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Pitt County, NC
Lisa P. Nichols REG OF DEEDS
BK **3246** PG **481-484**

Prepared by and File: HORNE & HORNE, PLLC

AMENDMENT TO DECLARATION OF CONDOMINIUM
UNDER THE PROVISION OF CHAPTER 47c OF THE GENERAL
STATUTES OF THE STATE OF NORTH CAROLINA AND
COVENANTS, CONDITIONS AND RESTRICTIONS OF
WILLOUGHBY PARK II CONDOMINIUM, BUILDING 104
(SEE BOOK 2707, PAGE 552)

THIS AMENDED DECLARATION, is made on the date hereinafter set forth by **WILLOUGHBY CLARK, LLC**, hereinafter referred to as "Declarant", a North Carolina corporation, pursuant to the North Carolina Condominium Act ("Act");

W I T N E S S E T H:

WHEREAS, the Declarant is the owner of that certain tract or parcel of land in Pitt County, State of North Carolina, and more particularly described in Exhibit "A" and Exhibit "A-1" of that certain Declaration of Condominium as to Willoughby Park II Condominium, recorded in Book 2707, Page 552 (hereinafter "Original Declaration"); and,

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

NOW THEREFORE, pursuant to Article XII of the Original Declaration, the Declarant does hereby amend the Original Declaration to include, Willoughby Park II Condominium, Building 104, as shown on the condominium plat prepared by Stroud Engineering, P.A. dated 12/10/12 and recorded in Condominium Book 3, at Page 167 of the Pitt County Registry; and such land is held and shall be held, conveyed, hypothecated, encumbered, used, occupied and improved, subject to the following covenants, conditions, restrictions, uses, limitations and obligations, all of which are declared and agreed to be in furtherance of a plan for the improvement of said property and the division thereof into condominium units and shall be deemed to run with the land and shall be a burden and benefit to Declarant, its successors and assigns, and any person acquiring or owning an interest in the real property and improvements, their grantees, successors, heirs, executors, administrators, devisees and assigns.

1. Affirmation of Declaration. The Declaration of Condominium under the provisions of Chapter 47C of the General Statutes of the State of North Carolina and of Covenants, Conditions and Restrictions of Willoughby Park II Condominium, as recorded in

Book 2707 at Page 552, recorded in the Pitt County Registry, is hereby ratified, confirmed, restated and applied to Willoughby Park II Condominium, Building 104, by this Amended Declaration of Condominium. Except as hereinafter contained and changed, said Original Declaration shall apply to Willoughby Park II Condominium, Building 104, and is incorporated by reference herein as though fully set forth.

2. Unit Designation and Development. Units are shown and located on the plans and specifications of Willoughby Park II Condominium, Building 104, attached hereto and incorporated by reference. Each unit shall have access to the common elements as shown on the plans.

The aforementioned plans and specifications of said building are filed simultaneously herewith in the office of the Register of Deeds of Pitt County and designate all particulars of said building, common elements and limited common elements including, but not limited to, the layout, location, ceiling and floor elevations, unit numbers, dimensions of the units, location of the common elements, location of parking facilities, other facilities affording access to each unit. Limited common elements are shown on said plans and more specifically described on Exhibit "A" attached hereto.

3. Unit Information and Reallocation of Interest Among All Units. The unit information and allocations of interest originally contained in Exhibit "B" of the Original Declaration is amended to show the appropriate information as to Willoughby Park II Condominium, Building 104, and is hereto attached and incorporated herein by reference as Exhibit "B".

IN WITNESS WHEREOF, Declarant has executed this document and adopted the word "SEAL" appearing after its name by its designated manager(s), this the _____ day of June, 2014.

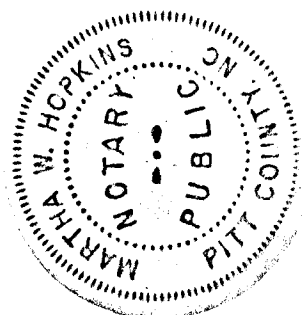
WILLOUGHBY CLARK, LLC

[Signature] (SEAL)
_____, Manager

STATE OF NORTH CAROLINA
COUNTY OF PITT

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Willoughby H. Clark.

Witness my hand and Notarial Seal, this the 3rd day of June, 2014.
M. W. Hopkins



Martha W. Hopkins
NOTARY PUBLIC
Printed/Typed Name: Martha W. Hopkins
My Commission Expires: July 6, 2018

EXHIBIT "A"
LIMITED COMMON ELEMENTS

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

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

EXHIBIT "B"

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

<u>Unit No.</u>	<u>Percentage of Undivided Interest in Common Elements</u>	<u>Percentage of Common Expenses</u>	<u>Votes in Association</u>
100-A	.0416	.0416	1
100-B	.0416	.0416	1
100-C	.0416	.0416	1
100-D	.0416	.0416	1
100-E	.0416	.0416	1
100-F	.0416	.0416	1
102-A	.0416	.0416	1
102-B	.0416	.0416	1
102-C	.0416	.0416	1
102-D	.0416	.0416	1
102-E	.0416	.0416	1
102-F	.0416	.0416	1
106-A	.0416	.0416	1
106-B	.0416	.0416	1
106-C	.0416	.0416	1
106-D	.0416	.0416	1
106-E	.0416	.0416	1
106-F	.0416	.0416	1
104-A	.0416	.0416	1
104-B	.0555	.0555	1
104-C	.0555	.0555	1
104-D	.0555	.0555	1
104-E	.0555	.0555	1
104-F	.0555	.0555	1

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

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

Effective Date of Allocations. The allocations of undivided interest in the common elements, liability for common expenses and votes in the Association are effective on the date of the recording of the Declaration. In the event additional real estate is added to the condominium, the effective date of the allocations as stated above shall be the date of the recording of an Amended Declaration pursuant to Sections 2-117 of the Act.