

STATE OF NORTH CAROLINA
COUNTY OF BRUNSWICK

AMENDMENT NUMBER TEN TO DECLARATION OF CONDOMINIUM
FOR INDIGO VILLAGE TOWNHOMES

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The Declarant, Indigo Plantation, Inc., a North Carolina corporation, P.O. Box 3069, Bald Head Island, North Carolina 28461, does hereby make, declare and establish this Amendment Number Ten to the Declaration of Condominium for Indigo Village Townhomes, a Condominium, pursuant to Chapter 47C of the General Statutes of North Carolina.

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Indigo Village Partnership, predecessor to Indigo Plantation, Inc., established and created a condominium pursuant to Chapter 47C of the General Statutes of North Carolina, by the execution and recording of a Declaration, dated December 17, 1986, and filed for record on December 29, 1986 in Book 675, Pages 284 through 347, Office of the Register of Deeds for Brunswick County, North Carolina, and in Condominium Book No. 5, Pages 250 through 254 of said Registry (the "Declaration").

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Pursuant to Section 47C-2-105(a)(8) of the aforesaid General Statutes, Declarant's predecessor did, in Article VI of the Declaration, reserve the right to itself and its successors to amend the Declaration, to add "additional property" to the Condominium as identified and described in Exhibit "B" of the Declaration, and to erect thereon additional condominium units, all without the joinder or consent of any existing unit owners, until December 31, 1996.

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By Amendment to Declaration of Condominium for Indigo Village Townhomes, dated May 30, 1997 and filed for record on July 28, 1997 in Book 1160, Pages 984 through 988, Office of the Register of Deeds for Brunswick County, North Carolina, the right of the Declarant to amend the Declaration under Article VI, in the manner above-described, was extended until December 31, 2005.

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Declarant has constructed on a portion of the "additional property", and specifically on that property described in Exhibit "A", attached hereto and incorporated herein, three (3) buildings containing a total of six (6) condominium units, which units are constructed in conformance with the plats and plans identified as Exhibit "B", attached hereto and incorporated herein by reference.

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NOW THEREFORE, pursuant to the provisions of Chapter 47C of the General Statutes of North Carolina, and Article VI of the Declaration of Indigo Village Townhomes, as amended, Declarant does hereby amend the Declaration and submits the property described in Exhibit "A" hereto to condominium ownership, incorporating by this reference the provisions of the Declaration of Condominium for Indigo Village Townhomes, a Condominium, and Declarant specifically declares as follows:

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RET Jude Ward TC# _____
TOTAL 29 REV _____
REC# 38 CK AMT 344 CK# 1382
CASH _____ REF _____ BY [Signature]

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1. Property Added in Amendment Number Nine

Attached hereto as Exhibit "A", and incorporated herein by reference, are the survey descriptions of the property annexed by this Amendment Number Ten, designated as Phases XI, XII and XIII, together with the boundary surveys of the land constituting the additional phases to the Condominium, as prepared by Brunswick Surveying, Inc., dated October 30, 2001. This property is hereby annexed to and made for all purposes a part of Indigo Village Townhomes, and is hereby made subject to the Declaration as amended.

2. Plats and Plans

Plats and plans of the improvements attached hereto as Exhibit "B", and incorporated herein by this reference, are the plats and plans of the buildings and improvements constituting Amendment Number Ten to the Condominium, graphically depicting the identity of condominium units, common elements and limited common elements, as said terms are defined in the Declaration, and their respective locations and approximate dimensions. Each condominium unit is assigned and identified by specific numerical designations on Exhibit "B", and no condominium unit shares the same designation as any other condominium unit.

The plans and specifications of the condominium buildings and units, prepared by John W. Thompson, P.A., Architect, and the surveys prepared by Brunswick Surveying, Inc. are filed in the Office of the Register of Deeds for Brunswick County, North Carolina, in Condominium Book 8, Pages 470 - 481. The plats and plans are expressly incorporated herein by reference and made a part hereof. These plats and plans are a part of the condominium Declaration as if originally included.

3. Percentage Interests

With this addition of another phase to the Declaration, the percentage of undivided interest of each individual unit shall decrease pursuant to the formula contained in Article V of the Declaration. The percentage of undivided interests in the common elements as heretofore set forth in the Declaration, as amended, is hereby amended by Exhibit "C" attached hereto and incorporated by this reference, as fully as if set forth verbatim in the original Declaration. The percentage ownership will change with the addition of additional phases.

4. Common Elements and Limited Common Elements

The common elements and limited common elements in Phases XI, XII and XIII are identical to those defined in Article IV of the Declaration, and are depicted on the plats and plans for Phases XI, XII and XIII, and with regard to limited common elements, the same are thereupon designated the unit to which each is allocated. The plats and plans are incorporated herein by reference to illustrate the common elements, limited common elements, and designation of limited common elements to individual units.

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Declarant reserves to itself, its successors and/or assigns, the exclusive right and option, but not the obligation, to further amend the Declaration in additional phases by addition of all or any portion or portions of the remainder of the "area for proposed development" as identified and defined in the Declaration, upon such terms and in the manner set forth in the Declaration, as amended, and pursuant to Chapter 47C of the General Statutes of North Carolina. Declarant further reserves all development and special declarant rights enumerated in the Declaration as amended.

Except as specifically amended by this Amendment Number Ten, the Declaration and its prior amendments shall be and remain in full force and effect, and the same are incorporated herein by reference with all parts thereof, including exhibits, applying to the property and the units added thereto by this Amendment.

IN WITNESS WHEREOF, the Declarant, Indigo Plantation, Inc., has caused these presents to be signed and sealed by its duly authorized officer, this the 9th day of January, 2002.

Indigo Plantation, Inc.,
a North Carolina corporation



By: [Signature]
L. O. Hamilton, President

[Signature]
B.J. Gorman, Assistant Secretary

STATE OF NORTH CAROLINA
COUNTY OF BRUNSWICK

I, Kim G. Jackson, a Notary Public for said County and State, do hereby certify that B.J. Gorman personally appeared before me this day and acknowledged that she is the Assistant Secretary of Indigo Plantation, Inc., a North Carolina corporation, and that by authority duly given, and as the act of the corporation, the foregoing instrument was signed in its name by its Vice President, sealed with its corporate seal, and attested by her as its Assistant Secretary.

WITNESS my hand and official seal, this the 9th day of January, 2002.



[Signature]
Notary Public
My commission expires: October 8, 2005

STATE OF NORTH CAROLINA
COUNTY OF BRUNSWICK

KIM G JACKSON

The Foregoing (or annexed) Certificate(s) of _____

Notary(ies) Public is (are) Certified to be Correct. 10th Day of January 2002
This Instrument was filed for Registration on this _____
in the Book and page shown on the First Page hereof.

[Signature]
ROBERT J. ROBINSON, Register of Deeds

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RECORD OF POOR QUALITY
DUE TO CONDITION OF ORIGINAL

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EXHIBIT A
LEGAL DESCRIPTIONS

DESCRIPTION FOR PHASE XI, INDIGO VILLAGE TOWNHOMES, SOUTHPORT, SMITHVILLE
TOWNSHIP, BRUNSWICK COUNTY, NORTH CAROLINA:

Commencing at the southeastern corner of Phase VIII, Indigo Village Townhomes, (Condominium Book 8, Page 192); thence along the eastern line of Phase VIII, one course:

- (1) N 00-00-08 W 32.85 feet to a the southwestern corner of Phase XI, Indigo Village

Townhomes, the point of beginning; thence along the eastern line of Phase VIII, (Condominium Book 8, Page 192), one course:

- (1) N 00-00-08 W 89.42 feet to the northwestern corner of Phase XI, Indigo Village

Townhomes; thence along a new line, the northern line of Phase XI, Indigo Village Townhomes, one course:

- (1) N 89-59-53 E 187.33 feet to the northeastern corner of Phase XI, Indigo Village

Townhomes; thence along the eastern line of Phase XI, Indigo Village Townhomes, one course:

- (1) S 00-11-48 W 89.43 feet to the northeastern corner of Phase X, Indigo Village Townhomes;

thence along with the northern line of Phase X, Indigo Village Townhomes, one course:

- (1) S 89-59-53 W 187.02 feet to the point of beginning and containing 16,738 square feet. All

bearings are oriented to map north, Map Cabinet P, Page 380. All distances are horizontal ground distances.

DESCRIPTION FOR PHASE XII, INDIGO VILLAGE TOWNHOMES, SOUTHPORT, SMITHVILLE
TOWNSHIP, BRUNSWICK COUNTY, NORTH CAROLINA:

Commencing at the southeastern corner of Phase VIII, Indigo Village Townhomes, (Condominium Book 8, Page 192); thence along the eastern line of Phase VIII, one course:

- (1) N 00-00-08 W 122.27 feet to a the southwestern corner of Phase XII, Indigo Village

Townhomes, the point of beginning; thence along a new line, the northern line of Phase XII, one course:

- (1) N 53-18-15 E 234.23 feet to the northeastern corner of Phase XII, Indigo Village

Townhomes; thence along the eastern line of Phase XII, Indigo Village Townhomes, one course:

- (1) S 00-11-48 W 139.66 feet to the northeastern corner of Phase XI, Indigo Village

Townhomes; thence along with the northern line of Phase XI, Indigo Village Townhomes, one course:

- (1) S 89-59-53 W 187.33 feet to the point of beginning and containing 13,109 square feet. All

bearings are oriented to map north, Map Cabinet P, Page 380. All distances are horizontal ground distances.

DESCRIPTION FOR PHASE XIII, INDIGO VILLAGE TOWNHOMES, SOUTHPORT, SMITHVILLE
TOWNSHIP, BRUNSWICK COUNTY, NORTH CAROLINA:

Commencing at the southeastern corner of Phase VIII, Indigo Village Townhomes, (Condominium Book 8, Page 192); thence along the eastern line of Phase VIII, one course:

- (1) N 00-00-08 W 122.27 feet to a the southwestern corner of Phase XII, Indigo Village

Townhomes, the point of beginning; thence along with the eastern line of Phase VIII, Indigo Village Townhomes, one course:

- (1) N 00-00-08 W 141.99 feet to the northeastern corner of Phase VIII, Indigo Village

Townhomes, (Condominium Book 8, Page 192); thence along the southern line of Indigo Plantation Drive, two courses:

- (1) A curve to the right: Radius=398.20 feet, Length=64.58 feet, Tangent=32.36 feet, Delta=09-17-31, Chord=64.51 feet, Bearing=N 87-33-51E,

- (2) S 87-47-23 E 123.46 feet to the northeastern corner of Phase XII, Indigo Village Townhomes; thence along with the northern line of Phase XII, Indigo Village Townhomes, one course:

- (1) S 53-18-15 W 234.23 feet to the point of beginning and containing 13,713 square feet. All

bearings are oriented to map north, Map Cabinet P, Page 380. All distances are horizontal ground distances.

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EXHIBIT B

PLATS AND PLANS FOR PHASES XI, XII AND XIII
AMENDMENT NUMBER TEN

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Reference is made to Condominium Book 0, Pages 470-481,
Brunswick County Registry, Brunswick County, North Carolina.

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EXHIBIT C
PERCENTAGE OF UNDIVIDED INTEREST IN COMMON ELEMENTS

<u>Unit Number</u>	<u>Percentage</u>
K-1	.0382
K-2	.0319
A-1	.0382
A-2	.0319
A-3	.0319
A-4	.0319
B-1	.0382
B-2	.0319
B-3	.0319
B-4	.0319
N-1	.0319
N-2	.0382
770	.0319
772	.0382
774	.0382
776	.0382
778	.0382
780	.0382
806	.0382
808	.0319
782	.0382
784	.0382
786	.0382
788	.0382
790	.0382
792	.0319
794	.0392
796	.0392
798	.0392
800	.0392
802	.0392
804	.0392

Upon the addition of additional phases to the Declaration, the percentage of undivided interest of each Unit shall decrease pursuant to the formula contained in Article V of the Declaration.