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FOR REGISTRATION REGISTER OF DEEDS
REBECCA P. SMITH
NEW HANOVER COUNTY, NC
2008 JUN 02 12:39:41 PM
BK:5319 PG:809-817 FEE:\$35.00

INSTRUMENT # 2008023900

Mailed To

RETURNED TO *Sellars Cove HOA
1202 North Lake Pk Blvd
Carolina Beach NC 28428*

STATE OF NORTH CAROLINA

**AMENDMENT TO DECLARATION
SELLARS COVE CONDOMINIUMS
PHASE 3**

COUNTY OF NEW HANOVER

THIS AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SELLARS COVE CONDOMINIUMS, is made on this the 2nd day of June, 2008, by **SELLAR'S COVE, LLC**, a North Carolina Limited Liability Company, hereinafter referred to as "DECLARANT"; and

W I T N E S S E T H:

WHEREAS, DECLARANT has previously caused to be recorded a Declaration of Covenants, Conditions And Restrictions For SELLARS COVE CONDOMINIUMS, hereinafter referred to as "DECLARATION", recorded in Book 5270 beginning at page 1488 in the New Hanover County Register of Deed Office; and

WHEREAS, DECLARANT reserves the right in Article III, to amend the said DECLARATION to include additional properties to SELLARS COVE CONDOMINIUMS; and

WHEREAS, SELLAR'S COVE, LLC is still the holder of all Declarant rights contained in the said Declaration; and

WHEREAS, DECLARANT now desires to incorporate additional property to SELLARS COVE CONDOMINIUMS, as provided for above, and to provide for Working Capital and initial Insurance Assessments for Garage Unit.

NOW THEREFORE, Declarant does hereby amend the Declaration for SELLARS COVE CONDOMINIUMS by including within the jurisdiction of the property covered by the said restrictions, as amended, that property more particularly described by that plat recorded in the New Hanover County Registry in Condominium Map Book 17 beginning at Page 357, incorporated herein by reference, which property shall be known as Phase 3, SELLARS COVE CONDOMINIUMS, including Building 3 and a new Parking Garage Unit Building.

FURTHER THEREFORE the percentage interests in the Common Areas are amended as per that revised Exhibit D to the Declaration attached and incorporated by reference.

FURTHER THEREFORE the initial purchaser of each Garage Unit shall pay to the Homeowner's Association a Working Capital Assessment equal to two (2) months Garage Unit Regular Assessment.

FURTHER THEREFORE, the said Phase 3 is subject to all of the terms and conditions contained in the original restrictions recorded in Book 5270 at Page 1488, and following, and all amendments, re-recordings, and all supplements thereto, if any.

Except as specifically amended above, the Declaration remains in full force and effect, unchanged.

The Declarant has caused this document to be executed in its name by its duly authorized Manager, this the day and year first above written.

SELLAR'S COVE, LLC

By: *Matthew T. Murphy*
Matthew T. Murphy

Its: Manager

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, a Notary Public of the County and State aforesaid, certify that Matthew T. Murphy personally came before me this day and acknowledged that he is Manager of **SELLAR'S COVE, LLC**, a North Carolina Limited Liability Company, and that by authority duly given and as the act of the Limited Liability Company, the foregoing instrument was signed in its name.

Witness my hand and official stamp or seal, this 2nd day of June, 2008.



Arnette L. Cummings
Notary Public

My Commission Expires: 05/10/2010

EXHIBIT D TO DECLARATION

Part 1

Percentage Interest in Common Elements

UNITS: Phase 1 Building 1

<u>Units</u>	<u>Unit Address</u>	<u>Square Footage</u>	<u>Percentage Interest</u>
101		816	.76%
102		816	.76%
103		1106/7	1.08%
104		1106/7	1.08%
105		1120	1.09%
106		1106/7	1.08%
107		1120	1.09%
108		1106/7	1.08%
109		1106/7	1.08%
110		816	.76%
111		816	.76%
201		816	.76%
202		816	.76%
203		1106/7	1.08%
204		1106/7	1.08%
205		1120	1.09%
206		1106/7	1.08%
207		1120	1.09%
208		1106/7	1.08%

209		1106/7	1.08%
210		816	.76%
211		816	.76%
301		816	.77%
302		816	.76%
303		1106/7	1.08%
304		1106/7	1.08%
305		1120	1.09%
306		1106/7	1.08%
307		1120	1.09%
308		1106/7	1.08%
309		1106/7	1.08%
310		816	.76%
311		816	.77%

UNITS: Phase 2 Building 2

<u>Units</u>	<u>Unit Address</u>	<u>Square Footage</u>	<u>Percentage Interest</u>
101		816	.77%
102		816	.77%
103		1106/7	1.08%
104		1106/7	1.08%
105		1120	1.09%

106		1106/7	1.08%
107		1120	1.09%
108		1106/7	1.08%
109		1106/7	1.08%
110		816	.77%
111		816	.77%
201		816	.77%
202		816	.77%
203		1106/7	1.08%
204		1106/7	1.08%
205		1120	1.09%
206		1106/7	1.08%
207		1120	1.09%
208		1106/7	1.08%
209		1106/7	1.08%
210		816	.77%
211		816	.77%
301		816	.77%
302		816	.77%
303		1106/7	1.08%
304		1106/7	1.08%
305		1120	1.09%
306		1106/7	1.08%

307		1120	1.09%
308		1106/7	1.08%
309		1106/7	1.08%
310		816	.77%
311		816	.77%

UNITS: Phase 3 Building 3

<u>Units</u>	<u>Unit Address</u>	<u>Square Footage</u>	<u>Percentage Interest</u>
101		816	.77%
102		816	.77%
103		1106/7	1.08%
104		1106/7	1.08%
105		1120	1.09%
106		1106/7	1.08%
107		1120	1.09%
108		1106/7	1.08%
109		1106/7	1.08%
110		816	.77%
111		816	.77%
201		816	.77%
202		816	.77%
203		1106/7	1.08%

204		1106/7	1.08%
205		1120	1.09%
206		1106/7	1.08%
207		1120	1.09%
208		1106/7	1.08%
209		1106/7	1.08%
210		816	.77%
211		816	.77%
301		816	.77%
302		816	.77%
303		1106/7	1.08%
304		1106/7	1.08%
305		1120	1.09%
306		1106/7	1.08%
307		1120	1.09%
308		1106/7	1.08%
309		1106/7	1.08%
310		816	.77%
311		816	.77%

EXHIBIT D TO DECLARATION
PHASE 3

Part 2

GARAGE UNITS:

<u>Units</u>	<u>Unit Address</u>	<u>Square Footage</u>	<u>Percentage Interest</u>
G1		264	0.26%
G2		264	0.26%
G3		264	0.26%
G4		264	0.26%
G5		264	0.26%
G6		264	0.26%
G7		264	0.26%
G8		418	0.26%

<u>Units</u>	<u>Unit Address</u>	<u>Square Footage</u>	<u>Percentage Interest</u>
HC G9		418	0.26%
G10		264	0.26%
G11		264	0.26%
G12		264	0.26%
G13		264	0.26%
G14		264	0.26%
G15		264	0.26%
G16		264	0.26%



REBECCA P. SMITH
REGISTER OF DEEDS, NEW HANOVER
216 NORTH SECOND STREET

WILMINGTON, NC 28401

Filed For Registration: 06/02/2008 12:39:41 PM
Book: RE 5319 Page: 809-817
Document No.: 2008023900
AMEND 9 PGS \$35.00
Recorder: STORER, MARVIS ANN

State of North Carolina, County of New Hanover

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