

STATE OF NORTH CAROLINA

AMENDMENT TO DECLARATIONS OF INTENTION TO
SUBMIT PROPERTY TO THE NORTH CAROLINA UNIT
OWNERSHIP ACT (CHAPTER 47A OF THE NORTH
CAROLINA GENERAL STATUTES)-FO XKROFT VILLAS
CONDOMINIUMS - PHASE I

MOORE COUNTY

THIS AMENDMENT TO DECLARATION OF UNIT OWNERSHIP, made and executed this
the 4th day of May, 1983, by Foxkroft Condominium Association,
Inc., a North Carolina Non-Profit Corporation with principal offices in Moore
County, North Carolina, hereinafter called "Association";

W I T N E S S E T H :

THAT WHEREAS, FOXFIRE DEVELOPMENT CORPORATION, previously filed in the
Office of the Register of Deeds of Moore County, North Carolina, an
instrument entitled "Declaration of Intention to Submit Property to the North
Carolina Unit Ownership Act (Chapter 47A of the North Carolina General
Statutes) - Foxkroft Villas Condominiums - Phase I", which said instrument is
dated November 23, 1976, and which is recorded in the Office of the Register
of Deeds of Moore County, North Carolina, in Deed Book 414, at Page 178 et
seq. and which is hereinafter referred to as "Declaration"; and

WHEREAS, on the 27th day of November, 1978, Foxfire Development
Corporation (now Scottish Development Corporation) conveyed its remaining
interest in all of the properties formerly known as "Foxfire" to Mayer
Communities, Inc., including the adjacent properties to the Foxkroft Villas
Condominiums, said conveyance being by deed dated the 27th day of November,
1978, and filed in the Moore County Public Registry on the 28th day of
November, 1978, in Deed Book 440, at Page 897; and

WHEREAS, under the provisions of Paragraph K of the hereinabove
described "Declaration of Intent to Submit Property", Developer amended the
said "Declaration" upon construction of additional condominium units, in the
aggregate thirty-six units, said amendment recorded in Deed Book 421, at Page
276, et seq., Deed Book 445, at Page 77, et seq., and Deed Book 457, at Page
786 et seq.; and

*11.00 pd -
Ms. Suzanne Carter
Box 95
Pinehurst, N.C.*

WHEREAS, under the provisions of Article VIII, Section I of the By-Laws, the By Laws may be amended by the Association in a duly constituted meeting for such purpose; and

WHEREAS, said "Association" did meet for such purpose on April ____, 1982, and does hereby ratify and adopt the following revisions and amendments of the by-laws by the filing of this instrument.

Amendment 1. ARTICLE II, Section I shall be amended so that section shall read:

Section 1. "Every owner, whether singular or plural, shall be entitled to one vote, which vote may be cast in concert as a single vote, or by sharing the vote on the basis of the percentage of ownership owned by multiple-owner individuals."

Amendment 2. ARTICLE II, Section 2 shall be amended so that section shall read:

Section 2. "As used in these Bylaws, the term "majority of owners" shall mean those owners holding more than fifty percent (50%) of the votes."

Amendment 3. ARTICLE II, Section 3 shall be amended so that section shall read:

Section 3. "Except as otherwise provided in these Bylaws, the presence in person or by proxy of the owners of fifty percent (50%) of the units shall constitute a quorum."

Amendment 4. ARTICLE III, Section 4 shall be amended to read:

Section 4. "It shall be the duty of the president to call a special meeting of the owners as directed by resolution of the board of administrators or upon a petition signed by the owners of a majority of the units, and presented to the secretary. The notice of any special meeting shall state the time and place of such meeting and the purpose thereof. No business shall be transacted at a special meeting except as stated in the notice thereof unless consent of the owners of fifty-one percent (51%) of the units, and said owners must be present either in person or by proxy."

Amendment 5. ARTICLE IV, Section 8, the fourth line following the comma, shall be amended so that the section shall read:

Section 8. "The first meeting of a newly elected board of administrators shall be held within five (5) days of election at such place as shall be fixed by the administrators at the meeting at which such

administrators were elected, and no notice shall be necessary to the newly elected administrators in order to legally constitute such meeting, providing fifty-one percent (51%) of the whole board shall be present in person, by mail, or by telephone."

Amendment 6. ARTICLE IV, Section 9, the first sentence shall be amended and a sentence added so that section shall read;

Section 9. "Regular meetings of the board of administrators may be held at such time and place as shall be determined, from time to time by fifty-one percent (51%) of the administrators, but at least two such meetings shall be held during each fiscal year. Notice of regular meetings of the board of administrators shall be given to each administrator, personally or by mail, telephone or telegraph, at least ten (10) days prior to the day named for such meeting. Voting may be in person, by mail, or by telephone."

Amendment 7. ARTICLE IV, Section 10, shall be amended by changing the last two lines so that section shall read:

Section 10. "Special meetings of the board of administrators may be called by the president on ten days' notice to each administrator given personally or by mail, telephone or telegraph, which notice shall state the time, place (as hereinabove provided), and purpose of the meeting. Special meetings of the board of administrators shall be called by the president or secretary in like manner and on like notice on the written request of at least fifty-one percent (51%) of the administrator."

Amendment 8. ARTICLE IV, Section 12, shall be amended by changing the first sentence so that section shall read:

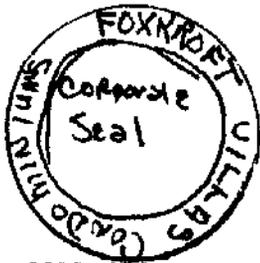
Section 12. "At all meetings of the board of administrators fifty-one percent (51%) of the administrators shall constitute a quorum for the transaction of business and the acts of the majority of the administrators present at a meeting at which a quorum is present shall be acts of the board of administrators. If at any meeting of the board of administrators there be less than quorum present, the majority of those present may adjourn the meeting from time to time, until such time as a majority is present."

Amendment 9. ARTICLE VI, Section 1 shall be amended by deleting the word "earthquake" in the fifth line thereof.

Amendment 10. the first sentence in ARTICLE VIII, Section 1 shall be amended so that section shall read:

Section 1. "These bylaws may be amended by the Association in a duly constituted meeting for such purpose and no amendment shall take effect unless approved by a vote of sixty-six and two-thirds percent (66 2/3%) of the unit owners as shown in the Declaration of Condominiums. All unit owners shall be bound to abide by any amendment upon the same being passed and duly set forth in an amended Declaration of Condominiums, duly recorded. No such amendment shall become operative unless set forth in an amended Declaration of Condominium and duly recorded.

IN WITNESS the Association has caused this amendment to be signed in its name by the properly authorized officers, the day and year first above written.



CORP SEAL

FOXKROFT CONDOMINIUM ASSOCIATION, INC.

By: [Signature]

President

ATTEST:

[Signature]
George Webb, Jr. Secretary

STATE OF NORTH CAROLINA

COUNTY OF MOORE

I, Val Crutchfield Carden, Notary Public do hereby certify that George Webb Jr, personally came before me this day and acknowledged that he is Secretary of Foxcroft Condominium Association,

Inc., 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 secretary.

Witness my hand and notarial seal this 4th day of May, 1983.

My commission expires: 2/2/86

Val Crutchfield Corder
Notary Public

NORTH CAROLINA - MOORE COUNTY
The foregoing (or annexed) certificate of
Val Crutchfield Corder Notary Public
Alamance COUNTY
STATE OF N. C.
attested this September 8, 1983
Grier Gilmore

Mary R. Prilliger Assistant
Register of Deeds

SEP 8 4 34 PM '83
BOOK 506
FILED PAGE 167
GRIER GILMORE
REGISTER OF DEEDS
MOORE COUNTY, N.C.

NORTH CAROLINA

AMENDMENT TO DECLARATION OF INTENTION TO
SUBMIT PROPERTY TO THE NORTH CAROLINA UNIT
OWNERSHIP ACT (CHAPTER 47A OF THE NORTH
CAROLINA GENERAL STATUTES) - FOXKROFT VILLAS
CONDOMINIUMS - PHASE I

MOORE COUNTY

THIS AMENDMENT TO DECLARATION OF UNIT OWNERSHIP, made and executed this the 21 day of March, 1979, by MAYER COMMUNITIES, INC., a North Carolina Business Corporation with principal offices in Moore County, North Carolina, hereinafter called "Declarant";

W I T N E S S E T H :

THAT WHEREAS, FOXFIRE DEVELOPMENT CORPORATION, as Declarant, previously filed in the Office of the Register of Deeds of Moore County, North Carolina, an instrument entitled "Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxkroft Villas Condominiums - Phase I", which said instrument is dated November 23, 1976, and which is recorded in the Office of the Register of Deeds of Moore County, North Carolina, in Deed Book 414 at page 178 et seq. and which is hereinafter referred to as "Declaration"; and

WHEREAS, on the 27th day of November, 1978, Foxfire Development Corporation (now Scotland Development Corporation) conveyed its remaining interest in all of the properties formerly known as "Foxfire" to Mayer Communities, Inc., including the adjacent properties to the Foxkroft Villas Condominiums, said conveyance being by deed dated the 27th day of November, 1978, and filed in the Moore County Public Registry on the 28th day of November, 1978, in Deed Book 440, at page 897; and

WHEREAS, it is the desire of Mayer Communities, Inc., the hereinabove named "Declarant" to further expand the Foxkroft Villas Condominiums by adding to same

BOOK 445 PAGE 78

WHEREAS, under the terms of the transfer from Foxfire Development Corporation (now Scotland Development Corporation), Mayer Communities, Inc. obtained, through an Assignment, the right to amend the said "Declaration" which assignment is recorded in the Moore County Public Registry in Book 440 at page 895; and

WHEREAS, this Declarant is constructing twelve (12) additional condominium units in three (3) buildings, the buildings being designated as Buildings Nos. 7, 8, and 9, and this Declarant does hereby amend the said "Declaration" to cover the said twelve (12) additional units as follows:

1. The said Declarant is constructing the twelve additional condominium units on that certain real property located in Sandhills Township, Moore County, North Carolina, hereinafter described on Exhibit A attached hereto and made a part hereof by incorporation.

2. It is intended by the filing of this instrument to amend the Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxkroft Villas Condominiums - Phase I, to include Foxkroft Villas Condominiums - Phase III, and except as herein amended, Declarant hereby ratifies and adopts provisions of the Declaration for Foxkroft Villas Condominiums - Phase I as recorded in Deed Book 414 at page 178, et seq., and Phase II as recorded in Deed Book 421 at page 276, et seq., of the Moore County, North Carolina Public Registry.

3. Pursuant to the terms of Paragraph K of the Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxkroft Villas Condominiums - Phase I and Phase II, each unit owner's percentage of interest in the common areas and facilities has been redetermined as follows:

4. Certain parts of the common areas and facilities as set out in the said "Declaration" are herein called and designated as "Limited Common Areas and Facilities", and are hereby set aside and are reserved for the exclusive use of certain units and such units shall have appurtenant thereto an exclusive easement for the use of such Limited Common Areas and Facilities. The Limited Common Areas and Facilities are as follows:

A. The decking attached to each unit, septic tanks, and outside air conditioning units as delineated on Exhibit B attached hereto and made a part hereof by incorporation, and which are reserved for the use of each unit as designated.

B. Outside stairways attached to the buildings, which are reserved for the use of upstairs units numbers 27, 28, 31, 32, 35, and 36 as those units are designated on Exhibit B, attic spaces above units 27, 28, 31, 32, 35, and 36 as shown on Exhibit B, which are reserved for the use of those units, crawl spaces underneath units 25, 26, 29, 30, 33 and 34 as they are designated on Exhibit B which are reserved for their use, except that there is reserved to the Owners of units 27, 28, 31, 32, 35 and 36 easements for the purposes of going into the said crawl space areas for the purpose of repair, replacement, and maintenance of the hot water heaters located therein which are also a part of the Limited Common Areas.

5. The following Exhibits are attached hereto and made a part of this amendment to Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxcroft Villas Condominiums - Phase I.

Exhibit A. Survey of description showing the location thereon of the multi-family buildings known as Foxcroft Villas Condominiums - Phase III as prepared by C. H. Blue & Associates, Surveyors.

Exhibit B Plans of Foxcroft Villas Condominiums - Phase III, consisting of six sheets.

BOOK 445 PAGE 80

When this Amendment to Declaration is recorded, Exhibits A and B will be recorded in the Unit Ownership Book and Exhibits C and D will be recorded in the Deed Books, all in the Office of the Register of Deeds of Moore County, Carthage, North Carolina.

IN WITNESS WHEREOF, the Declarant has caused this instrument to be executed in its corporate name by its duly authorized officers, this the day and year first above written, all by resolution of its Board of Directors duly given.

MAYER COMMUNITIES, INC.

CORPORATE SEAL

BY


Lovick P. Suddath, President

ATTEST:


Secretary

STATE OF NORTH CAROLINA

COUNTY OF MOORE

THIS 21 day of March, 1979, personally appeared before me, LOVICK P. SUDDATH, who being by me duly sworn, says that he is the President of MAYER COMMUNITIES, INC., and that the seal affixed to the foregoing instrument in writing is the corporate seal of said corporation, and that said writing was signed and sealed by him in behalf of said corporation, by its authority duly given. And the said CUTLAR L. BALLANCE, JR., as Secretary of the corporation, acknowledged the said writing to be the act and deed of said corporation.


Notary Public

(SEAL)

My commission expires: My Commission Expires February 27, 1982

EXHIBIT C

AMENDMENT TO BY-LAWS OF
FOXKROFT VILLAS CONDOMINIUMS
PHASE I

This amendment to by-laws of Foxcroft Villas Condominiums - Phase I, made and executed this the 21 day of March, 1979, by Mayer Communities, Inc., a North Carolina Business Corporation with its principal office and place of business in Moore County, North Carolina, hereinafter called "Declarant";

W I T N E S S E T H :

THAT WHEREAS, FOXFIRE DEVELOPMENT CORPORATION, as Declarant, previously filed in the Office of the Register of Deeds of Moore County, North Carolina, an instrument entitled "Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxcroft Villas Condominiums - Phase I", which said instrument is dated November 23, 1976, and which is recorded in the Office of the Register of Deeds of Moore County, North Carolina, in Deed Book 414 at page 178 et seq. and which is hereinafter referred to as "Declaration"; and

WHEREAS, on the 27th day of November, 1978, Foxfire Development Corporation (now Scotland Development Corporation) conveyed its remaining interest in all of the properties formerly known as "Foxfire" to Mayer Communities, Inc., including the adjacent properties to the Foxcroft Villas Condominiums, said conveyance being by deed dated the 27th day of November, 1978, and filed in the Moore County Public Registry on the 28th day of November, 1978, in Deed Book 440, at page 897; and

WHEREAS, it is the desire of Mayer Communities, Inc., the hereinabove named "Declarant" to further expand the Foxcroft Villas Condominiums by adding to same certain properties; and

WHEREAS, under the provisions of Paragraph K of the hereinabove described "Declaration of Intent to Submit Property", the "Declarant" reserved the right to amend the said "Declaration" upon the construction of additional condominium units; and

WHEREAS, under the terms of the transfer from Foxfire Development Corporation (now Scotland Development Corporation), Mayer Communities, Inc. obtained, through an Assignment, the right to amend the said "Declaration" which assignment is recorded in the Moore County Public Registry in Book 440 at page 895; and

WHEREAS, the Declarant is constructing twelve additional condominium units in three multi-family buildings which are known and designated as Foxcroft Villas Condominiums - Phase III; and

WHEREAS, the Declarant does hereby amend said by-laws of Foxcroft Villas Condominiums - Phase I to include Foxcroft Villas Condominiums - Phase III, which said Foxcroft Villas Condominiums - Phase III shall henceforth be governed by the provisions of the by-laws of Foxcroft Villas Condominiums - Phase I and the by-laws of Foxcroft Villas Condominiums - Phase I shall be deemed henceforth to include and

BOOK 445 PAGE 82

IN WITNESS WHEREOF, the Declarant has caused this instrument to be executed in its corporate name by its duly authorized officers, this the 21 day of March, 1979 all by resolution of its Board of Directors duly given.

MAYER COMMUNITIES, INC.

CORPORATE SEAL

BY:

Lovick P. Suddath
Lovick P. Suddath, President

ATTEST:

C. Ballance Jr.
Secretary

STATE OF NORTH CAROLINA

COUNTY OF MOORE

THIS 21 day of March, 1979, personally appeared before me, LOVICK P. SUDDATH, who being by me duly sworn, says that he is the President of MAYER COMMUNITIES, INC., and that the seal affixed to the foregoing instrument in writing is the corporate seal of said corporation, and that said writing was signed and sealed by him in behalf of said corporation, by its authority duly given. And the said CUTLAR L. BALLANCE, JR., as Secretary of the corporation, acknowledged the said writing to be the act and deed of said corporation.

Lovick P. Suddath (SEAL)
Notary Public

My commission expires: My Commission Expires February 27, 1982

EXHIBIT D

LEGAL DESCRIPTION OF
FO XKROFT VILLAS CONDOMINIUMS - PHASE III

MAYER COMMUNITIES, INC.

A certain tract or parcel of land, in the Village of Foxfire, Sandhills Township, Moore County, North Carolina, lying about 110 feet east of Foxfire Boulevard, and being described as follows:

BEGINNING at an iron pipe in a line of Mayer Communities, Inc., Parcel "C" as described in Deed recorded in Deed Book 440, at page 918, in the Moore County Registry, said beginning corner being located S 89°02' E 110.00 feet from an iron pin at a point of tangency in the easterly right of way line of Foxfire Boulevard, the beginning corner of Parcel "C", running thence from said beginning iron pipe, as a line of Parcel "C", S 89°02' E 254.50 feet to an iron pin, a corner of Parcel "C"; thence a new line N 40°49' E 122.74 feet to an iron pin in a drive, the fourth corner of Parcel "C", and a corner of Foxkroft Villas Condominiums, Phase II, as shown on plat recorded in Unit Ownership Book 7, at page 7-16, in the Moore County Registry; thence as the west line of Phase II, and as a line of Parcel "C" N 14°20' E 238.47 feet to an iron pin, the third corner of Parcel "C", and the northwest corner of Phase II; thence as the north line of Parcel "C" S 74°33' W 409.42 feet to an iron pipe in said line; thence a new line S 00°15' E 210.59 feet to the beginning, containing 2.06 acres more or less, and being a portion of Mayer Communities, Inc. Parcel "C", as described in Deed recorded in Deed Book 440, at page 918, in the Moore County Registry.

NORTH CAROLINA

AMENDMENT TO DECLARATION OF INTENTION TO SUBMIT PROPERTY TO THE NORTH CAROLINA UNIT OWNERSHIP ACT (CHAPTER 47A OF THE NORTH CAROLINA GENERAL STATUTES) - FOXKROFT VILLAS CONDOMINIUMS - PHASE I

MOORE COUNTY

BOOK 421 PAGE 276

THIS AMENDMENT TO DECLARATION OF UNIT OWNERSHIP, made and executed this the 30th day of June, 1977, by FOXFIRE DEVELOPMENT CORPORATION, a North Carolina Business Corporation with principal offices in Moore County, North Carolina, hereinafter called "Declarant";

W I T N E S S E T H :

THAT WHEREAS, the said Declarant previously filed in the Office of the Register of Deeds of Moore County, North Carolina, an instrument entitled "Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxcroft Villas Condominiums - Phase I", which said instrument is dated November 23, 1976, and which is recorded in the Office of the Register of Deeds of Moore County, North Carolina, in Deed Book 414 at page 178 et seq. and which is hereinafter referred to as "Declaration"; and

WHEREAS, under the provisions of Paragraph K of the said instrument, the said "Declarant" reserved the right to amend the said "Declaration" upon the construction of additional condominium units; and

WHEREAS, the said Declarant has constructed eight additional condominium units in two buildings, the buildings being designated as buildings numbers 5 and 6, and the Declarant does hereby amend the said "Declaration" to cover the said eight additional units as follows:

1. The said Declarant has constructed the eight additional condominium units on that certain real property located in Mineral Springs Township, Moore County, North Carolina, hereinafter described on Exhibit A attached hereto and made a part hereof by incorporation.

2. It is intended by the filing of this instrument to amend the Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxcroft Villas Condominiums - Phase I, to include Foxcroft Villas Condominiums - Phase II, and except as herein amended Declarant hereby ratifies and adopts provisions of the Declaration for Foxcroft Villas Condominiums - Phase I as recorded in Deed Book 414 at page 178, et seq.,

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of the Moore County, North Carolina Public Registry.

3. Pursuant to the terms of Paragraph K of the Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxcroft Villas Condominiums - Phase I, each unit owner's percentage of interest in the common areas and facilities has been redetermined as follows:

<u>Unit No.</u>	<u>Percentage of Undivided Interest</u>
Foxcroft Villas Condominiums - Phase I	
9 thru 16	6.25%
Foxcroft Villas Condominiums - Phase II	
17 thru 24	6.25%

BOOK 421 PAGE 277

4. Certain parts of the common areas and facilities as set out in the said "Declaration" are herein called and designated as "Limited Common Areas and Facilities" and are hereby set aside and are reserved for the exclusive use of certain units and such units shall have appurtenant thereto an exclusive easement for the use of such Limited Common Areas and Facilities. The Limited Common Areas and Facilities are as follows:

A. The decking attached to each unit, septic tanks, and outside air conditioning units as delineated on Exhibit A attached hereto and made a part hereof by incorporation, and which are reserved for the use of each unit as designated.

B. Outside stairways attached to the buildings, which are reserved for the use of upstairs units numbers 19, 20, 23, and 24 as those units are designated on Exhibit A, attic spaces above units 19, 20, 23, and 24 as shown on Exhibit A, which are reserved for the use of those units, crawl spaces underneath units 17, 18, 21, and 22 as they are designated on Exhibit A which are reserved for their use, except that there is reserved to the Owners of units 19, 20, 23, and 24, easements for the purposes of going into the said crawl space areas for the purpose of repair, replacement, and maintenance of the hot water heaters located therein which are also a part of the Limited Common Areas.

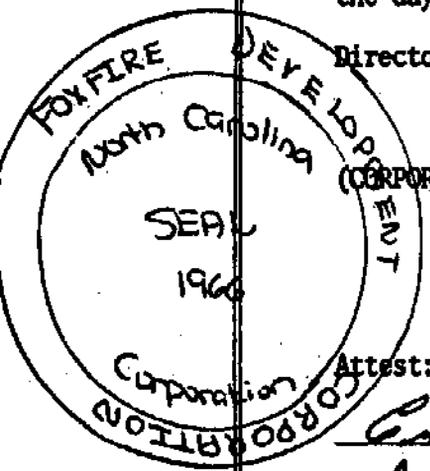
5. The following Exhibits are attached hereto and made a part of this amendment to Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxcroft Villas Condominiums - Phase I:

BOOK 421 PAGE 278

- Exhibit A. Survey of description showing the location thereon of the multi-family buildings known as Foxcroft Villas Condominiums - Phase II as prepared by Brown, Edwards and Miller, Inc. Engineers and Architects.
- Exhibit B. Plans of Foxcroft Villas Condominiums - Phase II consisting of nine sheets
- Exhibit C. Amendment to By-Laws of Foxcroft Villas Condominiums - Phase I.
- Exhibit D. Description of Foxcroft Villas Condominiums - Phase II

When this Amendment to Declaration is recorded, Exhibits A and B will be recorded in the Unit Ownership Book and Exhibits C and D will be recorded in the Deed Books, all in the Office of the Register of Deeds of Moore County, Carthage, North Carolina.

IN WITNESS WHEREOF, the Declarant has caused this instrument to be executed in its corporate name by its duly authorized officers, this the day and year first above written, all by resolution of its Board of Directors duly given.



(CORPORATE SEAL)

FOXFIRE DEVELOPMENT CORPORATION

By Joseph N. Donovan
Joseph N. Donovan, President

Attest:
Catherine R. Ballinger Jr.
ASSISTANT Secretary

NORTH CAROLINA
MOORE COUNTY

I, Evelyn B. Grove, a Notary Public in and for said county and state, do hereby certify that Catherine R. Ballinger Jr. personally came before me this day and acknowledged that she is the Assistant Secretary of FOXFIRE DEVELOPMENT CORPORATION, a corporation, 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 her as its Assistant Secretary.

Witness my hand and notarial seal this 27th day of July, 1977.

Evelyn B. Grove
Notary Public



NORTH CAROLINA, MOORE COUNTY
The foregoing to be certified by Commission expires: July 16, 1978
Evelyn B. Grove, Notary Public (2)
Moore COUNTY,

GRIER GILMORE
REGISTER OF DEEDS
MOORE COUNTY, N.C.

STATE OF No. 6 SEEN certified to be correct. This July 1, 1977

Grier Gilmore
Register of Deeds Mary R. Huijze Assistant

EXHIBIT D

LEGAL DESCRIPTION OF FOXKROFT VILLAS CONDOMINIUMS-PHASE II

FOXFIRE DEVELOPMENT CORPORATION

A certain tract or parcel of land in Mineral Springs Twp., Moore County, North Carolina and being a portion of the Foxfire Development Corporation 5.64 acre tract recorded in Deed Book 412 at page 576 in the Moore County Registry and being further described as follows:

BEGINNING at an iron pipe the northeast corner of the Foxfire Development Corporation 5.64 acre tract, running thence from the beginning along the north line of 5.64 acre tract and the south edge of the 17th Fairway of the Foxfire Golf Course S. 74° 33' W. 130.0 feet to an iron pin thence a new line S. 14° 19' 42" W. 238.47 feet to an iron pin the northwest corner of Foxkroft Villas Condominiums Phase I thence with the north line of Foxkroft Villas Condominiums Phase I S. 85° 48' 56" E. 164.5 feet to a concrete monument in the east line of the Foxfire Development Corporation 5.64 acre tract said point also being the northeast corner of Foxkroft Villas Condominiums Phase I, thence with the east line of said 5.64 acre tract and the west edge of the 18th Fairway of the Foxfire Golf Course N. 4° 11' 04" E. 278.37 feet to the beginning containing 0.83 acres more or less and recorded in Deed Book 412 at page 576 in the Moore County Registry.

BOOK 421 PAGE 279

BOOK 421 PAGE 280

EXHIBIT C

AMENDMENT TO BY-LAWS OF
FOXKROFT VILLAS CONDOMINIUMS
PHASE I

This amendment to by-laws of Foxcroft Villas Condominiums - Phase I, made and executed this the 30th day of June, 1977, by Foxfire Development Corporation, a North Carolina Business Corporation with its principal office and place of business in Moore County, North Carolina, hereinafter called "Declarant".

WITNESSETH:

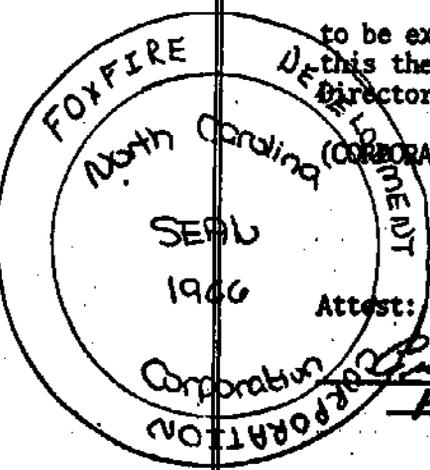
THAT WHEREAS, the Declarant executed and filed a Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxcroft Villas Condominiums - Phase I, in Deed Book 414 at page 178, et seq. of the Moore County, North Carolina Public Registry, hereinafter referred to as the "Declaration";

WHEREAS, under the provisions of Paragraph K of the said Declaration, the Declarant reserved the right to amend the said Declaration and the By-Laws of Foxcroft Villas Condominiums - Phase I, to include additional condominium units and the common areas and facilities under the terms of the Declaration and the By-Laws of Foxcroft Villas Condominiums - Phase I, which said by-laws are recorded in Deed Book 414 at page 189, et seq. of the Moore County, North Carolina, Public Registry; and

WHEREAS, the Declarant has constructed eight additional condominium units in two multi-family buildings which are known and designated as Foxcroft Villas Condominiums - Phase II; and

WHEREAS, the Declarant does hereby amend said by-laws of Foxcroft Villas Condominiums - Phase I to include Foxcroft Villas Condominiums - Phase II, which said Foxcroft Villas Condominiums - Phase II shall henceforth be governed by the provisions of the by-laws of Foxcroft Villas Condominiums - Phase I and the by-laws of Foxcroft Villas Condominiums - Phase I shall be deemed henceforth to include and apply to Foxcroft Villas Condominiums - Phase II.

IN WITNESS WHEREOF, the Declarant has caused this instrument to be executed in its corporate name by its duly authorized officers, this the _____ day of July, 1977, all by resolution of its Board of Directors duly given.



FOXFIRE DEVELOPMENT CORPORATION

By Joseph N. Donovan, President

Attest: Arthur D. Bullen Jr.
ASSISTANT Secretary

Crews

NORTH CAROLINA

MOORE COUNTY

I, Evelyn B. Grove, a Notary Public in and for said county and state, do hereby certify that Cutler R. Ballance, Jr. personally came before me this day and acknowledged that he is the ~~Assistant~~ Secretary of FOXFIRE DEVELOPMENT CORPORATION, a corporation, 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 him as its ~~Assistant~~ Secretary.

Witness my hand and notarial seal this 15 day of July, 1977.

Evelyn B. Grove
Notary Public

My commission expires: My Commission Expires July 16, 1978



BOOK 421 PAGE 281

★ ★ See plans and specifications in Unit Ownership Book 7 pages 7-16.

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BOOK 421 PAGE 276
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GRIER GILMORE
REGISTER OF DEEDS
MOORE COUNTY, N.C.

EXHIBIT C

**AMENDMENT TO BY-LAWS OF
FOKKROFT VILLAS CONDOMINIUMS
PHASE I**

This amendment to by-laws of Foxkroft Villas Condominiums - Phase I, made and executed this the 21 day of March, 1979, by Mayer Communities, Inc., a North Carolina Business Corporation with its principal office and place of business in Moore County, North Carolina, hereinafter called "Declarant";

WITNESSETH:

THAT WHEREAS, FOXFIRE DEVELOPMENT CORPORATION, as Declarant, previously filed in the Office of the Register of Deeds of Moore County, North Carolina, an instrument entitled "Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxkroft Villas Condominiums - Phase I", which said instrument is dated November 23, 1976, and which is recorded in the Office of the Register of Deeds of Moore County, North Carolina, in Deed Book 414 at page 178 et seq. and which is hereinafter referred to as "Declaration"; and

WHEREAS, on the 27th day of November, 1978, Foxfire Development Corporation (now Scotland Development Corporation) conveyed its remaining interest in all of the properties formerly known as "Foxfire" to Mayer Communities, Inc., including the adjacent properties to the Foxkroft Villas Condominiums, said conveyance being by deed dated the 27th day of November, 1978, and filed in the Moore County Public Registry on the 28th day of November, 1978, in Deed Book 440, at page 897; and

WHEREAS, it is the desire of Mayer Communities, Inc., the hereinabove named "Declarant" to further expand the Foxkroft Villas Condominiums by adding to same certain properties; and

WHEREAS, under the provisions of Paragraph K of the hereinabove described "Declaration of Intent to Submit Property", the "Declarant" reserved the right to amend the said "Declaration" upon the construction of additional condominium units; and

WHEREAS, under the terms of the transfer from Foxfire Development Corporation (now Scotland Development Corporation), Mayer Communities, Inc. obtained, through an Assignment, the right to amend the said "Declaration" which assignment is recorded in the Moore County Public Registry in Book 440 at page 895; and

WHEREAS, the Declarant is constructing twelve additional condominium units in three multi-family buildings which are known and designated as Foxkroft Villas Condominiums - Phase III; and

WHEREAS, the Declarant does hereby amend said by-laws of Foxkroft Villas Condominiums - Phase I to include Foxkroft Villas Condominiums - Phase III, which said Foxkroft Villas Condominiums - Phase III shall henceforth be governed by the provisions of the by-laws of Foxkroft Villas Condominiums - Phase I and the by-laws of Foxkroft Villas Condominiums - Phase I shall be deemed henceforth to include and apply to Foxkroft Villas Condominiums - Phase III.

IN WITNESS WHEREOF, the Declarant has caused this instrument to be executed in its corporate name by its duly authorized officers, this the 21 day of March, 1979 all by resolution of its Board of Directors duly given.

MAYER COMMUNITIES, INC.



BY: Lovick P. Suddath
Lovick P. Suddath, President

C. Ballance Jr.
Secretary

STATE OF NORTH CAROLINA

COUNTY OF MOORE

THIS 21 day of March, 1979, personally appeared before me, LOVICK P. SUDDATH, who being by me duly sworn, says that he is the President of MAYER COMMUNITIES, INC., and that the seal affixed to the foregoing instrument in writing is the corporate seal of said corporation, and that said writing was signed and sealed by him in behalf of said corporation, by its authority duly given. And the said CUTLAR L. BALLANCE, JR., as Secretary of the corporation, acknowledged the said writing to be the act and deed of said corporation.

Loren J. Sandy
Notary Public

My commission expires: My Commission Expires February 27, 1982

EXHIBIT D

LEGAL DESCRIPTION OF
FOXKROFT VILLAS CONDOMINIUMS - PHASE III

MAYER COMMUNITIES, INC.

A certain tract or parcel of land, in the Village of Foxfire, Sandhills Township, Moore County, North Carolina, lying about 110 feet east of Foxfire Boulevard, and being described as follows:

BEGINNING at an iron pipe in a line of Mayer Communities, Inc., Parcel "C" as described in Deed recorded in Deed Book 440, at page 918, in the Moore County Registry, said beginning corner being located S 89°02' E 110.00 feet from an iron pin at a point of tangency in the easterly right of way line of Foxfire Boulevard, the beginning corner of Parcel "C", running thence from said beginning iron pipe, as a line of Parcel "C", S 89°02' E 254.50 feet to an iron pin, a corner of Parcel "C"; thence a new line N 40°49' E 122.74 feet to an iron pin in a drive, the fourth corner of Parcel "C", and a corner of Foxkroft Villas Condominiums, Phase II, as shown on plat recorded in Unit Ownership Book 7, at page 7-16, in the Moore County Registry; thence as the west line of Phase II, and as a line of Parcel "C" N 14°20' E 238.47 feet to an iron pin, the third corner of Parcel "C", and the northwest corner of Phase II; thence as the north line of Parcel "C" S 74°33' W 409.42 feet to an iron pipe in said line; thence a new line S 00°15' E 210.59 feet to the beginning, containing 2.06 acres more or less, and being a portion of Mayer Communities, Inc. Parcel "C", as described in Deed recorded in Deed Book 440, at page 918, in the Moore County Registry.

FILED

BOOK 457 PAGE 186

BOOK 457 PAGE 186

NORTH CAROLINA

FEB 18 11 38 AM '80

AMENDMENT TO DECLARATION OF INTENTION TO
SUBMIT PROPERTY TO THE NORTH CAROLINA UNIT
OWNERSHIP ACT (CHAPTER 47A OF THE NORTH
CAROLINA GENERAL STATUTES) - FOXKROFT VILLAS
CONDOMINIUMS - PHASE I

MOORE COUNTY REGISTER OF DEEDS
MOORE COUNTY, N. C.

THIS AMENDMENT TO DECLARATION OF UNIT OWNERSHIP, made and executed
this the 13th day of January, 1980, by MAYER COMMUNITIES, INC., a
North Carolina Business Corporation with principal offices in Moore
County, North Carolina, hereinafter called "Declarant";

W I T N E S S E T H :

THAT WHEREAS, FOXFIRE DEVELOPMENT CORPORATION, as Declarant, previously
filed in the Office of the Register of Deeds of Moore County, North
Carolina, an instrument entitled "Declaration of Intention to Submit
Property to the North Carolina Unit Ownership Act (Chapter 47A of the
North Carolina General Statutes) - Foxcroft Villas Condominiums - Phase
I", which said instrument is dated November 23, 1976, and which is
recorded in the Office of the Register of Deeds of Moore County, North
Carolina, in Deed Book 414 at page 178 et seq. and which is hereinafter
referred to as "Declaration"; and

WHEREAS, on the 27th day of November, 1978, Foxfire Development
Corporation (now Scottish Development Corporation) conveyed its remain-
ing interest in all of the properties formerly known as "Foxfire" to
Mayer Communities, Inc., including the adjacent properties to the Foxcroft
Villas Condominiums, said conveyance being by deed dated the 27th day of
November, 1978, and filed in the Moore County Public Registry on the
28th day of November, 1978, in Deed Book 440, at page 897; and

WHEREAS, it is the desire of Mayer Communities, Inc., the herein-
above named "Declarant" to further expand the Foxcroft Villas Condominiums
by adding to same certain properties; and

WHEREAS, under the provisions of Paragraph K of the hereinabove
described "Declaration of Intent to Submit Property", the "Declarant"
reserved the right to amend the said "Declaration" upon the construction
of additional condominium units; and

WHEREAS, under the terms of the transfer from Foxfire Development
Corporation (now Scottish Development Corporation), Mayer Communities,
Inc. obtained, through an Assignment, the right to amend the said "Decla-
ration" which assignment is recorded in the Moore County Public Registry

Prepared by:

JOHNSON, POOLE AND WEBSTER
ATTORNEYS AT LAW
ABERDEEN, N. C.

Johnson-Poole
Recording @ 10.00 per
Plan Specifications \$ 50.00
60.00 per

in Book 440 at page 895; and

WHEREAS, this Declarant is constructing eight (8) additional condominium units in two (2) buildings, the buildings being designated as Buildings Nos. 1 and 2, and this Declarant does hereby amend the said "Declaration" to cover the said eight (8) additional units as follows:

1. The said Declarant is constructing the eight additional condominium units on that certain real property located in Sandhills Township, Moore County, North Carolina, hereinafter described on Exhibit A attached hereto and made a part hereof by incorporation.

2. It is intended by the filing of this instrument to amend the Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxcroft Villas Condominiums - Phase I, to include Foxcroft Villas Condominiums - Phase IV, and except as herein amended, Declarant hereby ratifies and adopts provisions of the Declaration for Foxcroft Villas Condominiums - Phase I as recorded in Deed Book 414 at page 178, et seq., and Phase II as recorded in Deed Book 421 at page 276, et seq., and Phase III as recorded in Deed Book 445, at page 77, et seq., of the Moore County, North Carolina Public Registry.

3. Pursuant to the terms of Paragraph K of the Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxcroft Villas Condominiums - Phase I, Phase II, and Phase III, each unit owner's percentage of interest in the common areas and facilities has been redetermined as follows:

<u>Unit No.</u>	<u>Percentage of Undivided Interest</u>
Foxcroft Villas Condominiums - Phase I Units 9 through 16	2.777%
Foxcroft Villas Condominiums - Phase II Units 17 through 24	2.777%
Foxcroft Villas Condominiums - Phase III Units 25 through 36	2.777%
Foxcroft Villas Condominiums - Phase IV Units 1 through 8	2.777%

4. Certain parts of the common areas and facilities as set out in the said "Declaration" are herein called and designated as "Limited Common Areas and Facilities", and are hereby set aside and are reserved

for the exclusive use of certain units and such units shall have appurtenant thereto an exclusive easement for the use of such Limited Common Areas and Facilities. The Limited Common Areas and Facilities are as follows:

A. The decking attached to each unit, septic tanks, and outside air conditioning units as delineated on Exhibit B attached hereto and made a part hereof by incorporation, and which are reserved for the use of each unit as designated.

B. Outside stairways attached to the buildings, which are reserved for the use of upstairs units numbers 3, 4, 7, and 8 as those units are designated on Exhibit B, attic spaces above units 3, 4, 7, and 8 as shown on Exhibit B, which are reserved for the use of those units, crawl spaces underneath units 1, 2, 5, and 6 as they are designated on Exhibit B which are reserved for their use, except that there is reserved to the Owners of units 3, 4, 7, and 8 easements for the purposes of going into the said crawl space areas for the purpose of repair, replacement, and maintenance of the hot water heaters located therein which are also a part of the Limited Common Areas.

5. The following Exhibits are attached hereto and made a part of this amendment to Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxcroft Villas Condominiums - Phase I.

- | | |
|-----------|--|
| Exhibit A | Survey of description showing the location thereon of the multi-family buildings known as Foxcroft Villas Condominiums - Phase IV as prepared by C. H. Blue & Associates, Surveyors. |
| Exhibit B | Plans of Foxcroft Villas Condominiums - Phase IV, consisting of six sheets. |
| Exhibit C | Amendment to By-Laws of Foxcroft Villas Condominiums - Phase I. |
| Exhibit D | Description of Foxcroft Villas Condominiums - Phase IV. |

When this Amendment to Declaration is recorded, Exhibits A and B will be recorded in the Unit Ownership Book and Exhibits C and D will be recorded in the Deed Books, all in the Office of the Registrar of Deeds of Moore County, Carthage, North Carolina.

IN WITNESS WHEREOF, the Declarant has caused this instrument to be executed in its corporate name by its duly authorized officers, this the

day and year first above written, all by resolution of its Board of Directors duly given.



MAYER COMMUNITIES, INC.

BY Lovick P. Suddath (SEAL)
Lovick P. Suddath, President

Cutlar L. Ballance, Jr.
Cutlar L. Ballance, Jr. Secretary

STATE OF NORTH CAROLINA
COUNTY OF MOORE

THIS 17th day of February, 1980, personally appeared before me, LOVICK P. SUDDATH, who being by me duly sworn, says that he is the President of MAYER COMMUNITIES, INC., and that the seal affixed to the foregoing instrument in writing is the corporate seal of said corporation, and that said writing was signed and sealed by him in behalf of said corporation, by its authority duly given. And the said CUTLAR L. BALLANCE, JR., as Secretary of the corporation, acknowledged the said writing to be the act and deed of said corporation.



Henrietta Gruetzmacher (SEAL)
Notary Public

My commission expires
My Commission Expires April 16, 1983

NORTH CAROLINA - MOORE COUNTY
The foregoing (or annexed) certificate of
Henrietta Gruetzmacher Notary Public
Cumberland COUNTY,
STATE OF N. C. are is certified to be
correct. This February 18, 19 80
Grier Gilmore

Mary R. Phillips Assistant
Register of Deeds

* See plans and specifications recorded in Unit Ownership Book 8 page 58-62.

EXHIBIT C

AMENDMENT TO BY-LAWS OF
FOKKROFT VILLAS CONDOMINIUMS
PHASE I

This amendment to by-laws of Fokkroft Villas Condominiums - Phase I, made and executed this the 13th day of January, 1980, by Mayer Communities, Inc., a North Carolina Business Corporation with its principal office and place of business in Moore County, North Carolina, hereinafter called "Declarant";

W I T N E S S E T H :

THAT WHEREAS, FOXFIRE DEVELOPMENT CORPORATION, as Declarant, previously filed in the Office of the Register of Deeds of Moore County, North Carolina, an instrument entitled "Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Fokkroft Villas Condominiums - Phase I", which said instrument is dated November 23, 1976, and which is recorded in the Office of the Register of Deeds of Moore County, North Carolina, in Deed Book 414 at page 178 et seq. and which is hereinafter referred to as "Declaration"; and

WHEREAS, on the 27th day of November, 1978, Foxfire Development Corporation (now Scottish Development Corporation) conveyed its remaining interest in all of the properties formerly known as "Foxfire" to Mayer Communities, Inc., including the adjacent properties to the Fokkroft Villas Condominiums, said conveyance being by deed dated the 27th day of November, 1978, and filed in the Moore County Public Registry on the 28th day of November, 1978, in Deed Book 440, at page 897; and

WHEREAS, it is the desire of Mayer Communities, Inc., the hereinabove named "Declarant" to further expand the Fokkroft Villas Condominiums by adding to same certain properties; and

WHEREAS, under the provisions of Paragraph K of the hereinabove described "Declaration of Intent to Submit Property", the "Declarant" reserved the right to amend the said "Declaration" upon the construction of additional condominium units; and

WHEREAS, under the terms of the transfer from Foxfire Development Corporation (now Scottish Development Corporation), Mayer Communities, Inc. obtained, through an Assignment, the right to amend the said "Declaration" which assignment is recorded in the Moore County Public Registry in Book 440 at page 895; and

WHEREAS, the Declarant is constructing eight additional condominium units in two multi-family buildings which are known and designated as Fokkroft Villas Condominiums - Phase IV; and

WHEREAS, the Declarant does hereby amend said by-laws of Fokkroft Villas Condominiums - Phase I to include Fokkroft Villas Condominiums - Phase IV, which said Fokkroft Villas Condominiums - Phase IV shall henceforth be governed by the provisions of the by-laws of Fokkroft Villas Condominiums - Phase I and the by-laws of Fokkroft Villas Condominiums - Phase I shall be deemed henceforth to include and apply to Fokkroft Villas Condominiums - Phase IV.

EXHIBIT "D"

A certain tract or parcel of land in Sandhills Township, Moore County, North Carolina, in the Village of Foxfire, North Carolina, being described as follows:

BEGINNING at an iron pin, the southeast corner of Foxcroft Villas Condominiums, Phase III, as shown on plat of same recorded in Unit Ownership, Book 8, pages 1, to 7, in the Moore County Registry, said beginning corner also being a corner of the Mayer Communities, Inc., Parcel C as described in Deed Book 452, at page 232, in the Moore County Registry; running thence from said beginning, as the southeast line of Phase III, $N40^{\circ}49'E$ 122.74 feet to an iron pipe, a corner of Phase II, and the northwest corner of Phase I, as shown in Unit Ownership Book 6, at pages 54-63 in the Moore County Registry; thence as the west line of Phase I, $S5^{\circ}08'W$ 219.62 feet to the southwest corner of said Phase I; thence as the south line of Phase I, $S85^{\circ}49'E$ 168.14 feet to the southeast corner of Phase I; thence $S4^{\circ}11'W$ 89.00 feet; thence $S23^{\circ}20'W$ 119.75 feet; thence $S67^{\circ}13'W$ 191.65 feet; thence $N00^{\circ}21'E$ 411.07 feet to the beginning, containing 1.42 acres more or less, and being a portion of Mayer Communities, Inc.'s Parcel C, as described in Deed Book 452, at page 232, in the Moore County Registry.

IN WITNESS WHEREOF, the Declarant has caused this instrument to be executed in its corporate name by its duly authorized officers, this the 15th day of February, 1980, all by resolution of its Board of Directors duly given.



MAYER COMMUNITIES, INC.

BY Lovick P. Suddath (SEAL)
Lovick P. Suddath, President

ATTEST:

Cutlar L. Ballance, Jr.
Cutlar L. Ballance, Jr., Secretary

STATE OF NORTH CAROLINA

COUNTY OF MOORE

THIS 15th day of February, 1980, personally appeared before me, LOVICK P. SUDDATH, who being by me duly sworn, says that he is the President of MAYER COMMUNITIES, INC., and that the seal affixed to the foregoing instrument in writing is the corporate seal of said corporation, and that the said writing was signed and sealed by him in behalf of said corporation, by its authority duly given. And the said CUTLAR L. BALLANCE, JR., as Secretary of the corporation, acknowledged the said writing to be the act and deed of said corporation.



Henrietta Gruetzmacher (SEAL)
Notary Public

My commission expires:
My Commission Expires April 16, 1983

NORTH CAROLINA - MOORE COUNTY

The foregoing (or annexed) certificate of
Henrietta Gruetzmacher Notary Public
Cumberland COUNTY.

STATE OF N. C. is certified to be
correct. This February 18, 1980
Crier Gilmore

Register of Deeds

Mary R. Phillips Assistant

* See plans and specifications recorded in Unit Ownership Book 8 page 58-62.

STATE OF NORTH CAROLINA

AMENDMENT TO DECLARATION OF UNIT OWNERSHIP UNDER THE NORTH CAROLINA UNIT OWNERSHIP ACT (CHAPTER 47A OF THE NORTH CAROLINA GENERAL STATUTES) - FOXKROFT VILLAS CONDOMINIUMS - PHASES I, II, III, and IV

COUNTY OF MOORE FILED PAGE 299

APR 28 4:26 PM '80

THIS AMENDMENT TO DECLARATION OF UNIT OWNERSHIP, made and executed this the 25th day of April 1980, by and between MAYER COMMUNITIES, INC., a North Carolina Business Corporation with its principal office in Moore County, North Carolina, and the Assignee of all powers set forth in the Declaration of Unit Ownership of Foxfire Development Corporation hereinafter called "Declarant"; and DALE A. SIMONS, hereinafter called "Owner";

WITNESSETH:

THAT WHEREAS, Owner has previously purchased a Unit in the Foxcroft Villas Condominiums in Foxfire Village, Moore County, North Carolina, and

WHEREAS, said Unit was subject to "The Declaration of Intent to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxcroft Villas Condominiums", which said instrument is dated the 23rd day of November, 1976 and recorded in the Moore County Public Registry in Deed Book 414 at page 178 et seq. and which declaration has been amended on several occasions subsequent thereto to include Phase I, Phase II, Phase III and Phase IV, all of which amendments made reference to and reaffirm the original declaration; and

WHEREAS, Owner herein is the registered owner of Unit 1, Building 1, Phase IV, of Foxcroft Villas Condominiums, and

WHEREAS, Paragraph F of the original declaration as hereinabove described contained the provision which provided that each Unit Owner should have an undivided interest in the common areas and facilities amounting to 12.5% and it is the desire of both of the parties hereto to amend this provision to accurately reflect the total percentage of common area and facilities to be owned by each Unit Owner within Foxcroft Villas Condominiums, and

WHEREAS, Paragraph K of said original declaration contained a provision whereby Foxcroft Villas Condominiums would not "exceed in the

Foodwell

Honorable

aggregate thirty-two units, which shall be designated as Phase II, Phase III, etc. of Foxcroft Villas Condominiums and which shall be located in no more than eight (8) additional buildings," and

WHEREAS, it is the desire of both parties hereto that this provision of Paragraph K be amended, and

NOW, THEREFORE for and in consideration of the premises herein contained and other good and valuable considerations, the parties hereto hereby amend the provisions of the covenants, restrictions, limitations, and conditions of the Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act which amendment shall run with the land and shall be binding on the said "Declarant", the said "Owners", their successors and assigns and all subsequent owners of all or any part of said real property or improvements, together with their grantees, successors, heirs, personal representatives, mortgagees, devisees or assigns:

I. Paragraph F of the original Declaration of Intention as recorded in Moore County Public Registry in Book 414 at page 178, 182 is amended with respect to each condominium unit as follows:

<u>Unit No.</u>	<u>Percentage of Undivided Interest</u>
Foxcroft Villas Condominiums Units 1 through 36	2.7777%

II. Paragraph K, the opening provisions of Paragraph K of the hereinabove described declaration is amended to read as follows:

"K. Notwithstanding anything contained in this Declaration to the contrary, it is contemplated that Declarant will construct additional condominium units, not to exceed in the aggregate thirty-six (36) units which shall be designated as Phase II, III, etc. of Foxcroft Villas Condominiums and shall be located in no more than nine (9) additional buildings, . . .".

III. Except as herein amended, the "Declarant" and "Owner" hereby acknowledge and reaffirm all other provisions of the Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act, (Chapter 47-A of the North Carolina General Statutes) - Foxcroft Villas Condominiums -Phase I as recorded in the Moore County Public Registry in Book 414 at page 178, et seq., as amended.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.



MAYER COMMUNITIES, INC.

BY Lovick P. Suddath (SEAL)
Lovick P. Suddath, President

ATTEST:

Cutlar L. Ballance, Jr.
Cutlar L. Ballance, Jr., Secretary

Dale A. Sibons (SEAL)
Dale A. Sibons

(SEAL)

STATE OF NORTH CAROLINA

COUNTY OF Cumberland

THIS 18th day of April, 1980, personally came before me Lovick P. Suddath, who being by me duly sworn, says that he is the President of Mayer Communities, Inc., and that the seal affixed to the foregoing instrument in writing is the corporate seal of the Corporation, and that said writing was signed and sealed by him in behalf of said corporation, by its authority duly given. And the said Cutlar L. Ballance, Jr., as Secretary of the Corporation, acknowledged the said writing to be the act and deed of said corporation.

Henrietta Bantorack (SEAL)
Notary Public

My commission expires: 4/10/83

STATE OF FLORIDA

BOOK 460 PAGE 302

COUNTY OF LEE

I, Charlotte Joan Clarke, a Notary Public in and for said County and State, do hereby certify that Dale A. Simons

DALE A. SIMONS

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 15 day of April, 1980.

Charlotte Joan Clarke (SEAL)
Notary Public

My commission expires:

10-24-82

NORTH CAROLINA - MOORE COUNTY
The foregoing for annual certificate
Henrietta Gruetzmacher and Charlotte Joan Clarke Notaries Public

Cumberland-Lee
STATE OF N.C. Fla. are
correct. This April 28, 1980

Grier Gilmore

Mary R. Phillips Assistant

STATE OF NORTH CAROLINA

COUNTY OF MOORE

FILED
BOOK 460 PAGE 303

DEED OF RELEASE
APR 28 4 42 PM '80

April

THIS DEED OF RELEASE, made and entered into this 21st day of February, 1980, by and between SAMUEL H. POOLE of Moore County, State of North Carolina, acting as Trustee as hereinafter stated, and THE CAROLINA BANK of Moore County, State of North Carolina, hereinafter called parties of the first part; and MAYER COMMUNITIES, INC., of Moore County, State of North Carolina, hereinafter referred to as party of the second part;

W I T N E S S E T H :

WHEREAS, said party of the second part heretofore executed to THE CAROLINA BANK a certain Deed of Trust in the sum of THREE HUNDRED THOUSAND AND NO/100 DOLLARS (\$300,000.00), dated December 7, 1979, and duly recorded in the Office of the Register of Deeds of Moore County, North Carolina, in Book of Deeds of Trust 319, at page 776, to secure a certain note therein set out payable to THE CAROLINA BANK of even date therewith; and

WHEREAS, said party of the second part has requested the said THE CAROLINA BANK to release from the lien of said Deed of Trust so much of the land therein conveyed as is hereinafter described, and the said THE CAROLINA BANK has agreed so to do and has requested said Trustee to join in said release.

NOW, THEREFORE, said parties of the first part, for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable considerations, to each of them paid by the party of the second part, have remised and released, and by these presents do remise, release, and forever quitclaim unto the said party of the second part and its successors and assigns certain lands situate in Moore County, Sandhills Township, State of North Carolina, and more particularly described as follows:

BEING ALL OF UNIT NO. 6 of Foxcroft Villas Condominiums, Phase IV as shown on that certain plat entitled Foxcroft Villas Condominiums, Village of Foxfire, Sandhills Township, Moore County, North Carolina, Property of Mayer Communities, Inc., dated February 14, 1980, as prepared by C. H. Blue & Associates, and recorded in Unit Ownership Book 8, Page 58, Moore County, North Carolina Public Registry, and designated and described as Unit No. 6 in the Amendment to the Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47-A of the North Carolina General Statutes) - Foxcroft Villas Condominiums - Phase I (the Amendment) dated February 13, 1980, establishing a plan for condominium ownership of the multi-unit buildings and the

Prepared by:
JOHNSON, POOLE AND WEBSTER
ATTORNEYS AT LAW
ASHEBEN, N. C.

600 pd
Henrietta

800 480 304

land on which they are erected (such land being described in Exhibit A to the Amendment which is herein incorporated by reference), made by Mayer Communities, Inc. under the Unit Ownership Act of North Carolina, (Chapter 47-A of the General Statutes), recorded in Deed Book 457, at Page 786, Moore County Registry, on February 18, 1980, together with a 2.77% interest in the common areas and facilities declared therein to be appurtenant to said unit.

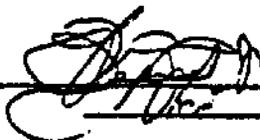
TO HAVE AND TO HOLD, said lands and premises, together with all privileges and appurtenances thereon and thereunto belonging to MAYER COMMUNITIES, INC. the said party of the second part and its successors and assigns, free and discharged from the lien of the Deed of Trust recorded in Book of Mortgages 319, at Page 776, in the Office of the Register of Deeds of Moore County, North Carolina, and hereinabove referred to.

But it is understood and agreed that this release shall apply only to so much of said lands as are herein expressly described and conveyed and as to the remainder of said lands, said Deed of Trust shall be and remain in full force and effect.

IN TESTIMONY WHEREOF, said SAMUEL H. POOLE, acting as Trustee has hereunto set his hand and seal, and THE CAROLINA BANK, has hereunto set its hand and seal, all of which is done on this day and year first above written.

 (SEAL)
Samuel H. Poole

THE CAROLINA BANK

BY  President




Secretary

STATE OF NORTH CAROLINA

COUNTY OF MOORE Cumberland

I, Henrietta Gruelzmacher a Notary Public in and for said county and state, hereby certify that SAMUEL H. POOLE, acting as Trustee as hereinbefore stated, personally appeared before me this day and acknowledged the due execution of the foregoing DEED OF RELEASE for the purposes therein expressed.

WITNESS my hand and notarial seal this 28 day of April 1980.

Henrietta Gruelzmacher (SEAL)
Notary Public

My commission expires: 4/14/83

STATE OF NORTH CAROLINA

COUNTY OF Moore

THIS 28 day of April, 1980, personally came before me J. Thomas Shepherd Jr, who being by me duly sworn, says that he is the Vice President of The Carolina Bank, and that the seal affixed to the foregoing instrument in writing is the corporate seal of the Corporation, and that said writing was signed and sealed by him in behalf of said corporation, by its authority duly given. And the said Mary Saunders, as Asst. Cashier ~~Secre-~~ tary of the Corporation, acknowledged the said writing to be the act and deed of said corporation.

Anna Polston (SEAL)
Notary Public

My commission expires: 11-29-83

NORTH CAROLINA - MOORE COUNTY

The foregoing (or annexed) certificate of Henrietta Gruelzmacher and Anna Polston Notaries Public

Cumberland - Moore COUNTY

STATE OF N. C. are certified to be correct. This April 28, 19 80

Grier Gilmore

Registrar of Deeds

Mary R. Phillips Assistant

STATE OF NORTH CAROLINA

AMENDMENT TO DECLARATION OF UNIT OWNERSHIP UNDER THE NORTH CAROLINA UNIT OWNERSHIP ACT (CHAPTER 47A OF THE NORTH CAROLINA GENERAL STATUTES) - FOXKROFT VILLAS CONDOMINIUMS - PHASES I, II, III, and IV

COUNTY OF MOORE FILED PAGE 308

APR 28 4 42 PM '80

THIS AMENDMENT TO DECLARATION OF UNIT OWNERSHIP, made and executed this the 28th day of April, 1980, by and between MAYER COMMUNITIES, INC., a North Carolina Business Corporation with its principal office in Moore County, North Carolina, and the Assignee of all powers set forth in the Declaration of Unit Ownership of Foxfire Development Corporation hereinafter called "Declarant"; and ALFRED J. EBERHARDT, hereinafter called "Owner";

W I T N E S S E T H :

THAT WHEREAS, Owner has previously purchased a Unit in the Foxcroft Villas Condominiums in Foxfire Village, Moore County, North Carolina, and

WHEREAS, said Unit was subject to "The Declaration of Intent to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxcroft Villas Condominiums", which said instrument is dated the 23rd day of November, 1976 and recorded in the Moore County Public Registry in Deed Book 414 at page 178 et seq. and which declaration has been amended on several occasions subsequent thereto to include Phase I, Phase II, Phase III and Phase IV, all of which amendments made reference to and reaffirm the original declaration; and

WHEREAS, Owner herein is the registered owner of Unit 6, Building 2, Phase IV, of Foxcroft Villas Condominiums, and

WHEREAS, Paragraph F of the original declaration as hereinabove described contained the provision which provided that each Unit Owner should have an undivided interest in the common areas and facilities amounting to 12.5% and it is the desire of both of the parties hereto to amend this provision to accurately reflect the total percentage of common areas and facilities to be owned by each Unit Owner within Foxcroft Villas Condominiums, and

WHEREAS, Paragraph K of said original declaration contained a provision whereby Foxcroft Villas Condominiums would not "exceed in the

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aggregate thirty-two units, which shall be designated as Phase II, Phase III, etc. of Foxcroft Villas Condominiums and which shall be located in no more than eight (8) additional buildings," and

WHEREAS, it is the desire of both parties hereto that this provision of Paragraph K be amended, and

NOW, THEREFORE for and in consideration of the premises herein contained and other good and valuable considerations, the parties hereto hereby amend the provisions of the covenants, restrictions, limitations, and conditions of the Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act which amendment shall run with the land and shall be binding on the said "Declarant", the said "Owners", their successors and assigns and all subsequent owners of all or any part of said real property or improvements, together with their grantees, successors, heirs, personal representatives, mortgagees, devisees or assigns:

I. Paragraph F of the original Declaration of Intention as recorded in Moore County Public Registry in Book 414 at page 178, 182 is amended with respect to each condominium unit as follows:

<u>Unit No.</u>	<u>Percentage of Undivided Interest</u>
Foxcroft Villas Condominiums Units 1 through 36	2.77777%

II. Paragraph K, the opening provisions of Paragraph K of the hereinabove described declaration is amended to read as follows:

"K. Notwithstanding anything contained in this Declaration to the contrary, it is contemplated that Declarant will construct additional condominium units, not to exceed in the aggregate thirty-six (36) units which shall be designated as Phase II, III, etc. of Foxcroft Villas Condominiums and shall be located in no more than nine (9) additional buildings, . . .".

III. Except as herein amended, the "Declarant" and "Owner" hereby acknowledge and reaffirm all other provisions of the Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act, (Chapter 47-A of the North Carolina General Statutes) - Foxcroft Villas Condominiums -Phase I as recorded in the Moore County Public Registry in Book 414 at page 178, et seq., as amended.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.



MAYER COMMUNITIES, INC.

BY Lovick P. Suddath (SEAL)
Lovick P. Suddath, President

ATTEST:

Cutlar L. Ballance, Jr.
Cutlar L. Ballance, Jr., Secretary

Alfred J. Eberhardt (SEAL)
Alfred J. Eberhardt

(SEAL)

STATE OF NORTH CAROLINA

COUNTY OF Moore

THIS 28th day of April, 1980, personally came before me Lovick P. Suddath, who being by me duly sworn, says that he is the President of Mayer Communities, Inc. and that the seal affixed to the foregoing instrument in writing is the corporate seal of the Corporation, and that said writing was signed and sealed by him in behalf of said corporation, by its authority duly given. And the said Cutlar L. Ballance, as Secretary of the Corporation, acknowledged the said writing to be the act and deed of said corporation.

Cathy B. Aldridge (SEAL)
Notary Public

My commission expires:

My Commission Expires October 23, 1983

STATE OF Connecticut

COUNTY OF HARTFORD

I, W. Ann Kulak, a Notary Public in and for said County and State, do hereby certify that _____

ALFRED J. EBERHARDT

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 16 day of April, 1980.

W. Ann Kulak
Notary Public



My commission expires:
NOTARY PUBLIC
MY COMMISSION EXPIRES APRIL 1, 1984

NORTH CAROLINA - MOORE COUNTY
The foregoing instrument is certified to be correct by
Cathy B. Aldridge and W. Ann Kulak Notaries Public
Moore-Hartford COUNTY
STATE OF N.C. Conn. is certified to be correct this April 28, 1980
Grier Gilmore
Mary R. Phillips, Assistant

STATE OF NORTH CAROLINA

AMENDMENT TO DECLARATIONS OF INTENTION TO
SUBMIT PROPERTY TO THE NORTH CAROLINA UNIT
OWNERSHIP ACT (CHAPTER 47A OF THE NORTH
CAROLINA GENERAL STATUTES)-FOXKROFT VILLAS
CONDOMINIUMS - PHASE I

MOORE COUNTY

THIS AMENDMENT TO DECLARATION OF UNIT OWNERSHIP, made and executed this
the 4th day of May, 1983, by Foxcroft Condominium Association,
Inc., a North Carolina Non-Profit Corporation with principal offices in Moore
County, North Carolina, hereinafter called "Association";

W I T N E S S E T H :

THAT WHEREAS, FOXFIRE DEVELOPMENT CORPORATION, previously filed in the
Office of the Register of Deeds of Moore County, North Carolina, an
instrument entitled "Declaration of Intention to Submit Property to the North
Carolina Unit Ownership Act (Chapter 47A of the North Carolina General
Statutes) - Foxcroft Villas Condominiums - Phase I", which said instrument is
dated November 23, 1976, and which is recorded in the Office of the Register
of Deeds of Moore County, North Carolina, in Deed Book 414, at Page 178 et
seq. and which is hereinafter referred to as "Declaration"; and

WHEREAS, on the 27th day of November, 1978, Foxfire Development
Corporation (now Scottish Development Corporation) conveyed its remaining
interest in all of the properties formerly known as "Foxfire" to Mayer
Communities, Inc., including the adjacent properties to the Foxcroft Villas
Condominiums, said conveyance being by deed dated the 27th day of November,
1978, and filed in the Moore County Public Registry on the 28th day of
November, 1978, in Deed Book 440, at Page 897; and

WHEREAS, under the provisions of Paragraph K of the hereinabove
described "Declaration of Intent to Submit Property", Developer amended the
said "Declaration" upon construction of additional condominium units, in the
aggregate thirty-six units, said amendment recorded in Deed Book 421, at Page
276, et seq., Deed Book 445, at Page 77, et seq., and Deed Book 457, at Page
786 et seq.; and

JOHNSON, POOLE AND WEBSTER
ATTORNEYS AT LAW
ASHEBORO, N. C.

*811.00 pd -
Mrs. Suzanne Carter
Box 95
Pinehurst, N.C.*

administrators were elected, and no notice shall be necessary to the newly elected administrators in order to legally constitute such meeting, providing fifty-one percent (51%) of the whole board shall be present in person, by mail, or by telephone."

Amendment 6. ARTICLE IV, Section 9, the first sentence shall be amended and a sentence added so that section shall read;

Section 9. "Regular meetings of the board of administrators may be held at such time and place as shall be determined, from time to time by fifty-one percent (51%) of the administrators, but at least two such meetings shall be held during each fiscal year. Notice of regular meetings of the board of administrators shall be given to each administrator, personally or by mail, telephone or telegraph, at least ten (10) days prior to the day named for such meeting. Voting may be in person, by mail, or by telephone."

Amendment 7. ARTICLE IV, Section 10, shall be amended by changing the last two lines so that section shall read:

Section 10. "Special meetings of the board of administrators may be called by the president on ten days' notice to each administrator given personally or by mail, telephone or telegraph, which notice shall state the time, place (as hereinabove provided), and purpose of the meeting. Special meetings of the board of administrators shall be called by the president or secretary in like manner and on like notice on the written request of at least fifty-one percent (51%) of the administrator."

Amendment 8. ARTICLE IV, Section 12, shall be amended by changing the first sentence so that section shall read:

Section 12. "At all meetings of the board of administrators fifty-one percent (51%) of the administrators shall constitute a quorum for the transaction of business and the acts of the majority of the administrators present at a meeting at which a quorum is present shall be acts of the board of administrators. If at any meeting of the board of administrators there be less than quorum present, the majority of those present may adjourn the meeting from time to time, until such time as a majority is present."

Amendment 9. ARTICLE VI, Section 1 shall be amended by deleting the word "earthquake" in the fifth line thereof.

Amendment 10. the first sentence in ARTICLE VIII, Section 1 shall be amended so that section shall read:

Inc., 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 secretary.

Witness my hand and notarial seal this 4th day of May, 1983.

My commission expires: 2/2/86

Val Crutchfield Corder
Notary Public



NORTH CAROLINA - MOORE COUNTY
The following is renewed certificate of
Val Crutchfield Corder Notary Public
Alamance COUNTY
STATE OF N. C.
expires the September 8, 83
Grler Gilmore

Mary R. Phyllis Assistant

ERIE COUNTY REGISTER OF DEEDS MOORE COUNTY, N.C.

BOOK 506
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JOHNSON, POOLE AND WEBSTER
ATTORNEYS AT LAW
ASHEBORO, N. C.

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STATE OF NORTH CAROLINA

AMENDMENT TO DECLARATION OF UNIT OWNERSHIP UNDER THE NORTH CAROLINA UNIT OWNERSHIP ACT (CHAPTER 47A OF THE NORTH CAROLINA GENERAL STATUTES) - FOXKROFT VILLAS CONDOMINIUMS - PHASES I, II, III, and IV

COUNTY OF MOORE

THIS AMENDMENT TO DECLARATION OF UNIT OWNERSHIP, made and executed this the 11 day of April, 1980, by and between MAYER COMMUNITIES, INC., a North Carolina Business Corporation with its principal office in Moore County, North Carolina, and the Assignee of all powers set forth in the Declaration of Unit Ownership of Foxfire Development Corporation hereinafter called "Declarant"; and JOHN K. MONTGOMERY and wife, ANNE S. MONTGOMERY, hereinafter called "Owner";

WITNESSETH:

THAT WHEREAS, Owner has previously purchased a Unit in the Foxcroft Villas Condominiums in Foxfire Village, Moore County, North Carolina, and

WHEREAS, said Unit was subject to "The Declaration of Intent to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxcroft Villas Condominiums", which said instrument is dated the 23rd day of November, 1976 and recorded in the Moore County Public Registry in Deed Book 414 at page 178 at seq. and which declaration has been amended on several occasions subsequent thereto to include Phase I, Phase II, Phase III and Phase IV, all of which amendments made reference to and reaffirm the original declaration; and

WHEREAS, Owner herein is the registered owner of Unit 2, Building 1, Phase IV, of Foxcroft Villas Condominiums, and

WHEREAS, Paragraph F of the original declaration as hereinabove described contained the provision which provided that each Unit Owner should have an undivided interest in the common areas and facilities amounting to 12.5% and it is the desire of both of the parties hereto to amend this provision to accurately reflect the total percentage of common area and facilities to be owned by each Unit Owner within Foxcroft Villas Condominiums, and

WHEREAS, Paragraph K of said original declaration contains a provision whereby Foxcroft Villas Condominiums would not "exceed in the

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BOOK 460
PAGE 475

Drawn by

JOHNSON, POOLE AND WEBSTER
ATTORNEYS AT LAW
ASHEBORO, N. C.

aggregate thirty-two units, which shall be designated as Phase II, Phase III, etc. of Foxcroft Villas Condominiums and which shall be located in no more than eight (8) additional buildings," and

WHEREAS, it is the desire of both parties hereto that this provision of Paragraph K be amended, and

NOW, THEREFORE for and in consideration of the premises herein contained and other good and valuable considerations, the parties hereto hereby amend the provisions of the covenants, restrictions, limitations, and conditions of the Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act which amendment shall run with the land and shall be binding on the said "Declarant", the said "Owners", their successors and assigns and all subsequent owners of all or any part of said real property or improvements, together with their grantees, successors, heirs, personal representatives, mortgagees, devisees or assigns:

I. Paragraph F of the original Declaration of Intention as recorded in Moore County Public Registry in Book 414 at page 178, 182 is amended with respect to each condominium unit as follows:

<u>Unit No.</u>	<u>Percentage of Undivided Interest</u>
Foxcroft Villas Condominiums Units 1 through 36	2.77777%

II. Paragraph K, the opening provisions of Paragraph K of the hereinabove described declaration is amended to read as follows:

"K. Notwithstanding anything contained in this Declaration to the contrary, it is contemplated that Declarant will construct additional condominium units, not to exceed in the aggregate thirty-six (36) units which shall be designated as Phase II, III, etc. of Foxcroft Villas Condominiums and shall be located in no more than nine (9) additional buildings, . . .".

III. Except as herein amended, the "Declarant" and "Owner" hereby acknowledge and reaffirm all other provisions of the Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act, (Chapter 47-A of the North Carolina General Statutes) - Foxcroft Villas Condominiums -Phase I as recorded in the Moore County Public Registry in Book 414 at page 178, at seq., as amended.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

MAYER COMMUNITIES, INC.



BY Lovick P. Suddath (SEAL)
Lovick P. Suddath, President

Cutlar L. Ballance, Jr.
Cutlar L. Ballance, Jr., Secretary

John K. Montgomery (SEAL)
John K. Montgomery

Anne S. Montgomery (SEAL)
Anne S. Montgomery

STATE OF NORTH CAROLINA

COUNTY OF MOORE

THIS 25th day of April, 1980, personally came before me LOVICK P. SUDDATH, who being by me duly sworn, says that he is the President of MAYER COMMUNITIES, INC., and that the seal affixed to the foregoing instrument in writing is the corporate seal of the Corporation, and that said writing was signed and sealed by him in behalf of said corporation, by its authority duly given. And the said CUTLAR L. BALLANCE, JR., as Secretary of the Corporation, acknowledged the said writing to be the act and deed of said corporation.

Cathy B. Allred (SEAL)
Notary Public

My commission expires:
My Commission Expires October 23, 1983
My Commission Expires October 23, 1983

STATE OF Pennsylvania

COUNTY OF Philadelphia

I, John Wm. Godfrey, a Notary Public in and for said County and State, do hereby certify that

JOHN K. MONTGOMERY and wife, ANNE S. MONTGOMERY

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 21 day of April 1980.

John Wm. Godfrey
Notary Public



My commission expires:

JOHN WM. GODFREY
Notary Public, Phila., Pa. Co.
My Commission Expires March 24, 1984

NORTH CAROLINA - MOORE COUNTY

The foregoing (or annexed) certificate of Cathy B. Aldridge and John Wm. Godfrey Notaries Public

Moore-Philadelphia COUNTY,
STATE OF N.C. Pa., are certified to be correct. Dtd May 1, 19 80

Grier Gilmore
Register of Deeds

Mary R. Phillips Assistant

STATE OF NORTH CAROLINA

BOOK 460 PAGE 696

AMENDMENT TO DECLARATION OF UNIT OWNERSHIP UNDER THE NORTH CAROLINA UNIT OWNERSHIP ACT (CHAPTER 47A OF THE NORTH CAROLINA GENERAL STATUTES) FOXKROFT VILLAS CONDOMINIUMS - PHASES I, II, III, and IV

COUNTY OF MOORE

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MAY 8 4 09 PM '80

THIS AMENDMENT TO DECLARATION OF UNIT OWNERSHIP, made and executed this the 30 day of April 1980, by and between MAYER COMMUNITIES, INC., a North Carolina Business Corporation with its principal office in Moore County, North Carolina, and the Assignee of all powers set forth in the Declaration of Unit Ownership of Foxfire Development Corporation hereinafter called "Declarant"; and GERALD J. DEVRIES and wife.

GLORIA W. DEVRIES, hereinafter called "Owner";

W I T N E S S E T H :

THAT WHEREAS, Owner has previously purchased a Unit in the Foxkroft Villas Condominiums in Foxfire Village, Moore County, North Carolina, and

WHEREAS, said Unit was subject to "The Declaration of Intent to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxkroft Villas Condominiums", which said instrument is dated the 23rd day of November, 1976 and recorded in the Moore County Public Registry in Deed Book 414 at page 178 et seq. and which declaration has been amended on several occasions subsequent thereto to include Phase I, Phase II, Phase III and Phase IV, all of which amendments made reference to and reaffirm the original declaration; and

WHEREAS, Owner herein is the registered owner of Unit 5, Building 2, Phase IV, of Foxkroft Villas Condominiums, and

WHEREAS, Paragraph F of the original declaration as hereinabove described contained the provision which provided that each Unit Owner should have an undivided interest in the common areas and facilities amounting to 12.5% and it is the desire of both of the parties hereto to amend this provision to accurately reflect the total percentage of common area and facilities to be owned by each Unit Owner within Foxkroft Villas Condominiums, and

WHEREAS, Paragraph K of said original declaration contained a provision whereby Foxkroft Villas Condominiums would not "exceed in the

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Drawn By:

JOHNSON, POOLE AND WEBSTER
ATTORNEYS AT LAW
ASHEBORO, N. C.

aggregate thirty-two units, which shall be designated as Phase II, Phase III, etc. of Foxcroft Villas Condominiums and which shall be located in no more than eight (8) additional buildings," and

WHEREAS, it is the desire of both parties hereto that this provision of Paragraph K be amended, and

NOW, THEREFORE for and in consideration of the premises herein contained and other good and valuable considerations, the parties hereto hereby amend the provisions of the covenants, restrictions, limitations, and conditions of the Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act which amendment shall run with the land and shall be binding on the said "Declarant", the said "Owners", their successors and assigns and all subsequent owners of all or any part of said real property or improvements, together with their grantees, successors, heirs, personal representatives, mortgagees, devisees or assigns:

I. Paragraph F of the original Declaration of Intention as recorded in Moore County Public Registry in Book 414 at page 178, 182 is amended with respect to each condominium unit as follows:

<u>Unit No.</u>	<u>Percentage of Undivided Interest</u>
Foxcroft Villas Condominiums Units 1 through 36	2.77777%

II. Paragraph K, the opening provisions of Paragraph K of the hereinabove described declaration is amended to read as follows:

"K. Notwithstanding anything contained in this Declaration to the contrary, it is contemplated that Declarant will construct additional condominium units, not to exceed in the aggregate thirty-six (36) units which shall be designated as Phase II, III, etc. of Foxcroft Villas Condominiums and shall be located in no more than nine (9) additional buildings. . . ."

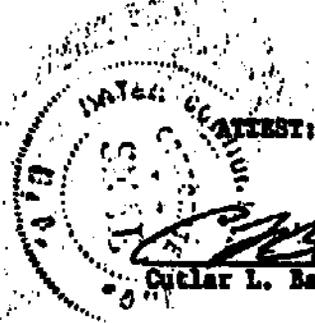
III. Except as herein amended, the "Declarant" and "Owner" hereby acknowledge and reaffirm all other provisions of the Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act, (Chapter 47-A of the North Carolina General Statutes) - Foxcroft Villas Condominiums -Phase I as recorded in the Moore County Public Registry in Book 414 at page 178, et seq., as amended.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

MAYER COMMUNITIES, INC.

CORPORATE SEAL

BY Lovick P. Suddath (SEAL)
Lovick P. Suddath, President



Cutlar L. Ballance, Jr.
Cutlar L. Ballance, Jr., Secretary

Gerald M. DeVries (SEAL)
Gerald M. DeVries

Gloria J. DeVries (SEAL)
Gloria J. DeVries

STATE OF NORTH CAROLINA

COUNTY OF Moore

THIS 7th day of May, 1980, personally came before me Lovick P. Suddath, who being by me duly sworn, says that he is the President of Mayer Communities, Inc., and that the seal affixed to the foregoing instrument in writing is the corporate seal of the Corporation, and that said writing was signed and sealed by him in behalf of said corporation, by its authority duly given. And the said Cutlar L. Ballance, Jr., as Secretary of the Corporation, acknowledged the said writing to be the act and deed of said corporation.

Lynne B. Blewett (SEAL)
Notary Public



My commission expires:
My Commission Expires October 2, 1984

STATE OF Pa.

COUNTY OF Allegheny
David L. Bagaley

a Notary Public in and for

said County and State, do hereby certify that _____

GERALD J. DEVRIES & wife, GLORIA W. DEVRIES

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 30 day of April, 1980.

David L. Bagaley (SEAL)
Notary Public



My commission expires:

DAVID L. BAGALEY, NOTARY PUBLIC
SHALER TOWNSHIP, ALLEGHENY COUNTY
MY COMMISSION EXPIRES MAR. 1, 1983
Member, Pennsylvania Association of Notaries

NORTH CAROLINA - MOORE COUNTY

The foregoing (or analogous) instrument

Lynne B. Blanchard and David L. Bagaley Notaries Public

Moore - Allegheny Co COUNTY

STATE OF N.C. is certified to be

correct. This May 8, 19 80

Grier Gilmore

Register of Deeds

Mary R. Hillig Assistant

STATE OF NORTH CAROLINA

AMENDMENT TO DECLARATION OF UNIT OWNERSHIP UNDER THE NORTH CAROLINA UNIT OWNERSHIP ACT (CHAPTER 47A OF THE NORTH CAROLINA GENERAL STATUTES) - FOXKROFT VILLAS CONDOMINIUMS - PHASES I, II, III, and IV

COUNTY OF MOORE BOOK 460 PAGE 700

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MAY 8 4 09 PM '80

THIS AMENDMENT TO DECLARATION OF UNIT OWNERSHIP, made and executed this the 30th day of April 1980, and between MAYER COMMUNITIES, INC., a North Carolina Business Corporation with its principal office in Moore County, North Carolina, and the Assignee of all powers set forth in the Declaration of Unit Ownership of Foxfire Development Corporation hereinafter called "Declarant"; and KARL JOHN TEUTEBERG, JR.

MARIE M. TEUTEBERG, hereinafter called "Owner";

WITNESSETH:

THAT WHEREAS, Owner has previously purchased a Unit in the Foxcroft Villas Condominiums in Foxfire Village, Moore County, North Carolina, and

WHEREAS, said Unit was subject to "The Declaration of Intent to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxcroft Villas Condominiums", which said instrument is dated the 23rd day of November, 1976 and recorded in the Moore County Public Registry in Deed Book 414 at page 178 et seq. and which declaration has been amended on several occasions subsequent thereto to include Phase I, Phase II, Phase III and Phase IV, all of which amendments made reference to and reaffirm the original declaration; and

WHEREAS, Owner herein is the registered owner of Unit 5, Building 2, Phase IV, of Foxcroft Villas Condominiums, and

WHEREAS, Paragraph F of the original declaration as hereinabove described contained the provision which provided that each Unit Owner should have an undivided interest in the common areas and facilities amounting to 12.5% and it is the desire of both of the parties hereto to amend this provision to accurately reflect the total percentage of common area and facilities to be owned by each Unit Owner within Foxcroft Villas Condominiums, and

WHEREAS, Paragraph K of said original declaration contained a provision whereby Foxcroft Villas Condominiums would not "exceed in the

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Drawn by
JOHNSON, COOLE AND WEBSTER
ATTORNEYS AT LAW
ASHEBORO, N. C.

aggregate thirty-two units, which shall be designated as Phase II, Phase III, etc. of Foxcroft Villas Condominiums and which shall be located in no more than eight (8) additional buildings," and

WHEREAS, it is the desire of both parties hereto that this provision of Paragraph K be amended, and

NOW, THEREFORE for and in consideration of the premises herein contained and other good and valuable considerations, the parties hereto hereby amend the provisions of the covenants, restrictions, limitations, and conditions of the Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act which amendment shall run with the land and shall be binding on the said "Declarant", the said "Owners", their successors and assigns and all subsequent owners of all or any part of said real property or improvements, together with their grantees, successors, heirs, personal representatives, mortgagees, devisees or assigns:

I. Paragraph F of the original Declaration of Intention as recorded in Moore County Public Registry in Book 414 at page 178, 182 is amended with respect to each condominium unit as follows:

<u>Unit No.</u>	<u>Percentage of Undivided Interest</u>
Foxcroft Villas Condominiums Units 1 through 36	2.77777%

II. Paragraph K, the opening provisions of Paragraph K of the hereinabove described declaration is amended to read as follows:

"K. Notwithstanding anything contained in this Declaration to the contrary, it is contemplated that Declarant will construct additional condominium units, not to exceed in the aggregate thirty-six (36) units which shall be designated as Phase II, III, etc. of Foxcroft Villas Condominiums and shall be located in no more than nine (9) additional buildings, . . ."

III. Except as herein amended, the "Declarant" and "Owner" hereby acknowledge and reaffirm all other provisions of the Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act, (Chapter 47-A of the North Carolina General Statutes) - Foxcroft Villas Condominiums -Phase I as recorded in the Moore County Public Registry in Book 414 at page 178, et seq., as amended.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

MAYER COMMUNITIES, INC.

CORPORATE SEAL

BY Lovick P. Suddath (SEAL)
Lovick P. Suddath, President

ATTEST:

Cutlar L. Ballance, Jr.
Cutlar L. Ballance, Jr., Secretary

Karl John Teuteberg, Jr. (SEAL)
Karl John Teuteberg, Jr.

Marie M. Teuteberg (SEAL)
Marie M. Teuteberg

STATE OF NORTH CAROLINA

COUNTY OF Moore

THIS 7th day of May , 1980, personally came before me Lovick P. Suddath , who being by me duly sworn, says that he is the President of Mayer Communities, Inc. , and that the seal affixed to the foregoing instrument in writing is the corporate seal of the Corporation, and that said writing was signed and sealed by him in behalf of said corporation, by its authority duly given. And the said Cutlar L. Ballance, Jr. , as Secretary of the Corporation, acknowledged the said writing to be the act and deed of said corporation.

Lynne B. Blanchard
Notary Public



My commission expires:
My Commission Expires October 8, 1984

STATE OF NORTH CAROLINA

COUNTY OF MOORE

CORPORATION DEED

FILED BOOK 460 PAGE 704

MAY 8 4 09 PM '80

GEN. GILMORE REGISTER OF DEEDS MOORE COUNTY, N.C.

7407 FILING PT. 15101 ALLISON PARK, PA 15101

THIS DEED, made this 7th day of May, 1980, by and between MAYER COMMUNITIES, INC., a corporation organized and existing under and by virtue of the laws of the State of North Carolina with its principal office located at Moore County, North Carolina, party of the first part, and KARL JOHN TEUTEBERG, JR. and wife, MARIE M. TEUTEBERG and GERALD J. DEVRIES and wife, GLORIA W. DEVRIES of Pennsylvania, parties of the second part;

WITNESSETH:

That said party of the first part, in consideration of the sum of ONE HUNDRED DOLLARS (\$100.00) and other good and valuable considerations to it paid by the parties of the second part, the receipt of which is hereby acknowledged, has bargained and sold, and by these presents does grant, bargain, sell and convey unto the said KARL JOHN TEUTEBERG, JR. and wife, MARIE M. TEUTEBERG and GERALD J. DEVRIES and wife, GLORIA W. DEVRIES, their heirs and assigns, all of that certain tract or parcel of land situate, lying and being in Moore County, Sandhill Township, North Carolina, and more particularly described as follows:

BEING ALL OF UNIT NO. 5 of Foxcroft Villas Condominiums, Phase IV as shown on that certain plat entitled, "Foxcroft Villas Condominiums, Village of Foxfire, Sandhills Township, Moore County, North Carolina, Property of Mayer Communities, Inc.," dated February 14, 1980, as prepared by C. H. Blue & Associates, and recorded in Unit Ownership Book 8, Page 58, Moore County, North Carolina Public Registry, and designated and described as Unit No. 5 in the Amendment to the Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47-A of the North Carolina General Statutes) - Foxcroft Villas Condominiums - Phase I (the Amendment) dated February 13, 1980, establishing a plan for condominium ownership of the multi-unit buildings and the land on which they are erected (such land being described in Exhibit A to the Amendment which is herein incorporated by reference), made by Mayer Communities, Inc. under the Unit Ownership Act of North Carolina, (Chapter 47-A of the General Statutes), recorded in Deed Book 457, at Page 786, Moore County Registry, on February 18, 1980, together with a 2.77% interest in the common areas and facilities declared therein to be appurtenant to said unit.

TOGETHER with an easement for ingress, egress, and regress across that certain area designated as "Access Road" on Exhibit A attached to said Amendment, and made a part hereof by reference.

TAX ADDRESS RECORDING 6.00 STAMP 60.00 TOTAL 66.00 pd

Drawn By:

JOHNSON, POOLE AND WEBSTER ATTORNEYS AT LAW ABERDEEN, N. C.

LISTED TRANSFER RECORD MAY 8 1980 MOORE COUNTY, N. C. TAX SUPERVISOR BY TJP

NORTH CAROLINA

AMENDMENT TO DECLARATION OF INTENTION TO SUBMIT PROPERTY TO THE NORTH CAROLINA UNIT OWNERSHIP ACT (CHAPTER 47A OF THE NORTH CAROLINA GENERAL STATUTES) - FOXKROFT VILLAS CONDOMINIUMS - PHASE I

MOORE COUNTY

BOOK 421 PAGE 276

THIS AMENDMENT TO DECLARATION OF UNIT OWNERSHIP, made and executed this the 30th day of June, 1977, by FOXFIRE DEVELOPMENT CORPORATION, a North Carolina Business Corporation with principal offices in Moore County, North Carolina, hereinafter called "Declarant";

WITNESSETH:

THAT WHEREAS, the said Declarant previously filed in the Office of the Register of Deeds of Moore County, North Carolina, an instrument entitled "Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxcroft Villas Condominiums - Phase I", which said instrument is dated November 23, 1976, and which is recorded in the Office of the Register of Deeds of Moore County, North Carolina, in Deed Book 414 at page 178 et seq. and which is hereinafter referred to as "Declaration"; and

WHEREAS, under the provisions of Paragraph K of the said instrument, the said "Declarant" reserved the right to amend the said "Declaration" upon the construction of additional condominium units; and

WHEREAS, the said Declarant has constructed eight additional condominium units in two buildings, the buildings being designated as buildings numbers 5 and 6, and the Declarant does hereby amend the said "Declaration" to cover the said eight additional units as follows:

1. The said Declarant has constructed the eight additional condominium units on that certain real property located in Mineral Springs Township, Moore County, North Carolina, hereinafter described on Exhibit A attached hereto and made a part hereof by incorporation.

2. It is intended by the filing of this instrument to amend the Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxcroft Villas Condominiums - Phase I, to include Foxcroft Villas Condominiums - Phase II, and except as herein amended Declarant hereby ratifies and adopts provisions of the Declaration for Foxcroft Villas Condominiums - Phase I as recorded in Deed Book 414 at page 178, et seq.,

\$7.50 per line

Crews

of the Moore County, North Carolina Public Registry.

3. Pursuant to the terms of Paragraph K of the Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxcroft Villas Condominiums - Phase I, each unit owner's percentage of interest in the common areas and facilities has been redetermined as follows:

<u>Unit No.</u>	<u>Percentage of Undivided Interest</u>
Foxcroft Villas Condominiums - Phase I	
9 thru 16	6.25%
Foxcroft Villas Condominiums - Phase II	
17 thru 24	6.25%

BOOK 421 PAGE 277

4. Certain parts of the common areas and facilities as set out in the said "Declaration" are herein called and designated as "Limited Common Areas and Facilities" and are hereby set aside and are reserved for the exclusive use of certain units and such units shall have appurtenant thereto an exclusive easement for the use of such Limited Common Areas and Facilities. The Limited Common Areas and Facilities are as follows:

A. The decking attached to each unit, septic tanks, and outside air conditioning units as delineated on Exhibit A attached hereto and made a part hereof by incorporation, and which are reserved for the use of each unit as designated.

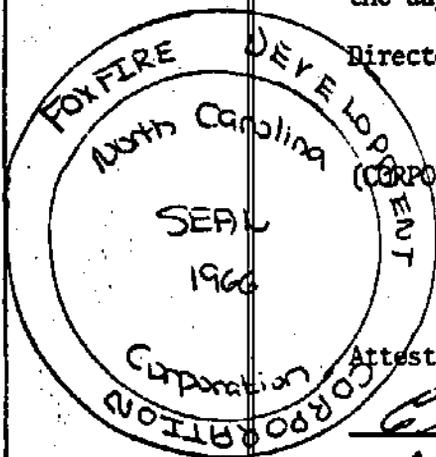
B. Outside stairways attached to the buildings, which are reserved for the use of upstairs units numbers 19, 20, 23, and 24 as those units are designated on Exhibit A, attic spaces above units 19, 20, 23, and 24 as shown on Exhibit A, which are reserved for the use of those units, crawl spaces underneath units 17, 18, 21, and 22 as they are designated on Exhibit A which are reserved for their use, except that there is reserved to the Owners of units 19, 20, 23, and 24, easements for the purposes of going into the said crawl space areas for the purpose of repair, replacement, and maintenance of the hot water heaters located therein which are also a part of the Limited Common Areas.

5. The following Exhibits are attached hereto and made a part of this amendment to Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxcroft Villas Condominiums - Phase I:

- Exhibit A. Survey of description showing the location thereon of the multi-family buildings known as Foxcroft Villas Condominiums - Phase II as prepared by Brown, Edwards and Miller, Inc. Engineers and Architects.
- Exhibit B. Plans of Foxcroft Villas Condominiums - Phase II consisting of nine sheets
- Exhibit C. Amendment to By-Laws of Foxcroft Villas Condominiums - Phase I
- Exhibit D. Description of Foxcroft Villas Condominiums - Phase II

When this Amendment to Declaration is recorded, Exhibits A and B will be recorded in the Unit Ownership Book and Exhibits C and D will be recorded in the Deed Books, all in the Office of the Register of Deeds of Moore County, Carthage, North Carolina.

IN WITNESS WHEREOF, the Declarant has caused this instrument to be executed in its corporate name by its duly authorized officers, this the day and year first above written, all by resolution of its Board of Directors duly given.



(CORPORATE SEAL)

FOXFIRE DEVELOPMENT CORPORATION

By Joseph N. Donovan
Joseph N. Donovan, President

Attest:

Cutler P. Ballans Jr.
Assistant Secretary

NORTH CAROLINA

MOORE COUNTY

I, Evelyn B. Grove, a Notary Public in and for said county and state, do hereby certify that Cutler P. Ballans Jr. personally came before me this day and acknowledged that he is the Assistant Secretary of FOXFIRE DEVELOPMENT CORPORATION, a corporation, 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 him as its Assistant Secretary.



Witness my hand and notarial seal this 22nd day of July, 1977.

Evelyn B. Grove
Notary Public

FILED
BOOK 421 PAGE 276
day of July, 1977.

NORTH CAROLINA - MOORE COUNTY

The foregoing (or attached) certificate of Evelyn B. Grove, Notary Public (2)

Moore COUNTY.

STATE OF N. C. are certified to be

correct this 22nd day of July, 1977

Grier Gilmore
Register of Deeds

Mary R. Phillips Assistant

GRIER GILMORE
REGISTER OF DEEDS
MOORE COUNTY, N.C.

BOOK 421 PAGE 278

EXHIBIT C

AMENDMENT TO BY-LAWS OF
FOKKROFT VILLAS CONDOMINIUMS
PHASE I

BODY 421 PAGE 280

This amendment to by-laws of Foxcroft Villas Condominiums - Phase I, made and executed this the 30th day of June, 1977, by Foxfire Development Corporation, a North Carolina Business Corporation with its principal office and place of business in Moore County, North Carolina, hereinafter called "Declarant".

WITNESSETH:

THAT WHEREAS, the Declarant executed and filed a Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxcroft Villas Condominiums - Phase I, in Deed Book 414 at page 178, et seq. of the Moore County, North Carolina Public Registry, hereinafter referred to as the "Declaration";

WHEREAS, under the provisions of Paragraph K of the said Declaration, the Declarant reserved the right to amend the said Declaration and the By-Laws of Foxcroft Villas Condominiums - Phase I, to include additional condominium units and the common areas and facilities under the terms of the Declaration and the By-Laws of Foxcroft Villas Condominiums - Phase I, which said by-laws are recorded in Deed Book 414 at page 189, et seq. of the Moore County, North Carolina, Public Registry; and

WHEREAS, the Declarant has constructed eight additional condominium units in two multi-family buildings which are known and designated as Foxcroft Villas Condominiums - Phase II; and

WHEREAS, the Declarant does hereby amend said by-laws of Foxcroft Villas Condominiums - Phase I to include Foxcroft Villas Condominiums - Phase II, which said Foxcroft Villas Condominiums - Phase II shall henceforth be governed by the provisions of the by-laws of Foxcroft Villas Condominiums - Phase I and the by-laws of Foxcroft Villas Condominiums - Phase I shall be deemed henceforth to include and apply to Foxcroft Villas Condominiums - Phase II.

IN WITNESS WHEREOF, the Declarant has caused this instrument to be executed in its corporate name by its duly authorized officers, this the _____ day of July, 1977, all by resolution of its Board of Directors duly given.

(CORPORATE SEAL)

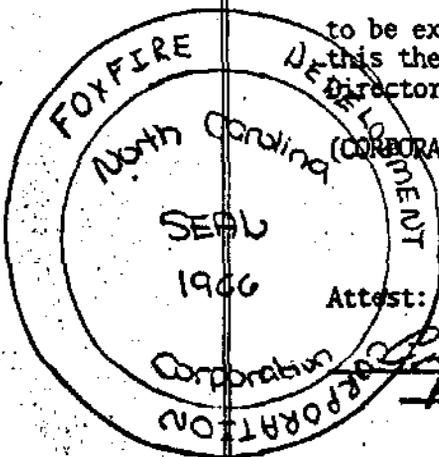
FOXFIRE DEVELOPMENT CORPORATION

By

Joseph N. Donovan
Joseph N. Donovan, President

Attest:

Arthur J. Collins Jr.
Assistant Secretary



Crewe

NORTH CAROLINA

MOORE COUNTY

I, Evelyn B. Grove, a Notary Public in and for said county and state, do hereby certify that Cutler B. Balkema, Jr. personally came before me this day and acknowledged that he is the Assistant Secretary of FOXFIRE DEVELOPMENT CORPORATION, a corporation, 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 him as its Assistant Secretary.

Witness my hand and notarial seal this 15 day of July, 1977.

Evelyn B. Grove
Notary Public

My commission expires: My Commission Expires July 16, 1978



* * See plans and specifications in Unit Ownership Book 7 pages 7-16.

FILED
BOOK 42 PAGE 276
JUL 1 12 25 PM '77
GRIER GILMORE
REGISTER OF DEEDS
MOORE COUNTY, N.C.

BOOK 42 PAGE 276

EXHIBIT D

LEGAL DESCRIPTION OF FOXKROFT VILLAS CONDOMINIUMS-PHASE II

FOXFIRE DEVELOPMENT CORPORATION

A certain tract or parcel of land in Mineral Springs Twp., Moore County, North Carolina and being a portion of the Foxfire Development Corporation 5.64 acre tract recorded in Deed Book 412 at page 576 in the Moore County Registry and being further described as follows:

BEGINNING at an iron pipe the northeast corner of the Foxfire Development Corporation 5.64 acre tract, running thence from the beginning along the north line of 5.64 acre tract and the south edge of the 17th Fairway of the Foxfire Golf Course S. 74° 33' W. 130.0 feet to an iron pin thence a new line S. 14° 19' 42" W. 238.47 feet to an iron pin the northwest corner of Foxkroft Villas Condominiums Phase I thence with the north line of Foxkroft Villas Condominiums Phase I S. 85° 48' 56" E. 164.5 feet to a concrete monument in the east line of the Foxfire Development Corporation 5.64 acre tract said point also being the northeast corner of Foxkroft Villas Condominiums Phase I, thence with the east line of said 5.64 acre tract and the west edge of the 18th Fairway of the Foxfire Golf Course N. 4° 11' 04" E. 278.37 feet to the beginning containing 0.83 acres more or less and recorded in Deed Book 412 at page 576 in the Moore County Registry.

BOOK 421 PAGE 219

NORTH CAROLINA

AMENDMENT TO DECLARATION OF INTENTION TO
SUBMIT PROPERTY TO THE NORTH CAROLINA UNIT
OWNERSHIP ACT (CHAPTER 47A OF THE NORTH
CAROLINA GENERAL STATUTES) - FOXKROFT VILLAS
CONDOMINIUMS - PHASE I

MOORE COUNTY

THIS AMENDMENT TO DECLARATION OF UNIT OWNERSHIP, made and executed this the 21 day of March, 1979, by MAYER COMMUNITIES, INC., a North Carolina Business Corporation with principal offices in Moore County, North Carolina, hereinafter called "Declarant";

WITNESSETH:

THAT WHEREAS, FOXFIRE DEVELOPMENT CORPORATION, as Declarant, previously filed in the Office of the Register of Deeds of Moore County, North Carolina, an instrument entitled "Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxkroft Villas Condominiums - Phase I", which said instrument is dated November 23, 1976, and which is recorded in the Office of the Register of Deeds of Moore County, North Carolina, in Deed Book 414 at page 178 et seq. and which is hereinafter referred to as "Declaration"; and

WHEREAS, on the 27th day of November, 1978, Foxfire Development Corporation (now Scotland Development Corporation) conveyed its remaining interest in all of the properties formerly known as "Foxfire" to Mayer Communities, Inc., including the adjacent properties to the Foxkroft Villas Condominiums, said conveyance being by deed dated the 27th day of November, 1978, and filed in the Moore County Public Registry on the 28th day of November, 1978, in Deed Book 440, at page 897; and

WHEREAS, it is the desire of Mayer Communities, Inc., the hereinabove named "Declarant" to further expand the Foxkroft Villas Condominiums by adding to same certain properties; and

WHEREAS, under the provisions of Paragraph K of the hereinabove described "Declaration of Intent to Submit Property", the "Declarant" reserved the right to amend the said "Declaration" upon the construction of additional condominium units; and

WHEREAS, under the terms of the transfer from Foxfire Development Corporation (now Scotland Development Corporation), Mayer Communities, Inc. obtained, through an Assignment, the right to amend the said "Declaration" which assignment is recorded in the Moore County Public Registry in Book 440 at page 895; and

WHEREAS, this Declarant is constructing twelve (12) additional condominium units in three (3) buildings, the buildings being designated as Buildings Nos. 7, 8, and 9, and this Declarant does hereby amend the said "Declaration" to cover the said twelve (12) additional units as follows:

1. The said Declarant is constructing the twelve additional condominium units on that certain real property located in Sandhills Township, Moore County, North Carolina, hereinafter described on Exhibit A attached hereto and made a part hereof by incorporation.

2. It is intended by the filing of this instrument to amend the Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxkroft Villas Condominiums - Phase I, to include Foxkroft Villas Condominiums - Phase III, and except as herein amended, Declarant hereby ratifies and adopts provisions of the Declaration for Foxkroft Villas Condominiums - Phase I as recorded in Deed Book 414 at page 178, et seq., and Phase II as recorded in Deed Book 421 at page 276, et seq., of the Moore County, North Carolina Public Registry.

3. Pursuant to the terms of Paragraph K of the Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxkroft Villas Condominiums - Phase I and Phase II, each unit owner's percentage of interest in the common areas and facilities has been redetermined as follows:

<u>Unit No.</u>	<u>Percentage of Undivided Interest</u>
Foxkroft Villas Condominiums - Phase I Units 9 through 16	3.5714285%
Foxkroft Villas Condominiums - Phase II Units 17 through 24	3.5714285%
Foxkroft Villas Condominiums - Phase III Units 25 through 36	3.5714285%

4. Certain parts of the common areas and facilities as set out in the said "Declaration" are herein called and designated as "Limited Common Areas and Facilities", and are hereby set aside and are reserved for the exclusive use of certain units and such units shall have appurtenant thereto an exclusive easement for the use of such Limited Common Areas and Facilities. The Limited Common Areas and Facilities are as follows:

A. The decking attached to each unit, septic tanks, and outside air conditioning units as delineated on Exhibit B attached hereto and made a part hereof by incorporation, and which are reserved for the use of each unit as designated.

B. Outside stairways attached to the buildings, which are reserved for the use of upstairs units numbers 27, 28, 31, 32, 35, and 36 as those units are designated on Exhibit B, attic spaces above units 27, 28, 31, 32, 35, and 36 as shown on Exhibit B, which are reserved for the use of those units, crawl spaces underneath units 25, 26, 29, 30, 33 and 34 as they are designated on Exhibit B which are reserved for their use, except that there is reserved to the Owners of units 27, 28, 31, 32, 35 and 36 easements for the purposes of going into the said crawl space areas for the purpose of repair, replacement, and maintenance of the hot water heaters located therein which are also a part of the Limited Common Areas.

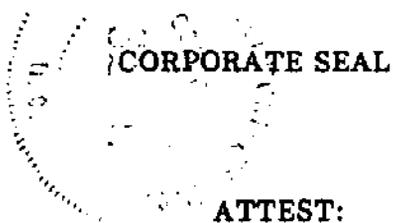
5. The following Exhibits are attached hereto and made a part of this amendment to Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxcroft Villas Condominiums - Phase I.

Exhibit A.	Survey of description showing the location thereon of the multi-family buildings known as Foxcroft Villas Condominiums - Phase III as prepared by C. H. Blue & Associates, Surveyors.
Exhibit B	Plans of Foxcroft Villas Condominiums - Phase III, consisting of six sheets.
Exhibit C	Amendment to By-Laws of Foxcroft Villas Condominiums - Phase I
Exhibit D	Description of Foxcroft Villas Condominiums - Phase III

When this Amendment to Declaration is recorded, Exhibits A and B will be recorded in the Unit Ownership Book and Exhibits C and D will be recorded in the Deed Books, all in the Office of the Register of Deeds of Moore County, Carthage, North Carolina.

IN WITNESS WHEREOF, the Declarant has caused this instrument to be executed in its corporate name by its duly authorized officers, this the day and year first above written, all by resolution of its Board of Directors duly given.

MAYER COMMUNITIES, INC.



CORPORATE SEAL

BY Lovick P. Suddath
Lovick P. Suddath, President

ATTEST:

C. Ballance, Jr.
Secretary

STATE OF NORTH CAROLINA

COUNTY OF MOORE

THIS 21 day of March, 1979, personally appeared before me, LOVICK P. SUDDATH, who being by me duly sworn, says that he is the President of MAYER COMMUNITIES, INC., and that the seal affixed to the foregoing instrument in writing is the corporate seal of said corporation, and that said writing was signed and sealed by him in behalf of said corporation, by its authority duly given. And the said CUTLAR L. BALLANCE, JR., as Secretary of the corporation, acknowledged the said writing to be the act and deed of said corporation.

Lynne J. Drawdy
Notary Public (SEAL)

My commission expires: My Commission Expires February 27, 1982

SEE DECLARATION AND BY-LAWS RECORDED IN DEED BOOK 445 PAGE 77

*See plans and Specifications in Unit Ownership Book 8 page 7

NORTH CAROLINA - MOORE COUNTY BOOK 445 PAGE 77

The foregoing (or annexed) certificate of Lynne J. Drawdy, Notary Public, Moore COUNTY

STATE OF N. C., is certified to be correct. This March 26, 1979.

Grier Gilmore
Register of Deeds Assistant
Mary R. Phillips

MAR 26 1 59 PM '79
GRIER GILMORE
REGISTER OF DEEDS
MOORE COUNTY, N.C.

EXHIBIT C

AMENDMENT TO BY-LAWS OF
 FOXKROFT VILLAS CONDOMINIUMS
 PHASE I

This amendment to by-laws of Foxkroft Villas Condominiums - Phase I, made and executed this the 21 day of March, 1979, by Mayer Communities, Inc., a North Carolina Business Corporation with its principal office and place of business in Moore County, North Carolina, hereinafter called "Declarant";

W I T N E S S E T H :

THAT WHEREAS, FOXFIRE DEVELOPMENT CORPORATION, as Declarant, previously filed in the Office of the Register of Deeds of Moore County, North Carolina, an instrument entitled "Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxkroft Villas Condominiums - Phase I", which said instrument is dated November 23, 1976, and which is recorded in the Office of the Register of Deeds of Moore County, North Carolina, in Deed Book 414 at page 178 et seq. and which is hereinafter referred to as "Declaration"; and

WHEREAS, on the 27th day of November, 1978, Foxfire Development Corporation (now Scotland Development Corporation) conveyed its remaining interest in all of the properties formerly known as "Foxfire" to Mayer Communities, Inc., including the adjacent properties to the Foxkroft Villas Condominiums, said conveyance being by deed dated the 27th day of November, 1978, and filed in the Moore County Public Registry on the 28th day of November, 1978, in Deed Book 440, at page 897; and

WHEREAS, it is the desire of Mayer Communities, Inc., the hereinabove named "Declarant" to further expand the Foxkroft Villas Condominiums by adding to same certain properties; and

WHEREAS, under the provisions of Paragraph K of the hereinabove described "Declaration of Intent to Submit Property", the "Declarant" reserved the right to amend the said "Declaration" upon the construction of additional condominium units; and

WHEREAS, under the terms of the transfer from Foxfire Development Corporation (now Scotland Development Corporation), Mayer Communities, Inc. obtained, through an Assignment, the right to amend the said "Declaration" which assignment is recorded in the Moore County Public Registry in Book 440 at page 895; and

WHEREAS, the Declarant is constructing twelve additional condominium units in three multi-family buildings which are known and designated as Foxkroft Villas Condominiums - Phase III; and

WHEREAS, the Declarant does hereby amend said by-laws of Foxkroft Villas Condominiums - Phase I to include Foxkroft Villas Condominiums - Phase III, which said Foxkroft Villas Condominiums - Phase III shall henceforth be governed by the provisions of the by-laws of Foxkroft Villas Condominiums - Phase I and the by-laws of Foxkroft Villas Condominiums - Phase I shall be deemed henceforth to include and apply to Foxkroft Villas Condominiums - Phase III.

IN WITNESS WHEREOF, the Declarant has caused this instrument to be executed in its corporate name by its duly authorized officers, this the 21 day of March, 1979 all by resolution of its Board of Directors duly given.

MAYER COMMUNITIES, INC.



BY: Lovick P. Suddath
Lovick P. Suddath, President

C. Ballance Jr.
Secretary

STATE OF NORTH CAROLINA

COUNTY OF MOORE

THIS 21 day of March, 1979, personally appeared before me, LOVICK P. SUDDATH, who being by me duly sworn, says that he is the President of MAYER COMMUNITIES, INC., and that the seal affixed to the foregoing instrument in writing is the corporate seal of said corporation, and that said writing was signed and sealed by him in behalf of said corporation, by its authority duly given. And the said CUTLAR L. BALLANCE, JR., as Secretary of the corporation, acknowledged the said writing to be the act and deed of said corporation.

Lynne J. Hendry (SEAL)
Notary Public

My commission expires: My Commission Expires February 27, 1982

EXHIBIT D

LEGAL DESCRIPTION OF
FOKKROFT VILLAS CONDOMINIUMS - PHASE IIIMAYER COMMUNITIES, INC.

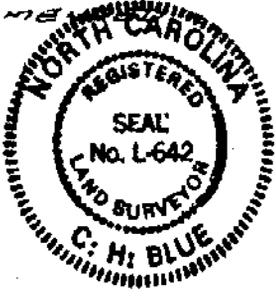
A certain tract or parcel of land, in the Village of Foxfire, Sandhills Township, Moore County, North Carolina, lying about 110 feet east of Foxfire Boulevard, and being described as follows:

BEGINNING at an iron pipe in a line of Mayer Communities, Inc., Parcel "C" as described in Deed recorded in Deed Book 440, at page 918, in the Moore County Registry, said beginning corner being located S 89°02' E 110.00 feet from an iron pin at a point of tangency in the easterly right of way line of Foxfire Boulevard, the beginning corner of Parcel "C", running thence from said beginning iron pipe, as a line of Parcel "C", S 89°02' E 254.50 feet to an iron pin, a corner of Parcel "C"; thence a new line N 40°49' E 122.74 feet to an iron pin in a drive, the fourth corner of Parcel "C", and a corner of Foxkroft Villas Condominiums, Phase II, as shown on plat recorded in Unit Ownership Book 7, at page 7-16, in the Moore County Registry; thence as the west line of Phase II, and as a line of Parcel "C" N 14°20' E 238.47 feet to an iron pin, the third corner of Parcel "C", and the northwest corner of Phase II; thence as the north line of Parcel "C" S 74°33' W 409.42 feet to an iron pipe in said line; thence a new line S 00°15' E 210.59 feet to the beginning, containing 2.06 acres more or less, and being a portion of Mayer Communities, Inc. Parcel "C", as described in Deed recorded in Deed Book 440, at page 918, in the Moore County Registry.

GRIER GILMORE
 REGISTER OF DEEDS
 MOORE COUNTY, N.C.

I, C. H. BLUE, CERTIFY THAT UNDER
 MY DIRECTION AND SUPERVISION THIS
 MAP WAS DERIVED FROM AN ACTUAL
 FIELD LAND SURVEY THAT THE ERROR
 IN CLOSURE AS CALCULATED FROM
 LATITUDES AND DEPARTURES IS NO
 LESS THAN 1/8000 THAT THIS MAP
 WAS PREPARED IN ACCORDANCE
 WITH G.S. 47-30 AS AMENDED

C. H. Blue
 C.H. BLUE E.L.S. 642



NORTH CAROLINA
 The foregoing is approved
 Stephen R. Sheffield
 Notary
 STATE OF N.C.
 Correct This February
 Grier Gil
 Register of
 By: *Mary*

I STEPHEN R. SHEFFIELD A NOTARY
 PUBLIC IN AND OF THE COUNTY OF
 MOORE, STATE OF NORTH CAROLINA,
 DO HEREBY CERTIFY THAT C. H. BLUE
 PERSONALLY APPEARED BEFORE ME
 THIS DAY AND ACKNOWLEDGED THE
 EXECUTION OF THE FOREGOING
 INSTRUMENT THIS 15TH DAY OF
FEBRUARY, 1980

Stephen R. Sheffield
 NOTARY PUBLIC
 MY COMMISSION
 EXPIRES: 1-28-81



FOX FIRE BLVD.

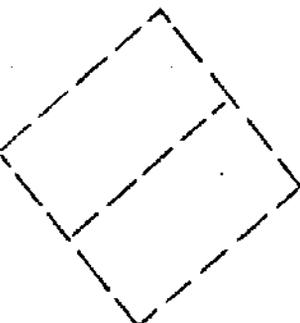
REFERENCE:
 DEED BOOK 452, PAGE
 232, MOORE COUNTY
 REGISTRY

BOB O LINK
 ROAD

BUILDING No.	COUNTRIES No.	UPSTAIRS No.
1	182	344
2	516	718

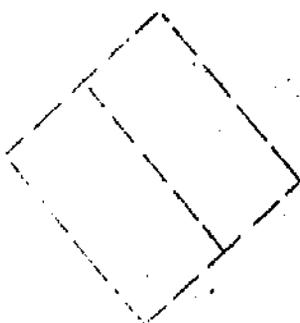
PHASE II

REF: UNIT OWNERSHIP BK 7,
Pgs. 710, MO. CO. REC

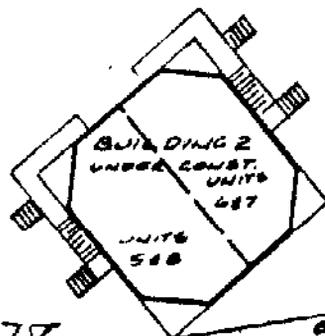


PHASE I

REF: UNIT OWNERSHIP BK 6, Pgs 64-63
MOORE COUNTY REGISTER.



S85°49'E
168.14'



PHASE IV

1.42 AC.
BY S.M.D. METHOD

N40°49'E
122.74'

ROAD
E19.62'

S05°08'W

ACCESS

411.07'

89.0'

S90°11'W

S7°22'W

S20°W

WALK

PARKING

E1'E

UNITS
UNITS

FEB 19 11 38 AM '80

GRIER GILMORE
REGISTER OF DEEDS
MOORE COUNTY, N.C.

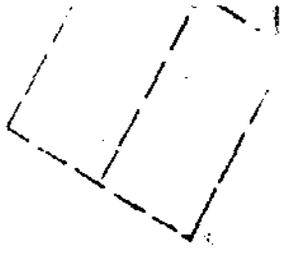
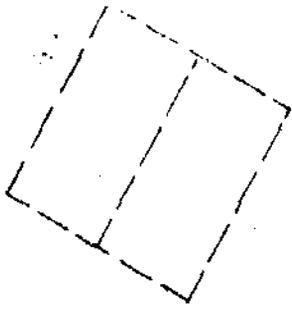
NORTH CAROLINA

The foregoing is a true and correct copy of the original as shown to me by
Stephen R. Sheffield, Notary Public

Home

STATE OF N.C. is hereby certified to be correct. This February 18, 1980

Grier Gilmore
By: Mary R. Phyllis Clerk



PHASE III

ACCESS

ROAD

POOL
AREA

WALL

TENNIS
COURTS

NORTH CAROLINA

AMENDMENT TO DECLARATION OF INTENTION TO
SUBMIT PROPERTY TO THE NORTH CAROLINA UNIT
OWNERSHIP ACT (CHAPTER 47A OF THE NORTH
CAROLINA GENERAL STATUTES) - FOXKROFT VILLAS
CONDOMINIUMS - PHASE I

MOORE COUNTY

THIS AMENDMENT TO DECLARATION OF UNIT OWNERSHIP, made and executed
this the 21 day of March, 1979, by MAYER COMMUNITIES, INC., a North Carolina
Business Corporation with principal offices in Moore County, North Carolina, herein-
after called "Declarant";

WITNESSETH:

THAT WHEREAS, FOXFIRE DEVELOPMENT CORPORATION, as Declarant, previ-
ously filed in the Office of the Register of Deeds of Moore County, North Carolina, an
instrument entitled "Declaration of Intention to Submit Property to the North Carolina
Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxcroft
Villas Condominiums - Phase I", which said instrument is dated November 23, 1976,
and which is recorded in the Office of the Register of Deeds of Moore County, North
Carolina, in Deed Book 414 at page 178 et seq, and which is hereinafter referred to as
"Declaration"; and

WHEREAS, on the 27th day of November, 1978, Foxfire Development Corporation
(now Scotland Development Corporation) conveyed its remaining interest in all of the
properties formerly known as "Foxfire" to Mayer Communities, Inc., including the
adjacent properties to the Foxcroft Villas Condominiums, said conveyance being by
deed dated the 27th day of November, 1978, and filed in the Moore County Public Reg-
istry on the 28th day of November, 1978, in Deed Book 440, at page 897; and

WHEREAS, it is the desire of Mayer Communities, Inc., the hereinabove named
"Declarant" to further expand the Foxcroft Villas Condominiums by adding to same
certain properties; and

WHEREAS, under the provisions of Paragraph K of the hereinabove described
"Declaration of Intent to Submit Property", the "Declarant" reserved the right to amend
the said "Declaration" upon the construction of additional condominium units; and

JOHNSON, POOLE AND WEBSTER
ATTORNEYS AT LAW
ABERDEEN, N. C.

Pool
10.00
Plans & Specifications -
9/2/80
TOTAL 10.00 plus

WHEREAS, under the terms of the transfer from Foxfire Development Corporation (now Scotland Development Corporation), Mayer Communities, Inc. obtained, through an Assignment, the right to amend the said "Declaration" which assignment is recorded in the Moore County Public Registry in Book 440 at page 895; and

WHEREAS, this Declarant is constructing twelve (12) additional condominium units in three (3) buildings, the buildings being designated as Buildings Nos. 7, 8, and 9, and this Declarant does hereby amend the said "Declaration" to cover the said twelve (12) additional units as follows:

1. The said Declarant is constructing the twelve additional condominium units on that certain real property located in Sandhills Township, Moore County, North Carolina, hereinafter described on Exhibit A attached hereto and made a part hereof by incorporation.

2. It is intended by the filing of this instrument to amend the Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxkroft Villas Condominiums - Phase I, to include Foxkroft Villas Condominiums - Phase III, and except as herein amended, Declarant hereby ratifies and adopts provisions of the Declaration for Foxkroft Villas Condominiums - Phase I as recorded in Deed Book 414 at page 178, et seq., and Phase II as recorded in Deed Book 421 at page 276, et seq., of the Moore County, North Carolina Public Registry.

3. Pursuant to the terms of Paragraph K of the Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxkroft Villas Condominiums - Phase I and Phase II, each unit owner's percentage of interest in the common areas and facilities has been redetermined as follows:

<u>Unit No.</u>	<u>Percentage of Undivided Interest</u>
Foxkroft Villas Condominiums - Phase I Units 8 through 16	3.5714285%
Foxkroft Villas Condominiums - Phase II Units 17 through 24	3.5714285%
Foxkroft Villas Condominiums - Phase III Units 25 through 36	3.5714285%

4. Certain parts of the common areas and facilities as set out in the said "Declaration" are herein called and designated as "Limited Common Areas and Facilities", and are hereby set aside and are reserved for the exclusive use of certain units and such units shall have appurtenant thereto an exclusive easement for the use of such Limited Common Areas and Facilities. The Limited Common Areas and Facilities are as follows:

A. The decking attached to each unit, septic tanks, and outside air conditioning units as delineated on Exhibit B attached hereto and made a part hereof by incorporation, and which are reserved for the use of each unit as designated.

B. Outside stairways attached to the buildings, which are reserved for the use of upstairs units numbers 27, 28, 31, 32, 35, and 36 as those units are designated on Exhibit B, attic spaces above units 27, 28, 31, 32, 35, and 36 as shown on Exhibit B, which are reserved for the use of those units, crawl spaces underneath units 25, 26, 29, 30, 33 and 34 as they are designated on Exhibit B which are reserved for their use, except that there is reserved to the Owners of units 27, 28, 31, 32, 35 and 36 easements for the purposes of going into the said crawl space areas for the purpose of repair, replacement, and maintenance of the hot water heaters located therein which are also a part of the Limited Common Areas.

5. The following Exhibits are attached hereto and made a part of this amendment to Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxcroft Villas Condominiums - Phase I.

- | | |
|------------|---|
| Exhibit A. | Survey of description showing the location thereon of the multi-family buildings known as Foxcroft Villas Condominiums - Phase III as prepared by C. H. Blue & Associates, Surveyors. |
| Exhibit B | Plans of Foxcroft Villas Condominiums - Phase III, consisting of six sheets. |
| Exhibit C | Amendment to By-Laws of Foxcroft Villas Condominiums - Phase I |
| Exhibit D | Description of Foxcroft Villas Condominiums - Phase III |

When this Amendment to Declaration is recorded, Exhibits A and B will be recorded in the Unit Ownership Book and Exhibits C and D will be recorded in the Deed Books, all in the Office of the Register of Deeds of Moore County, Carthage, North Carolina.

IN WITNESS WHEREOF, the Declarant has caused this instrument to be executed in its corporate name by its duly authorized officers, this the day and year first above written, all by resolution of its Board of Directors duly given.

MAYER COMMUNITIES, INC.

CORPORATE SEAL

BY Lovick P. Suddath
Lovick P. Suddath, President

ATTEST:

C. Ballance Jr.
Secretary

STATE OF NORTH CAROLINA

COUNTY OF MOORE

THIS 21 day of March, 1979, personally appeared before me, LOVICK P. SUDDATH, who being by me duly sworn, says that he is the President of MAYER COMMUNITIES, INC., and that the seal affixed to the foregoing instrument in writing is the corporate seal of said corporation, and that said writing was signed and sealed by him in behalf of said corporation, by its authority duly given. And the said CUTLAR L. BALLANCE, JR., as Secretary of the corporation, acknowledged the said writing to be the act and deed of said corporation.

Lynne J. Drawdy
Notary Public

(SEAL)

My commission expires: My Commission Expires February 27, 1982

SEE DECLARATION AND BY-LAWS RECORDED IN DEED BOOK 445 PAGE 97

*See plans and Specifications in Unit Ownership Book 8 PAGE 7

NORTH CAROLINA - MOORE COUNTY
The foregoing (or annexed) certificate of
Lynne J. Drawdy, Notary Public

Moore COUNTY,

STATE OF N. C. is certified to be

correct. This March 26, 1979.

Grier Gilmore

Register of Deeds Assistant

MAR 26 1 59 PM '79

GRIER GILMORE
REGISTER OF DEEDS
MOORE COUNTY, N.C.

May R. Phillips

EXHIBIT C

AMENDMENT TO BY-LAWS OF
 FOXKROFT VILLAS CONDOMINIUMS
 PHASE I

This amendment to by-laws of Foxkroft Villas Condominiums - Phase I, made and executed this the 21 day of March, 1979, by Mayer Communities, Inc., a North Carolina Business Corporation with its principal office and place of business in Moore County, North Carolina, hereinafter called "Declarant";

W I T N E S S E T H :

THAT WHEREAS, FOXFIRE DEVELOPMENT CORPORATION, as Declarant, previously filed in the Office of the Register of Deeds of Moore County, North Carolina, an instrument entitled "Declaration of Intention to Submit Property to the North Carolina Unit Ownership Act (Chapter 47A of the North Carolina General Statutes) - Foxkroft Villas Condominiums - Phase I", which said instrument is dated November 23, 1976, and which is recorded in the Office of the Register of Deeds of Moore County, North Carolina, in Deed Book 414 at page 178 et seq. and which is hereinafter referred to as "Declaration"; and

WHEREAS, on the 27th day of November, 1978, Foxfire Development Corporation (now Scotland Development Corporation) conveyed its remaining interest in all of the properties formerly known as "Foxfire" to Mayer Communities, Inc., including the adjacent properties to the Foxkroft Villas Condominiums, said conveyance being by deed dated the 27th day of November, 1978, and filed in the Moore County Public Registry on the 28th day of November, 1978, in Deed Book 440, at page 897; and

WHEREAS, it is the desire of Mayer Communities, Inc., the hereinabove named "Declarant" to further expand the Foxkroft Villas Condominiums by adding to same certain properties; and

WHEREAS, under the provisions of Paragraph K of the hereinabove described "Declaration of Intent to Submit Property", the "Declarant" reserved the right to amend the said "Declaration" upon the construction of additional condominium units; and

WHEREAS, under the terms of the transfer from Foxfire Development Corporation (now Scotland Development Corporation), Mayer Communities, Inc. obtained, through an Assignment, the right to amend the said "Declaration" which assignment is recorded in the Moore County Public Registry in Book 440 at page 895; and

WHEREAS, the Declarant is constructing twelve additional condominium units in three multi-family buildings which are known and designated as Foxkroft Villas Condominiums - Phase III; and

WHEREAS, the Declarant does hereby amend said by-laws of Foxkroft Villas Condominiums - Phase I to include Foxkroft Villas Condominiums - Phase III, which said Foxkroft Villas Condominiums - Phase III shall henceforth be governed by the provisions of the by-laws of Foxkroft Villas Condominiums - Phase I and the by-laws of Foxkroft Villas Condominiums - Phase I shall be deemed henceforth to include and apply to Foxkroft Villas Condominiums - Phase III.

IN WITNESS WHEREOF, the Declarant has caused this instrument to be executed in its corporate name by its duly authorized officers, this the 21 day of March, 1979 all by resolution of its Board of Directors duly given.

MAYER COMMUNITIES, INC.



BY: Lovick P. Suddath
Lovick P. Suddath, President

C. Ballance Jr.
Secretary

STATE OF NORTH CAROLINA

COUNTY OF MOORE

THIS 21 day of March, 1979, personally appeared before me, LOVICK P. SUDDATH, who being by me duly sworn, says that he is the President of MAYER COMMUNITIES, INC., and that the seal affixed to the foregoing instrument in writing is the corporate seal of said corporation, and that said writing was signed and sealed by him in behalf of said corporation, by its authority duly given. And the said CUTLAR L. BALLANCE, JR., as Secretary of the corporation, acknowledged the said writing to be the act and deed of said corporation.

Louis J. Sandy (SEAL)
Notary Public

My commission expires: My Commission Expires February 27, 1982



EXHIBIT D

LEGAL DESCRIPTION OF
FOKKROFT VILLAS CONDOMINIUMS - PHASE III

MAYER COMMUNITIES, INC.

A certain tract or parcel of land, in the Village of Foxfire, Sandhills Township, Moore County, North Carolina, lying about 110 feet east of Foxfire Boulevard, and being described as follows:

BEGINNING at an iron pipe in a line of Mayer Communities, Inc., Parcel "C" as described in Deed recorded in Deed Book 440, at page 918, in the Moore County Registry, said beginning corner being located S 89°02' E 110.00 feet from an iron pin at a point of tangency in the easterly right of way line of Foxfire Boulevard, the beginning corner of Parcel "C", running thence from said beginning iron pipe, as a line of Parcel "C", S 89°02' E 254.50 feet to an iron pin, a corner of Parcel "C"; thence a new line N 40°49' E 122.74 feet to an iron pin in a drive, the fourth corner of Parcel "C", and a corner of Fokkroft Villas Condominiums, Phase II, as shown on plat recorded in Unit Ownership Book 7, at page 7-16, in the Moore County Registry; thence as the west line of Phase II, and as a line of Parcel "C" N 14°20' E 238.47 feet to an iron pin, the third corner of Parcel "C", and the northwest corner of Phase II; thence as the north line of Parcel "C" S 74°33' W 409.42 feet to an iron pipe in said line; thence a new line S 00°15' E 210.59 feet to the beginning, containing 2.06 acres more or less, and being a portion of Mayer Communities, Inc. Parcel "C", as described in Deed recorded in Deed Book 440, at page 918, in the Moore County Registry.