

APR 28 12 30 PM '84

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

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
(Recorded: Book 1231, Page 650, As Amended)
SUN SKIPPER, PHASE 6

THIS SUPPLEMENTAL DECLARATION, made this 26th day of APRIL,
19 84, 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 is the owner of that certain real property
in the County of New Hanover, State of North Carolina, which is more par-
ticularly described as being all of Lot 7 in Block 27, according to a map of
Carolina Beach recorded in Map Book 3, at Page 67, of the New Hanover County
Registry, together with and including herein all property lying between the
eastern line of said Lot 7 in Block 27, and the high water mark of the
Atlantic Ocean, as is located between the extended sides of said Lot 7, in
Block 27, if same were extended to the high water mark of the Atlantic
Ocean; and

WHEREAS, the Declarant is the owner of the one multi-unit building, and
certain other improvements, heretofore constructed upon the aforesaid
property; and

34

WHEREAS, it is the desire and the intention of the Declarant to market,
sell and convey interests in the property and the improvements thereon as a
condominium project pursuant to the provisions of Chapter 47A of the North
Carolina General Statutes, entitled "Unit Ownership Act"; and

WHEREAS, said real property is located at Carolina Beach, North
Carolina, and is a portion of the real property described in ARTICLE III of
the Declaration Creating Unit Ownership of Property under the provisions of
Chapter 47A of the General Statutes of the State of North Carolina
(hereinafter "Declaration") establishing SUN SKIPPER, PHASE 1, Condominium,
said Declaration being recorded in Book 1231, beginning on Page 650, as
amended by instruments recorded in Book 1233, Pages 539, 542, 546, 549 and
554, of the New Hanover County Registry. The site plan for said PHASE 1 is
attached to said Declaration as Exhibit "A", and is also recorded in
Condominium Plat Book 4, at Page 26, of the New Hanover County Registry. In
ARTICLE III of said Declaration, the Declarant reserved the right and option
to add and subject to the provisions of said Declaration the property
described in ARTICLE III thereof; and

WHEREAS, it is the desire and intention of the Declarant in the recor-
dation of this Supplemental Declaration in the Office of the Register of
Deeds of New Hanover County, North Carolina, to submit all of the real
property and the improvements thereto described above, to the provisions of
the said Chapter 47A, and specifically to the provisions of the above
referenced recorded Declaration; and

NOW, THEREFORE, THE DECLARANT DOES HEREBY DECLARE THAT ALL OF THE REAL
PROPERTY DESCRIBED ABOVE, AS WELL AS ALL OF THE IMPROVEMENTS CONSTRUCTED
THEREON, IS HELD AND SHALL BE HELD, CONVEYED, HYPOTHECATED, ENCUMBERED,
USED, OCCUPIED, AND IMPROVED SUBJECT TO THE FOLLOWING ARTICLES OF COVENANTS,
CONDITIONS, RESTRICTIONS, USES, LIMITATIONS AND OBLIGATIONS, ALL OF WHICH
ARE DECLARED TO BE IN FURTHERANCE OF A PLAN FOR THE IMPROVEMENT OF SAID
PROPERTY AND THE DIVISION THEREOF INTO CONDOMINIUM UNITS AND SHALL BE DEEMED
TO RUN WITH THE LAND AND SHALL BE A BURDEN AND A BENEFIT TO THE DECLARANT,
ITS SUCCESSORS AND ASSIGNS, AND ANY PERSON OR ENTITY ACQUIRING OR OWNING AN
INTEREST IN THE REAL PROPERTY AND IMPROVEMENTS, OR ANY SUBDIVISION THEREOF,
THEIR GRANTEEES, SUCCESSORS, HEIRS, EXECUTORS, ADMINISTRATORS, DEVISEES AND
ASSIGNS.

RETURNED TO

ROUNTREE, RYALS, JACKSON, SEAGLE & CARTER

WILMINGTON, NORTH CAROLINA 28402-1499

1252 0087

ARTICLE I.Submission of Property

A. Pursuant to the provisions of Chapter 47A of the North Carolina General Statutes, Section 47A-2, the Declarant does hereby submit all of the real property described on Page 1 hereof, together with all improvements thereon and described herein, to the provisions of the "Unit Ownership Act" of the State of North Carolina, which is codified as Chapter 47A of the General Statutes of the State of North Carolina.

B. In furtherance thereof, Declarant declares and affirms that the real property described on Page 1 hereof, is a portion of the real property described in ARTICLE III of the DECLARATION CREATING UNIT OWNERSHIP OF PROPERTY UNDER THE PROVISIONS OF CHAPTER 47A OF THE GENERAL STATUTES OF THE STATE OF NORTH CAROLINA (hereinafter "Declaration"), which is recorded in Book 1231, beginning at Page 650, as amended, in the Office of the Register of Deeds of New Hanover County, North Carolina, and, therefore, by virtue of the exclusive right and option belonging to the Declarant, as reserved to it in Article III of said Declaration, the Declarant further declares that all of the real property described on Page 1 hereof, as well as all of the improvements constructed thereon, is hereby subjected to and henceforth shall be held, conveyed, hypothecated, encumbered, used, occupied and improved subject to each and every provision of those Articles of Covenants, Conditions, Restrictions, Uses, Limitations and Obligations which are set forth in that recorded Declaration referred to hereinabove, except as those provisions are necessarily altered or changed for this submission as set forth hereinbelow.

Hereinbelow, Declarant has set forth those provisions of said recorded Declaration which of necessity must change for this submission, and has incorporated by reference those provisions which do not.

ARTICLE II.DEFINITIONS

The definitions for the terms used in this Supplemental Declaration and used in the Articles of the said recorded Declaration (recorded in Book 1231, beginning at Page 650), as they are applicable to this Submission of real property by incorporation herein shall be as follows:

1. The terms Act, Association, Assessment, Board, By-Laws, Common Areas and Facilities, Limited Common Areas and Facilities, Common Expenses, Common Surplus, Condominium, Declarant, Majority or Majority of Unit Owners, Person, Singular, Plural Gender, and Unit Owner are defined in Article II of the Declaration recorded in Book 1231, at Page 650, as amended, referred to hereinabove, and said definitions are incorporated herein by reference.

2. The term Building shall mean and refer to the single multi-unit building which the Declarant has constructed upon the real property described on Page 1 hereof, to be used for residential purposes, as herein-after provided. Attached hereto and made a part hereof by reference is Exhibit "A" which consists of a full and exact copy of the layout of the building as well as a survey of the real property, drawn by Jack G. Stocks, R.L.S., showing the location of the building thereon. In general, the building has three stories built above a ground floor level situated on the finished grade. There are no basements. The building has a total of approximately 3,228 gross square feet of heated area within the three levels or stories above the storage level, with approximately 996 square feet on each of the first two (2) levels and 1,232 square feet on the third level. The building has been subdivided into three (3) units, hereinafter defined, as well as the common areas and facilities, also hereinabove defined, of the building. The building has been principally constructed with wood, concrete and fiberglass shingle roofing.

3. The term Declaration shall mean and refer to 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 1231, beginning at Page 650, as amended, in the Office of the Register of Deeds of New Hanover County, North Carolina.

4. The term real property shall mean and refer to all of the property described on Page 1 hereof.

5. The term Supplemental Declaration shall mean and refer to this instrument.

6. The term Unit or Condominium Unit shall mean and refer to any one of those three (3) 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. 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 three (3) units of the building are and will be identified by their unit designations, which are Units F-1 through F-3, both inclusive. These units and their designations are shown upon the plans of the building attached hereto in Exhibit "A" which also shows graphically all particulars of the building and its three (3) 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 three (3) units is wholly contained within one of the three levels or stories of the building; there being one (1) unit upon or within each of the three (3) levels or stories of the building above the ground floor level situated on finished grade. Each unit shall have two (2) bedrooms with clothes closets, two (2) bathrooms, a combined living/dining/kitchen area, a coat closet, clothes closets, a closet housing the units' air handling equipment and a closet housing washer and dryer connections.

Each unit is hereby defined to include one open-air balcony or deck, shown on said plans, which is located adjacent to the living area of the unit and a small deck adjacent to one of the bedrooms.

In addition, the unit on the third floor only, has a loft area.

The decks are bounded horizontally by the interior finished surface of the floor and ceiling overhang of the decks and is bounded vertically by the interior finished surface or interior plane of either the deck railings or perimeter walls of the decks.

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 air handling and condensing units, 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, 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.

The specifics, such as style, construction, materials, and finishes of the building and its units are best described in the plans of the building which are shown in Exhibit "A", attached hereto and made a part hereof by reference, and which shall control in case of conflict with the provisions hereof.

7. The term Unit Designation shall mean and refer to the letter and number combination which designates a unit within the condominium as the same is shown upon the plans of the building in Exhibit "A" attached hereto.

ARTICLE III.

Plan of Development and Scope of Declaration

The name by which the entire condominium project is known is SUN SKIPPER. The Declarant has caused to be constructed upon the real property described on Page 1 hereof, the single multi-unit building, containing the three (3) units of the building as well as the common areas and facilities of both the building and the real property, all as defined hereinabove and as shown upon the plans contained in Exhibit "A" attached hereto and made a part hereof by reference. The units of the building, together with their privileges and appurtenances, shall be offered for sale to the public by the Declarant as condominium units pursuant to the provisions of Chapter 47A of the General Statutes of the State of North Carolina, subject to the covenants, conditions, restrictions, and obligations stated in the Articles of this Supplemental Declaration, the Articles of the Declaration recorded in Book 1231, beginning at Page 650, as amended, referred to hereinabove, which have been incorporated herein by reference, the Articles of Incorporation of the Association, its duly adopted By-Laws and its Rules and Regulations. The units and their owners shall be subject to the jurisdiction of the Association of which each unit owner shall be a member and which shall manage the upkeep and maintenance of the entire condominium project, PHASES 1, 2, 3, 4, 5 and 6 of SUN SKIPPER, together with any future phases thereof, as a whole, as envisioned and provided for in its Articles of Incorporation and the Declaration (recorded in Book 1231, beginning at Page 650, as amended).

The Declarant, by this Supplemental Declaration, submits only the real property described on Page 1 hereof, together with the improvements thereon,

to the Act and hereinafter this submission shall be referred to as SUN SKIPPER, PHASE 6. Nevertheless, the Declarant hereby reserves to itself the exclusive right and option, but not the obligation, to add to or expand the property subject to the Declaration recorded in Book 1231, at Page 650, as amended, referred to hereinabove, by the addition of all or any portion or portions of the remainder of the real property described in ARTICLE III of said Declaration in one or more phases of SUN SKIPPER upon the terms and in the manner set forth in Article III of said Declaration, which are incorporated herein by reference.

ARTICLE IV.

The Nature and Incidents of Unit Ownership

A. Each unit shall be conveyed and treated as an individual real property capable of independent use and fee simple ownership, and the owner of each unit shall also own, as an appurtenance to the ownership of each said unit, an undivided interest in the common areas and facilities of SUN SKIPPER, PHASE 1, PHASE 2 and PHASE 3, PHASE 4, PHASE 5, PHASE 6 and future phases, if any.

Pursuant to the provisions of Paragraph E of Article III of the Declaration recorded in Book 1231, beginning at Page 650, as amended, the Declarant does hereby establish as the undivided fractional or percentage interest belonging to each unit owner of units in SUN SKIPPER, PHASE 1, PHASE 2, PHASE 3, PHASE 4, PHASE 5, and PHASE 6, those percentages shown on Exhibit "B" hereto attached, which said interest is appurtenant to each of the eighty-four (84) units of SUN SKIPPER, PHASE 1, PHASE 2, PHASE 3, PHASE 4, PHASE 5 and PHASE 6. Declarant covenants with all present unit owners of Units in PHASE 1, PHASE 2, PHASE 3, PHASE 4 and PHASE 5 of SUN SKIPPER and all future unit owners of Units in either PHASE 1, PHASE 2, PHASE 3, PHASE 4, PHASE 5 or PHASE 6 of SUN SKIPPER that the undivided fractional or percentage interest in the total common areas and facilities of SUN SKIPPER, PHASE 1, PHASE 2, PHASE 3, PHASE 4, PHASE 5 and PHASE 6, as stated hereinabove, was determined in a manner consistent both with the provisions of Paragraph E of Article III of the Declaration and with the Act.

B. The provisions of Paragraphs B, C, and D of Article IV of the Declaration, are adopted and incorporated herein by reference, changing the reference to Exhibit "C" in Paragraph B thereof to Exhibit "A" and the reference to "the owners of Units in SUN SKIPPER, PHASE 1, PHASE 2, PHASE 3, PHASE 4 and PHASE 5", to "the owners of Units in SUN SKIPPER, PHASE 1, PHASE 2, PHASE 3, PHASE 4, PHASE 5 and PHASE 6".

ARTICLE V.

Incorporation

The terms and provisions of Articles V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII and Exhibit "B" of the Declaration, are hereby adopted in their entirety and incorporated herein by reference.

IN WITNESS WHEREOF, the Declarant, SUGGS AND HARRELSON, INC., has caused this Supplemental Declaration to be signed in its corporate name by its President, sealed with its corporate seal and attested by its Assistant Secretary, all the day and year first above written.

ATTEST:

SUGGS AND HARRELSON, INC.

B. Dea Stephens
Assistant Secretary

BY: Billy Marshall
President



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, personally came before me this day and acknowledged that he is Assistant Secretary of SUGGS AND HARRELSON, INC., a Delaware corporation authorized to transact 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 26th day of APRIL, 1984.

My Commission Expires:

June 3, 1984

Franklin N. Jackson
NOTARY PUBLIC



STATE OF NORTH CAROLINA
New Hanover County
The Foregoing Certificate of
Franklin N. Jackson,
A Notary Public
is certified to be correct.
This the 26 day of April 19 84

Rebecca P. Tucker, Register of Deeds
By Nancy S. Nelson
Deputy

1252 0092

CERTIFICATE OF QUALITY AND CORRECTION

I, JACOB A. STOKES, CERTIFY THAT I AM THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT I ACCEPT THE LAW OF PATENTION WITH MY STATE OF NORTH CAROLINA AND I HAVE REVIEWED THE RECORDS AND RECORDS OF THE COUNTY AND CITY RECORDS AND HAVE FOUND THAT THE RECORDS OF THE COUNTY AND CITY RECORDS ARE CORRECT AND THAT THE PROPERTY SHOWN AND DESCRIBED HEREON IS CORRECTLY SHOWN AND DESCRIBED HEREON.

DATE: 4/17/84

BY: *J. A. Stokes* AND *J. E. [unclear]*

OWNER: *Jack & Stock's*

DATE: 4/17/84

CERTIFICATE OF NUMBER AND CORRECTION

JACOB A. STOKES
REGISTERED LAND SURVEYOR

I, JACOB A. STOKES, CERTIFY THAT THE MAP HAS BEEN PREPARED (UNDER MY SUPERVISION) ACCORDING TO THE RULES AND REGULATIONS OF THE BOARD OF SURVEYORS AND ASSESSORS OF THE STATE OF NORTH CAROLINA AND THAT THE MAP IS CORRECT AND THAT THE PROPERTY SHOWN AND DESCRIBED HEREON IS CORRECTLY SHOWN AND DESCRIBED HEREON.

DATE: 4/17/84

BY: *J. A. Stokes*

CERTIFICATE OF NUMBER AND CORRECTION

JACOB A. STOKES
REGISTERED LAND SURVEYOR

I, A NOTARY PUBLIC OF THE COUNTY AND STATE ABOVE SAID CERTIFY THAT JACOB A. STOKES IS A REGISTERED LAND SURVEYOR, PERSONALLY APPEARED BEFORE ME AND HAS BEEN DULY QUALIFIED AND IS THE OWNER OF THE PROPERTY SHOWN AND DESCRIBED HEREON AND THAT THE MAP IS CORRECT AND THAT THE PROPERTY SHOWN AND DESCRIBED HEREON IS CORRECTLY SHOWN AND DESCRIBED HEREON.

DATE: 4/17/84

BY: *J. A. Stokes*

CERTIFICATE OF NUMBER AND CORRECTION

JACOB A. STOKES
REGISTERED LAND SURVEYOR

STATE OF NORTH CAROLINA

NEW HANOVER COUNTY,

THE FOREGOING CERTIFICATE OF JACOB A. STOKES, NOTARY PUBLIC OF NEW HANOVER COUNTY IS CORRECT AND IS THE PROPERTY OF THE STATE OF NORTH CAROLINA.

CERTIFICATE OF REGISTRATION BY REGISTERED OR ORDER

NORTH CAROLINA

NEW HANOVER COUNTY

FILED FOR REGISTRATION ON THE DAY OF [unclear] 1984

AT [unclear]

BY: *[Signature]*

DEBORAH P. STOKES, REGISTER OF DEEDS

SURVEY REF:

LOT 2 B. BOX 27

CAROLINA BEACH

MAP BOOK 3 PAGE 67

JACOB A. STOKES
REGISTERED LAND SURVEYOR
N. C. REGISTRATION NO. 1955
WILMINGTON, N. C.

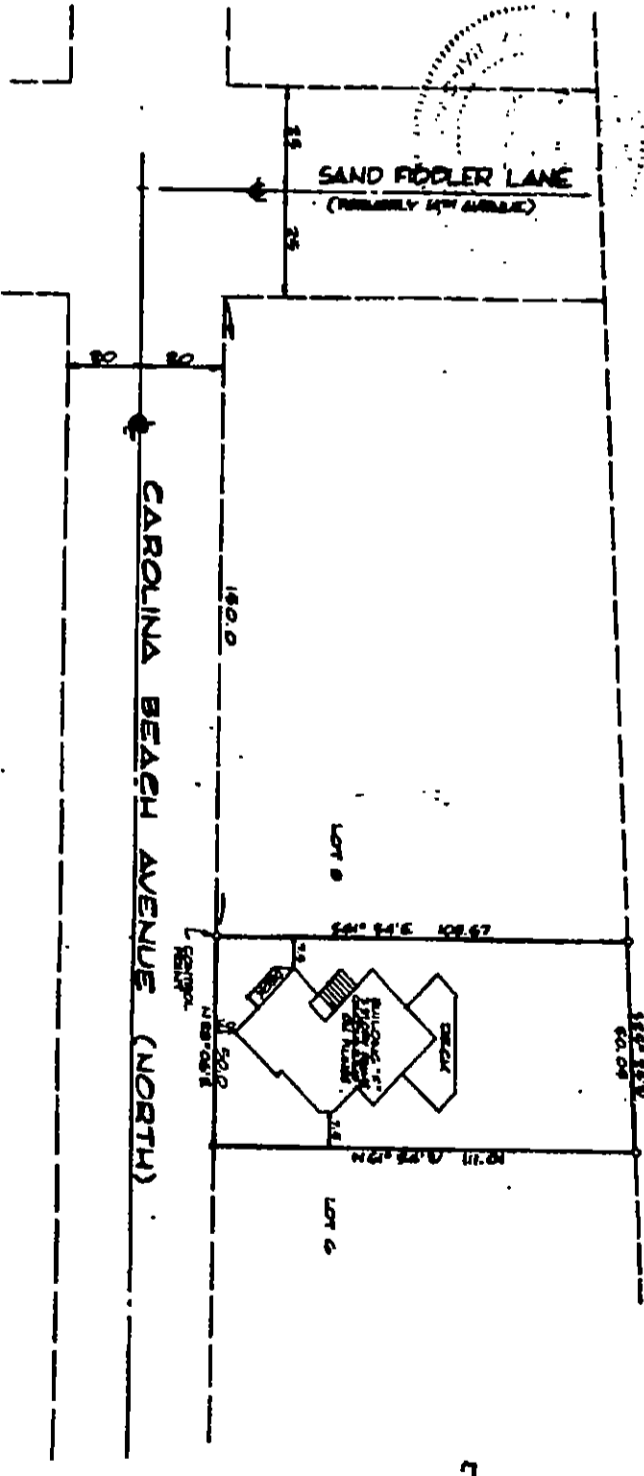
SUN SKIPPER PHASE VI

FEDERAL POINT TOWNSHIP NEW HANOVER COUNTY NORTH CAROLINA

SCALE 1" = 20'

0 20 40 60 80 100

FOOT



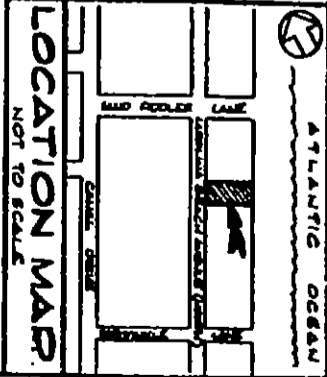
ELEVATION DATUM FINISHED BY: [unclear]

REGISTERED LAND SURVEYOR

ATLANTIC OCEAN

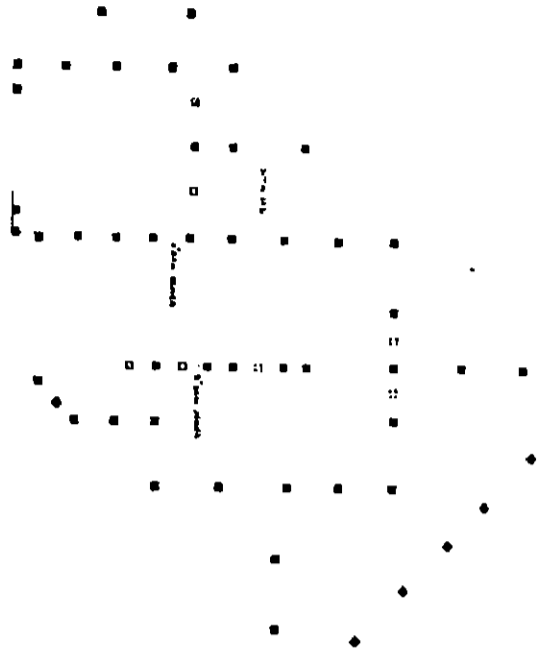
LOCATION MAP

NOT TO SCALE

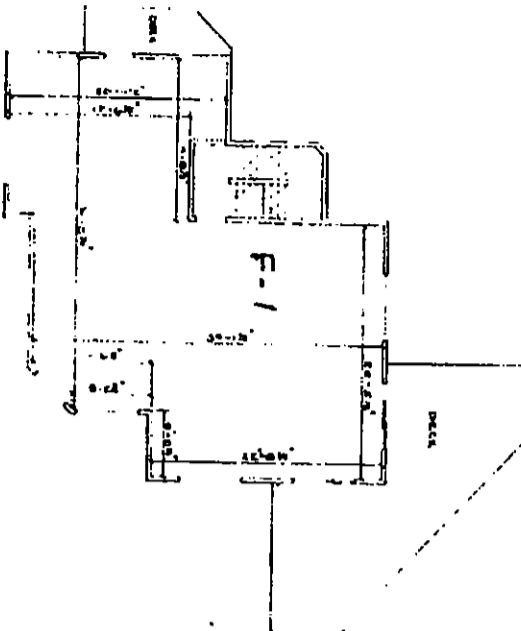


PILE PLAN

FINISH FLOOR ELEVATION 10'-0" HIGHEST POINT OF SLAB
FINISH CEILING ELEVATION 8'-0"

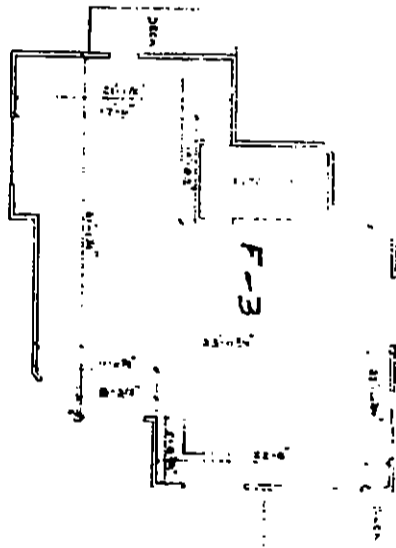


FIRST FLOOR

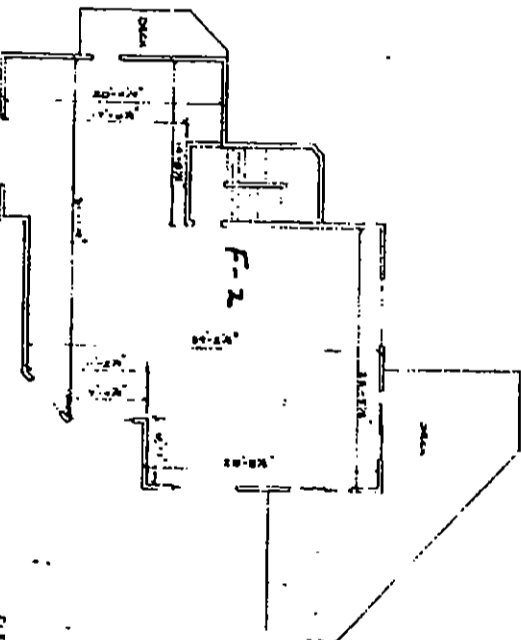


THIRD FLOOR

FINISH FLOOR ELEVATION 12'-0" HIGHEST POINT OF SLAB
FINISH CEILING ELEVATION 10'-0"

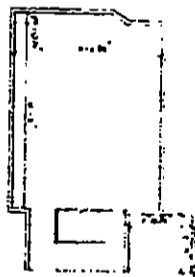


SECOND FLOOR



LOFT PLAN

FINISH FLOOR ELEVATION 14'-0" HIGHEST POINT OF SLAB
FINISH CEILING ELEVATION 12'-0"



ELABORATED BY
SUGGS & HARRELSON
ARCHITECTS
1000 W. 10TH ST.
CAROLINA BEACH, N.C.



SUN SKIPPER VI

CAROLINA BEACH, N.C.

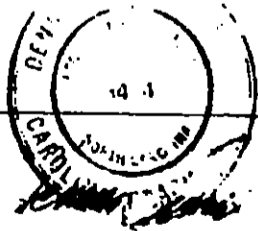


EXHIBIT "B"

<u>UNIT NO.</u>	<u>PHASE NO.</u>	<u>PERCENTAGE OF OWNERSHIP IN COMMON AREAS - PHASES 1, 2,3,4, 5 & 6</u>
C-1	1	1.595Z
C-2	1	1.595Z
C-3	1	1.595Z
C-4	1	1.595Z
C-5	1	1.595Z
C-6	1	1.595Z
D-1	2	1.595Z
D-2	2	1.595Z
D-3	3	1.595Z
D-4	2	1.595Z
D-5	2	1.595Z
D-6	2	1.595Z
D-7	2	1.595Z
D-8	2	1.595Z
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D-10	2	1.790Z
D-11	2	1.790Z
D-12	2	1.595Z
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EXHIBIT "B"

PAGE TWO

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E-9	5	1.595Z
E-10	5	1.790Z
E-11	5	1.790Z
E-12	5	1.790Z
F-1	6	1.595Z
F-2	6	1.595Z
F-3	6	1.790Z