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JUDY J. TART  
REGISTER OF DEEDS

2003 NOV -7 PM 2:58

PITT COUNTY, N.C.

PREPARED BY: **BROWNING & HILL, LLP**  
*TEG!* 200 East Fourth Street  
P.O. Box 859  
Greenville, NC 27835

AMENDMENT TO THE AMENDMENT TO DECLARATION OF CONDOMINIUM  
UNDER THE PROVISION OF CHAPTER 47C OF THE GENERAL STATUTES  
OF THE STATE OF NORTH CAROLINA AND  
COVENANTS, CONDITIONS, AND RESTRICTIONS OF  
LOCKSLEY WOODS CONDOMINIUM, Building 12  
(SEE BOOK 982, PAGE 75)

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THIS AMENDED DECLARATION is made on the day and year hereinafter set forth by  
BILL CLARK HOMES OF GREENVILLE, LLC, hereinafter referred to as "Developer", a  
North Carolina corporation, pursuant to the North Carolina Condominium Act ("Act");

WITNESSETH:

WHEREAS, Developer is the owner of that certain tract or parcel of land in Pitt County,  
State of North Carolina, and more particularly described in Exhibit "A" and Exhibit "A-1" of that  
certain Declaration of Condominium as to Locksley Woods Condominium, recorded in Book  
982 at Page 75, (hereinafter "Original Declaration"); and,

WHEREAS, Developer now wishes to amend the Original Declaration pursuant to  
Developer's rights to amend said Original Declaration as contained in Article XII entitled  
"Amendment" and pursuant to Developer's exercise of development rights pursuant to Sections  
2-110(a) and 2-109(d) of the Act, by adding (an additional building to the property described on  
Exhibit A) (and delineating a portion of the property described on Exhibit "A-1) of the Original  
Declaration to the condominium area known as Locksley Woods Condominium.

NOW, THEREFORE, the Developer does hereby publish and declare that all of the property described on Exhibit "A" attached hereto and on the plans and specifications of Locksley Woods Condominium, Phase 3, Parcel 1, Building 12, as shown on the condominium plan prepared by Stroud Engineering, P.A. dated ~~July 11, 2003~~ <sup>August 21, 2003</sup>, and recorded in Condominium Book ~~1~~ <sup>3</sup>, at Page ~~25~~ <sup>25</sup> of the Pitt County Registry is held and shall be held, conveyed, hypothecated, encumbered, used, occupied, and improved, subject to the following covenants, conditions, restrictions, uses, limitations and obligations, all of which are declared and agreed 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 benefit to Developer, its successors and assigns, and any person acquiring or owning an interest in the real property and improvements, their grantees, successors, heirs, executors, administrators, devisees and assigns.

1. Affirmation of Declaration. The Declaration of Condominium under the provisions of Chapter 47C of the General Statutes of the State of North Carolina and of Covenants, Conditions and Restrictions of Locksley Woods Condominium, as recorded in Book 982 at Page 75; and as amended to add Building 3 recorded in Book 1014, Page 269 (and amended in Book 1022, Page 247); and amended to add Building 4 recorded in Book 1045, Page 785; and amended to add Building 17 recorded in Book 1092, Page 51 and amended to add Building 16 in Book 1149, Page 541, and amended to add Building 15 in Book 1215, Page 128, and amended to add Building 5 in Book 1233, Page 784, and amended to add building 6 and 14 in Book 1369 Page 443, and amended to add building 13 in Book 3 Page 22 all recorded in the Pitt County Registry, is hereby ratified, confirmed, restated and applied to Locksley Woods Condominium, Building 12, by this Amended Declaration of Condominium. Except as hereinafter contained and changed, said Original Declaration shall apply to Locksley Woods Condominium, Phase 3, Parcel 1, Building 12, and is incorporated by reference herein as though fully set forth.

2. Location of Land. The location of the land for Locksley Woods Condominium, Phase 3, Parcel 1, Building 12, on which the improvements are located is set forth in Exhibit "A" attached hereto.

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3. Development of Property. The improvements upon the land are constructed substantially in accordance with the plans and specifications for such as prepared by Linwood E. Stroud, P.E., and Stroud Engineering, P.A., such plans and specifications and the certificate of the Registered Engineer are hereto attached, incorporated by reference and recorded in the office of the Register of Deeds of Pitt County.

Except as modified for the purpose of showing Locksley Woods Condominium, Phase 3, Parcel 1, Building 12, all plans and specifications as heretofore recorded for Locksley Woods Condominium, as appears of record in Condominium Book 2, Pages 88 – 88D (“Original Plan”), and Condominium Book 2, page 89, 90, 90A, 90B, and 90C (Building 3) and Condominium 2, Page 91 (Building 4) and Condominium Book 2, Page 98 (Building 17) and Condominium Book 3, Page 2 (Building 16), Condominium Book 3, Page 6 (Building 15), Condominium Book 3, Page (Building 5), Condominium Book 3, Page 16 (Building 6 and 14), and Condominium Book 3 Page 22 (Building 13) are ratified in all respects and incorporated herein by reference.

4. Unit Designation and Development. Units are shown and located on the plans and specifications of Locksley Woods Condominium, Phase 3, Parcel 1, Building 12 attached hereto and incorporated by reference. Each unit shall have access to the common elements as shown on the plans.

The aforementioned plans and specifications of said building are filed simultaneously herewith in the office of the Register of Deeds of Pitt County and designate all particulars of said buildings, common elements and limited common elements including, but not limited to, the layout, location, ceiling and floor elevations, unit numbers, dimensions of the units, location of the common elements, location of parking facilities, other facilities affording access to each unit. Limited common elements are shown on said plans and Original Plan and more specifically described on Exhibit “B” attached hereto. Said plans are incorporated herein by reference as Exhibit “C”.

5. Unit Information and Reallocation of Interest Among All Units. The unit information and allocations of interest originally contained in Exhibit "C" of the Original Declaration is amended to show the appropriate information as to Locksley Woods Condominium, Phase 3, Parcel 1, Building 12, and is hereto attached and incorporated herein by reference as Exhibit "B".

**BILL CLARK HOMES OF GREENVILLE, LLC**

By: *Councilly Branch*  
Manager

By: *Jimmy Humphrey*  
Manager

NORTH CAROLINA  
PITT COUNTY

I, the undersigned, a Notary Public in and for the aforesaid County and State, do hereby certify that *Councilly Branch & Jimmy Humphrey* Managers of Bill Clark Homes of Greenville, LLC, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal, this 7<sup>th</sup> day of November, 2003.

*Martha W. Hopkins*  
Notary Public  
My Commission Expires: July 6, 2007



NORTH CAROLINA: Pitt County  
The foregoing certificate(s) of *Martha W Hopkins*

Notary(ies) Public is (are) certified to be correct. Filed for registration at 2:58 o'clock P M. this 7 day of November 20 03.

JUDY J. TART, Register of Deeds  
By: *Deborah S. Sawyer*  
Assistant/Deputy Register of Deeds

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**EXHIBIT "A"**

**LIMITED COMMON ELEMENTS**

Each unit shall have those limited common elements as shown on the condominium plans and as set forth below:

1. Entrance walks, balcony access main entrance walks, and stairs. The entrance walks, balcony access main entrance walks, and stairs attached to each building shall be limited common elements for the joint use of all of the units which are served by the walks or stairs in the building.
2. Special limited common elements. Balconies or porches attached to any units shall be special limited common area reserved solely for the use of the owner of such unit. This however does not prevent the Board from passing such rules and regulations as to the appearance and/or up-keep of such special limited common area for the purpose of preserving and overall aesthetic appearance of condominium

## EXHIBIT "B"

SECTION 3.4 CALCULATION OF OWNERSHIP INTEREST, COMMON EXPENSE  
LIABILITY AND VOTES IN THE ASSOCIATION

Unit No.	Percentage of Undivided Interest in Common Elements	Percentage of Common Expenses	Votes Association
2-A(2207-A)	.0132	.0132	1
2-B(2207-B)	.0132	.0132	1
2-C(2207-C)	.0132	.0132	1
2-D(2207-D)	.0132	.0132	1
2-E(2207-E)	.0132	.0132	1
2-F(2207-F)	.0132	.0132	1
2-G(2207-G)	.0132	.0132	1
2-H(2207-H)	.0132	.0132	1
3-A(2209-A)	.0132	.0132	1
3-B(2209-B)	.0132	.0132	1
3-C(2209-C)	.0132	.0132	1
3-D(2209-D)	.0132	.0132	1
3-E(2209-E)	.0132	.0132	1
3-F(2209-F)	.0132	.0132	1
3-G(2209-G)	.0132	.0132	1
3-H(2209-H)	.0132	.0132	1
4-A(2211-A)	.0132	.0132	1
4-B(2211-B)	.0132	.0132	1
4-C(2211-C)	.0132	.0132	1
4-D(2211-D)	.0132	.0132	1
17-A(2213-A)	.0132	.0132	1
17-B(2213-B)	.0132	.0132	1
17-C(2213-C)	.0132	.0132	1
17-D(2213-D)	.0132	.0132	1
17-E(2213-E)	.0132	.0132	1
17-F(2213-F)	.0132	.0132	1
17-G(2213-G)	.0132	.0132	1
17-H(2213-H)	.0132	.0132	1
16-A(2215-A)	.0132	.0132	1
16-B(2215-B)	.0132	.0132	1
16-C(2215-C)	.0132	.0132	1
16-D(2215-D)	.0132	.0132	1
16-E(2215-E)	.0132	.0132	1
16-F(2215-F)	.0132	.0132	1
16-G(2215-G)	.0132	.0132	1
16-H(2215-H)	.0132	.0132	1
15-A (2217-A)	.0132	.0132	1
15-B (2217-B)	.0132	.0132	1
15-C (2217-C)	.0132	.0132	1
15-D(2217-D)	.0132	.0132	1
15-E (2217-E)	.0132	.0132	1
15-F (2217-F)	.0132	.0132	1
15-G(2217-G)	.0132	.0132	1
15-H (2217-H)	.0132	.0132	1

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5-A (2219-A)	.0132	.0132	1
5-B (2219-B)	.0132	.0132	1
5-C (2219-C)	.0132	.0132	1
5-D (2219-D)	.0132	.0132	1
5-E (2219-E)	.0132	.0132	1
5-F (2219-F)	.0132	.0132	1
5-G (2219-G)	.0132	.0132	1
5-H (2219-H)	.0132	.0132	1
6-A (2221-A)	.0132	.0132	1
6-B (2221-B)	.0132	.0132	1
6-C (2221-C)	.0132	.0132	1
6-D (2221-D)	.0132	.0132	1
6-E (2221-E)	.0132	.0132	1
6-F (2221-F)	.0132	.0132	1
6-G (2221-G)	.0132	.0132	1
6-H (2221-H)	.0132	.0132	1
14-A(2223-A)	.0132	.0132	1
14-B (2223-B)	.0132	.0132	1
14-C (2223-C)	.0132	.0132	1
14-D(2223-D)	.0132	.0132	1
14-E (2223-E)	.0132	.0132	1
14-F(2223-F)	.0132	.0132	1
14-G(2223-G)	.0132	.0132	1
14-H(2223-H)	.0132	.0132	1
13-A(2225-A)	.0132	.0132	1
13-B(2225-B)	.0132	.0132	1
13-C(2225-C)	.0132	.0132	1
13-D(2225-D)	.0132	.0132	1
13-E(2225-E)	.0132	.0132	1
13-F(2225-F)	.0132	.0132	1
13-G(2225-G)	.0132	.0132	1
13-H(2225-H)	.0132	.0132	1
12-A(2227-A)	.0132	.0132	1
12-B(2227-B)	.0132	.0132	1
12-C(2227-C)	.0132	.0132	1
12-D(2227-D)	.0132	.0132	1
12-E(2227-E)	.0132	.0132	1
12-F(2227-F)	.0132	.0132	1
12-G(2227-G)	.0132	.0132	1
12-H(2227-H)	.0132	.0132	1

**Percentage of Undivided Interest in Common Elements, Liability for Common Expenses (Not including Insurance), and Votes in Association.** Percentage of undivided interest in common elements and liability for common expenses (except insurance as contained in Paragraph "2." below) shall be allocated equally to all units and shall be calculated by dividing the number of total units in the total condominium project by one. In the event additional real estate is added pursuant to this Declaration, the percentages as established herein shall be recalculated pursuant to this formula and included within any recorded amendment to this Declaration. Each unit shall be allocated one (1) vote in the Association.

**Insurance Premiums Common Expense.** Insurance premiums are a common expense to be set by the master policy and will vary according to the size of the unit.

**Effective Date of Allocations.** The allocations of undivided interest in the common elements, liability for common expenses and votes in the Association are effective on the date of the recording of this Declaration. In the event additional real estate is added to the condominium,

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the effective date of the allocations as stated above shall be the date of the recording of an Amended Declaration pursuant to Section 2-117 of the Act.

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