

BOOK

NO. ARE

1249 1903

RECORDED IN PLATTS  
REBECCA P. TUCKER  
REGISTER OF DEEDS  
NEW HANOVER CO. NC

APR 3 4 47 PM '84

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

DECLARATION OF CORRECTION FOR  
SUPPLEMENTAL DECLARATION TO DECLARATION  
CREATING UNIT OWNERSHIP OF PROPERTY  
UNDER THE PROVISIONS OF CHAPTER 47A OF  
THE GENERAL STATUTES OF THE  
STATE OF NORTH CAROLINA  
SUN SKIPPER, PHASE 3  
(Supplemental Declaration Recorded:  
Book 1239, Page 1573)  
(And Declaration of Correction recorded  
in Book 1243, at Page 2014)

101

THIS DECLARATION OF CORRECTION, made this the 3rd day of April, 1984, by SUGGS AND HARRELSON, INC., a Delaware corporation authorized to transact business in the State of North Carolina, with an office and place of business located in the County of New Hanover, State of North Carolina, hereinafter referred to as "DECLARANT";

KNOW ALL BY THESE PRESENTS:

THAT, WHEREAS, the Declarant heretofore caused to be recorded in the Office of the Register of Deeds of New Hanover County, North Carolina, that certain SUPPLEMENTAL DECLARATION TO DECLARATION CREATING UNIT OWNERSHIP OF PROPERTY UNDER THE PROVISIONS OF CHAPTER 47A OF THE GENERAL STATUTES OF THE STATE OF NORTH CAROLINA for PHASE 3 of SUN SKIPPER (having 27 Units) in Book 1239, at Page 1573, of said Registry (hereafter SUPPLEMENTAL DECLARATION), thereby submitting the property described therein to the provisions of the Unit Ownership Act of the State of North Carolina (G.S. Chapter 47A), and incorporated, by reference, that certain DECLARATION CREATING UNIT OWNERSHIP OF PROPERTY UNDER THE PROVISIONS OF CHAPTER 47A OF THE GENERAL STATUTES OF THE STATE OF NORTH CAROLINA for SUN SKIPPER, PHASE 1, which is recorded in Book 1231, at Page 650, of said Registry; and

WHEREAS, the DECLARANT heretofore caused to be recorded in the office of the Register of Deeds for New Hanover County, North Carolina, that certain Declaration of Correction for Supplemental Declaration for PHASE 3 of SUN SKIPPER said Declaration of Correction being recorded in Book 1243, at Page 2014 of said Registry; and

WHEREAS, it has come to the attention of the Declarant that an error was inadvertently made in the definition of UNIT or CONDOMINIUM UNIT for PHASE 3 of SUN SKIPPER as the same is set forth in said SUPPLEMENTAL DECLARATION as corrected; and

WHEREAS, the Declarant desires to correct said error by this DECLARATION; and

WHEREAS, as of the date first above written, Declarant is seized and possessed of the title to any number of units in SUN SKIPPER, PHASE 3, the title to any number of other units having been conveyed to units owners by Declarant by Deeds recorded in the office of the Register of Deeds for New Hanover County; and

WHEREAS, all present owners of units in SUN SKIPPER, PHASE 3, other than Declarant, have been apprised of said inadvertently made error and have consented to the correction of said error; and

WHEREAS, in order to immediately correct said error for the Units of which Declarant remains seized and possessed and to facilitate the conveyances of the same without error, the Declarant has executed this Declaration of Correction and shall cause the same to be recorded in said Registry; and shall thereafter circulate the same, or copies thereof, to all present Unit owners for their execution, manifesting their consent to the making of this correction and their agreement to be bound thereto, and Declarant shall thereafter cause the same to be recorded in said Registry;

RETURNED TO

*J. M. Jackson*

ROUNTREE, RYALS, JACKSON, SEAGLE & CARTER

WILMINGTON, NORTH CAROLINA 28402-1000

NOW, THEREFORE, the Declarant does hereby declare that said SUPPLEMENTAL DECLARATION for SUN SKIPPER, PHASE 3, which is recorded in Book 1239, at Page 1573, in the Office of the Register of Deeds of New Hanover County, North Carolina and corrected by Declaration of Correction recorded in Book 1243, at Page 2014 of said Registry, is hereby corrected as follows:

By deleting in its entirety the definition of UNIT or CONDOMINIUM UNIT which is set forth in Paragraph 6. of ARTICLE II of said SUPPLEMENTAL DECLARATION (recorded in Book 1239, at Page 1573 as corrected in Book 1243, at Page 2014) and substituting in lieu thereof the following:

6. The term Unit or Condominium Unit shall mean and refer to any one of those twenty-seven (27) subdivisions of enclosed space within the building, together with any additional areas or spaces accompanying the same as defined hereinbelow and which are intended to or will be sold as dwelling units pursuant to the Act and this Supplemental Declaration as corrected. The deed for any particular unit shall convey such unit by its unit designation and the same shall be deemed to include all that is defined as a part of that unit as stated specifically in this definition, as well as the privileges and appurtenances accompanying any such unit and subject to the covenants, conditions, restrictions, and obligations applicable to unit owners as all are more generally stated and described throughout this Supplemental Declaration.

The twenty-seven (27) units of the building are and will be identified by their unit designations, which are Units A-1 through A-27, both inclusive. These units and their designations are shown upon the plans of the building attached hereto in Exhibit "B" which also shows graphically all particulars of the building and its twenty-seven (27) units, including, but not limited to, the layout, location, ceiling, and floor elevations, dimensions of the units, and the area and location of the common areas and facilities. Reference is hereby made to said plans for the purposes of identifying and locating each unit within the building, as well as identifying its dimensions and approximate areas. No unit bears the same designation as any other. Any conflict between said plans and this definition shall be resolved by reference to the said plans, which shall control.

All units, as well as the additional areas defined as part of each unit hereinbelow, are bounded both as to horizontal and vertical boundaries by the interior finished surface of the units' perimeter walls, ceilings and floors, of the interior surface of the perimeter walls, ceilings, and floors of the additional areas conveyed as part of each unit as defined hereinbelow, subject to the easement reserved hereinbelow for such encroachments as are contained in the building whether the same now exist or may be caused or created by existing construction, settlement, or movement of the building, or by permissible repairs, construction, or alteration.

All units shall be substantially the same in design, construction and material. Each of the twenty-seven (27) units is wholly contained within one of the three levels or stories of the building; there being nine (9) units upon or within each of the three levels or stories of the building above the ground floor level situated on finished grade. Each unit shall have one bedroom, one bathroom, a combined living/dining/kitchen area, one

clothes storage closet, and a closet to house a washer and dryer.

Each unit is hereby defined to include one open-air balcony or deck, shown on said plans, which is located adjacent to the living/dining/kitchen area of the unit.

The deck is bounded horizontally by the interior finished surface of the floor and ceiling overhang of the deck and is bounded vertically by the interior finished surface or interior plane of either the deck railings or perimeter walls of the deck. The outside storage room is bounded both horizontally and vertically by the interior finished surface of its ceiling, floor and perimeter walls.

The kitchen of each unit shall be furnished by the Declarant with prefinished wood cabinets with laminated plastic counter tops, electric range, range hood, double sink, electric dishwasher, electric garbage disposal, electric refrigerator and hot water heater.

The bathroom of each unit shall be furnished by the Declarant with a fiberglass bath tub with shower head, porcelain water closet and porcelain lavatory in laminated plastic vanity top.

An additional lavatory in laminated plastic vanity top is located in the bedroom.

All floor areas of each unit, except the deck floor, storage closet rooms, floors, kitchen and bathroom floors shall be carpeted and the kitchen and bathroom floors shall have vinyl floors as provided by the Declarant.

Each unit shall be equipped by the Declarant with and is defined to include its own electrical meter, and an electric furnace and a central air conditioning system. The heating and air conditioning equipment shall be located as shown on said plans. The thermostat for said equipment shall be located within the unit as shown upon said plans.

Each unit is hereby defined also to include:

1. All non-load bearing partition walls located entirely within the unit;
2. All materials, including, but not limited to, carpet, paint, and vinyl attached to, or on, the interior finished surfaces of the perimeter walls, floors, and ceilings of the unit; and all window panes, frames, panes and exterior doors;
3. All electric furnances and air conditioning systems, ducts and components, and all water, power, telephone, television and cable television, electricity, plumbing, gas and sewage lines, located within the unit; provided, however, that the portion of said lines located within a common compartment for, or installation of, such lines shall be common areas and facilities as defined hereinabove.

Each unit is hereby defined to exclude all pipes, ducts, wires, conduits and other facilities for the furnishing of utility services and other services to the units up to and including the point of entry of such pipes,

1249 1908

ducts, wires, conduits and other facilities through the interior finished surface material for perimeter walls, ceilings and floors of the units. All such pipes, ducts, wires, conduits, and other such facilities are defined as a part of the unit at and from their point of entry into the unit.

The definition stated hereinabove for "Unit" is complete and all other aspects of the condominium not hereinabove defined as a part of the units is defined hereby as a part of the common areas and facilities of the condominium.

IN WITNESS WHEREOF, the Declarant, SUGGS AND HARRELSON, INC., has caused this DECLARATION OF CORRECTION to be signed in its corporate name by its duly authorized officers, the day and year first above written.

ATTEST: B. Rex Stephens ASSISTANT SECRETARY, Dale B. Covil PRESIDENT



(Attach Corporate Seal)

STATE OF NORTH CAROLINA

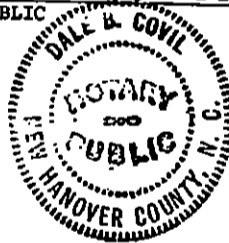
COUNTY OF NEW HANOVER

I, a Notary Public in and for the State and County aforesaid, certify that B. Rex Stephens came before me this day and acknowledged that he is Assistant Secretary of SUGGS AND HARRELSON, INC., a Delaware corporation authorized to do business in the State of North Carolina, 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 himself as its Assistant Secretary.

Witness my hand and official stamp or seal, this the 3rd day of April, 1984.

My Commission Expires: 3-16-86

Dale B. Covil  
NOTARY PUBLIC



STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

The foregoing Certificate of Dale B. Covil, Notary Public, is certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

REBECCA P. TUCKER, Register of Deeds for New Hanover County, North Carolina

BY: Mary Sue Oster  
Deputy/Assistant-Register of Deeds