry is the recorded site plan or survey for said Seascape, Phase I, with plans and designs for said Seascape being recorded thereafter beginning on Page 66A of said Condominium Plat Book 2 of said Registry, with reduced copies of said site plan or survey being attached to the said Declaration as Exhibit "C", beginning on Page 999 of said Book 1200 of said Registry; and

WHEREAS, subsequent to the recording of the site plan or survey, plans and designs, and the said Declaration, it was discovered that the foundation of the building under construction as Phase II of said Seascape, encroached upon the common areas established by said Declaration; and

WHEREAS, it is necessary to withdraw a part of the legal description shown in said Exhibit "A" from submission under said Unit Ownership Act; and

WHEREAS, all plans and designs for the building for Seascape, Phase I remain unchanged and in their original form, it being necessary that only the site plan or survey shown in Condominium Plat Book 2 at Page 66 of said Registry be changed; and

WHEREAS, SUGGS AND HARRELSON CONSTRUCTION COMPANY, a North Carolina General Partnership, is the owner of all of the interest and titles to said Seascape, Phase I;

NOW, THEREFORE, for and in consideration of the premises and other good and valuable consideration, said Declaration Creating Unit Ownership of Property Under the Provisions of Chapter 47A of the General Statutes of North Carolina, recorded in Book 1200, beginning at Page 969 of the New Hanover County Registry, is hereby amended as follows:

1. Exhibit "A" to said Declaration, recorded on Page 997 of said Book 1200 of said Registry, is hereby deleted in its entirety, and Exhibit "A" to this Amendment to Declaration Creating Unit Ownership is substituted for the same.

2. The site plan or survey of said Seascape, Phase I, recorded in Condominium Plat Book 2, at Page 66 of said Registry, a reduced copy of which is attached to the Declaration recorded in Book 1200 at Page 967 of said Registry, as Page 1 of Exhibit "C" and located on Page 999 of said book is deleted, and a new, revised site plan or survey is substituted in lieu thereof and is recorded in Condominium Plat Book 2 at Page 87 of said Registry, and a reduced copy of same is attached to this Amendment to Declaration Creating Unit Ownership as Exhibit "B".

RETURNED TO



ROUNTREE, RYALS, JACKSON, SEAGLE & CARTER
WILMINGTON, NORTH CAROLINA 28402-1000

. But, except as herein amended, the plans and designs for Seascope, Phase I, as recorded in Condominium Plat Book 2, beginning at Page 66A of said Registry shall remain as recorded, and the Declaration Creating Unit Ownership of Property Under the Provisions of Chapter 47A of the General Statutes of North Carolina, as recorded in Book 1200, beginning on Page 967 of said Registry shall remain the same and as recorded.

IN TESTIMONY WHEREOF, SUGGS AND HARRELSON CONSTRUCTION COMPANY has caused this Amendment to be signed and sealed all the day and year first above written.

SUGGS AND HARRELSON CONSTRUCTION COMPANY

By B. Rex Stephens (SEAL)
General Partner

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

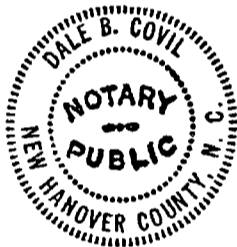
I, Dale B. Covil, a Notary Public in and for the State and County aforesaid, do hereby certify that B. REX STEPHENS in his capacity as a General Partner of SUGGS AND HARRELSON CONSTRUCTION COMPANY, personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and notarial seal this 15th day of April, 1982.

Dale B. Covil
Notary Public

My Commission Expires:

March 16, 1986



STATE OF NORTH CAROLINA
New Hanover County
The Foregoing Certificate of Dale B. Covil, Notary
Public
is certified to be correct.
This the 15 day of April 19 82

Rebecca P. Tucker, Register of Deeds

By Mary Sue Oates
Deputy

EXHIBIT "A"

BEGINNING at a point in the Eastern right of way line of Carolina Beach Avenue North (40 foot right of way), said beginning point being located South 28 degrees 06 minutes West 126.5 feet as measured along the Eastern right of way line of Carolina Beach Avenue North from its point of intersection with the Southern right of way line of 15th Avenue; (25 foot right of way); Running thence from said beginning point South 61 degrees 54 minutes East 81.7 feet to a point on the Western edge of the Atlantic Ocean; Running thence with the Western edge of the Atlantic Ocean South 25 degrees 25 minutes West 173.69 feet to a point; Running thence North 61 degrees 54 minutes West 89.83 feet to a point in the Eastern right of way line of Carolina Beach Avenue North; Running thence with the Eastern right of way line of Carolina Beach Avenue North, North 28 degrees 06 minutes East 173.5 feet to the point of beginning. Containing 0.34 acres more or less.

