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BK: RB 6232
PG: 2950-2956



RECORDED:
07-25-2019
02:34:19 PM
BY: ANDREA CRESWELL
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2019023034
NEW HANOVER COUNTY, NC
TAMMY THEUSCH BEASLEY
REGISTER OF DEEDS

NC FEE \$26.00

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

RETURN TO
NED M BARNES

**AMENDMENT TO DECLARATION AND BY-LAWS
OF THE VISTAS AT KURE BEACH, A CONDOMINIUM
AS RECORDED IN BOOK 5005 AT PAGE 365
OF THE NEW HANOVER REGISTRY**

THIS AMENDMENT to the Declaration of Condominium of VISTAS AT KURE BEACH, A CONDOMINIUM as the same is recorded in Book 5005 at Page 365 dated this 9th day of July, 2019.

WITNESSETH:

WHEREAS, the Declaration of Condominium of VISTAS AT KURE BEACH, A CONDOMINIUM is recorded in Book 5005 at Page 365 of the New Hanover County Registry; and

WHEREAS, Article XIV of the Declaration provide that the same may be amended upon the unanimous consent of the owners; and

WHEREAS, GRALIN, LLLP, an Illinois limited liability limited partnership is the record owners of Unit A of VISTAS AT KURE BEACH, A CONDOMINIUM 615 CBAN CONDOMINIUMS by deed recorded in Book 5961 at Page 2627 and EDMUND MOY and

wife, LIN MOY are the record owners of Unit B of VISTAS AT KURE BEACH, A CONDOMINIUM by deed recorded in Book 5601 at Page 2548 and DELTA TIRE COMPANY, INC., PROFIT SHARING PLAN is the record owner of Unit C of VISTAS AT KURE BEACH, A CONDOMINIUM by deed recorded in Book 5030 at Page 2686; and

WHEREAS, all of the owners of units in VISTAS AT KURE BEACH, A CONDOMINIUM have executed this Amendment

WHEREAS, the owners wish to amend the declaration; and

NOW, THEREFORE, the Declaration is hereby amended, as follows:

1. Article IV, Description of Units is deleted in its entirety and replace with the following:

ARTICLE IV

DESCRIPTION OF UNITS

There are a total of three (3) Units in the building(s) constituting VISTAS AT KURE BEACH, A CONDOMINIUM. The location of the buildings is shown on the Plans filed in the Office of the Register of Deeds and incorporated herein by reference. The designation of the units, locations, identifying numbers, approximate area, number of rooms and immediate common elements to which each has access, are also shown on the plans, to which reference is hereby made for a more particular description.

Each unit consists of all the space bounded horizontally and vertically by its perimeter walls, floors and ceilings. Each unit includes those portions of the Buildings within such boundaries and shall be and the space so encompassed and all maintenance and repair shall be the responsibility of the unit owner, subject to the insurance provisions described below.

If any chute, flue, duct, wire, conduit, bearing wall, bearing column, or any other fixture lies partially within and partially outside the designated boundaries of a unit, any portion thereof serving only that unit is a limited common element allocated exclusively to that unit, and any portion thereof serving more than one unit or any portion of the common elements is a part of the common elements. Subject to the provisions of the immediate preceding paragraph, all spaces, interior partitions, and other fixtures and improvements within the boundaries of a unit are a part of that unit.

Any shutters, awnings, door steps, stoops, decks, porches, balconies, patios, and all exterior doors and windows or other fixtures designated to serve a single unit but located outside the unit's boundaries are limited common elements allocated exclusively to that unit.

All exterior windows and doors within the walls enclosing a unit shall be a common element of that unit, but the authority and responsibility for repair/replacement, maintenance and painting, together with control over the exterior of the building or from any common element, shall remain with the Association. Routine maintenance and routine repair of all interior lath, furring, wallboard, plasterboard, plaster, above and/or beyond the finished surfaces of the perimeter walls, floor and ceiling of each unit shall be the sole responsibility of the unit owners.

2. Article V, Section 1, Common Elements, is amended by adding an additional Paragraph, as follows:

(f) Exterior doors, windows, window boxes and window frames.

3. Article V, Section 2, Limited Common Elements paragraph (b) is amended to read:

(a) Any shutters, awnings, doorsteps, stoops, porches, balconies, patios, decks and skylights designed to serve a single Unit, but located outside the Unit's boundaries, shall be Limited Common Elements allocated exclusively to that Unit.

4. Article XI, Insurance is amended by adding the following: Effective immediately all insurance obtained and maintained by the Association shall cover all common elements, including but not limited to exterior doors, windows, window boxes and window frames and those limited common elements that are outside the actual unit boundary and the walls in, betterments and improvements that serve a single unit. It being the intention of the owners that master insurance policy cover the common area and parts of the limited common area that are outside the unit in the event of a common natural disaster and not in the event of the negligence or acts of a unit owners, their invitees and guests.

Except as amended hereby, the Declaration of VISTAS AT KURE BEACH, A CONDOMINIUM, as hereinabove referenced shall remain in full force and effect.

IN TESTIMONY WHEREOF, the undersigned, representing all of the owners of VISTAS AT KURE BEACH, A CONDOMINIUM, have caused this instrument to be signed sealed on the day and year first above written.

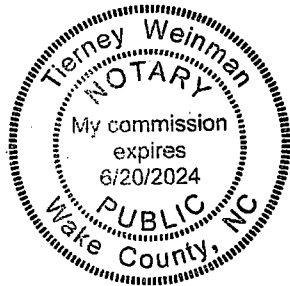
GRALIN, LLLP

By: Cait Donnelly
Name: Caitin Donnelly
Limited Partner

STATE OF North Carolina
COUNTY OF Wake

I, the undersigned, a Notary Public for the State and County aforesaid, certify that Caitin Donnelly, a limited partner of GRALIN, LLLP limited liability limited partnership and acknowledged, on behalf of GRALIN, LLLP the due and voluntary execution of the foregoing instrument for the purpose stated therein.

WITNESS my hand and notarial stamp or seal, this 19 day of JULY, 2019.



Tierney Weinman
Notary Public
My commission expires: 06/20/24

IN TESTIMONY WHEREOF, the undersigned, representing all of the owners of VISTAS AT KURE BEACH, A CONDOMINIUM, have caused this instrument to be signed sealed on the day and year first above written.

DELTA TIRE COMPANY, INC.

PROFIT SHARING PLAN

By: Paul H. Mozingo, President and Trustee
PAUL MOZINGO, President and Trustee

STATE OF North Carolina
COUNTY OF Mecklenburg

I, the undersigned, a Notary Public for the State and County aforesaid, certify that Paul H. Mozingo, President of Delta Tire Company, Inc. and Trustee of the Delta Tire Company, Inc. Profit Sharing Plan and acknowledged on behalf of Delta Tire Company, Inc. and Delta Tire Company, Inc. Profit Sharing Plan the due and voluntary execution of the foregoing instrument for the purpose stated therein.

WITNESS my hand and notarial stamp or seal, this 9th day of July, 2019.

ANNA TATSIS SHINAS
Notary Public
Mecklenburg Co., North Carolina
My Commission Expires June 22, 2021

Anna Tatsis Shinas
Notary Public
My commission expires: June 22, 2021

PHM

IN TESTIMONY WHEREOF, the undersigned, representing all of the owners of VISTAS AT KURE BEACH, A CONDOMINIUM, have caused this instrument to be signed sealed on the day and year first above written.

[Signature] (SEAL)
EDMUND MOY

[Signature] (SEAL)
LIN MOY

STATE OF North Carolina
COUNTY OF Wake

I, the undersigned, a Notary Public for the State and County aforesaid do hereby certify that Edmund More and Lin Moy, each having provided satisfactory identification, and personally appeared before me this day and acknowledged the due execution of the foregoing instrument and that said act was done voluntarily for the purpose stated therein.

July WITNESS my hand and notarial stamp or seal, this the 13 day of _____, 2019.

[Signature]
Notary Public
My commission expires: 05-08-2024

[Official Seal]

JANIAH R STABLER
NOTARY PUBLIC
WAKE COUNTY, N.C.
My Commission Expires 05-08-2024.

TAMMY THEUSCH
BEASLEY
Register of Deeds

New Hanover County

Register of Deeds

320 CHESTNUT ST SUITE 102 • WILMINGTON, NORTH CAROLINA 28401
Telephone 910-798-4530 • Fax 910-798-7716



State of North Carolina, County of NEW HANOVER
Filed For Registration: 07/25/2019 02:34:19 PM
Book: RB 6232 Page: 2950-2956
7 PGS \$26.00
Real Property \$26.00
Recorder: ANDREA CRESWELL
Document No: 2019023034

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