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ROBERT J. ROBINSON  
REGISTER OF DEEDS  
BRUNSWICK COUNTY, N.C.

AMENDMENT NO. ONE

OF

DECLARATION OF CONDOMINIUM FOR  
INDIGO VILLAGE TOWNHOMES, A CONDOMINIUM

Filed for Record August 20, 1987

Recorded in Book 703

Pages 342 through 351,

In the Office of the Register of Deeds  
for Brunswick County,  
North Carolina

and  
Condominium Book 5, Pages 324 through 329

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Prepared By  
James R. Prevatte, Jr.  
Attorney at Law  
P. O. Box 10969  
Southport, N. C. 28461  
♦ 18-50

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LIST OF EXHIBITS

- EXHIBIT A Description Phase II
- EXHIBIT B Plats and Plans for Phase II
- EXHIBIT C Percentage of Undivided Interest in Common Elements
- EXHIBIT D As-Built Verification

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INDIGO VILLAGE TOWNHOMES, A CONDOMINIUM

STATE OF NORTH CAROLINA  
COUNTY OF BRUNSWICK

AMENDMENT NO. ONE TO  
DECLARATION OF CONDOMINIUM

Indigo Village Partnership, a North Carolina joint venture, whose address is 704 E. Moore Street, Post Office Box 10999, Southport, North Carolina 28461, does hereby make, declare and establish this Amendment No. One to the Declaration of Condominium for Indigo Village Townhomes, A Condominium, pursuant to Chapter 47C of the General Statutes of North Carolina.

I. ESTABLISHMENT OF CONDOMINIUM

Indigo Village Partnership established and created a condominium pursuant to Chapter 47C of the General Statutes of North Carolina, by the execution and recording of a Declaration, which Declaration was dated 17 December 1986 and filed for record on 29 December 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.

II. AMENDMENT OF DECLARATION

Pursuant to Chapter 47C-2-105(8), Declarant did, in Article VI of the Declaration, reserve the right to add additional property to the Declaration and to erect thereon additional condominium units. The additional property was identified and described in Exhibit "B" to the Declaration. Declarant reserved the right to amend the Declaration and add additional real estate and units without the joinder or consent of any existing unit owners.

Declarant has constructed on a portion of Exhibit B, and specifically on that property described in Exhibit A attached hereto, one building containing a total of four condominium units, which units are constructed in conformance with the plats and plans more particularly described as Exhibit C, attached hereto and incorporated herein by reference.

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" identified in Exhibit "B" of the Declaration upon the terms and in the manner set forth in Article VI of

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the Declaration and pursuant to Chapter 47C of the General Statutes of North Carolina, Declarant further reserves all development rights and special declarant rights enumerated in the Declaration.

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, A CONDOMINIUM, INDIGO VILLAGE PARTNERSHIP DOES HEREBY AMEND THE DECLARATION AND DOES HEREBY SUBMIT THE PROPERTY DESCRIBED IN EXHIBIT "A" HERETO TO CONDOMINIUM OWNERSHIP INCORPORATING BY REFERENCE THE PROVISIONS OF THE DECLARATION OF CONDOMINIUM FOR INDIGO VILLAGE TOWNHOMES, A CONDOMINIUM.

Pursuant to Chapter 47C-2-110, Indigo Village Partnership declares that:

A. Property Added in Amendment No. One

Attached hereto is Exhibit "A" and incorporated herein by reference is the survey description of the property contained in Amendment No. One hereinafter referred to as Phase II. Exhibit "A" is a boundary survey of the land constituting the addition to the condominium as prepared by Brunswick Surveying and dated 14 August 1987.

B. Plats and Plans

Plats and plans of the improvements attached hereto as Exhibit "B" and incorporated herein by reference are the plats and plans of the buildings and improvements constituting Amendment No. One 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 identified by specific numerical-letter 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 by Richard B. Schredl and Partner Architects, P.A., and the site plans by Brunswick Surveying are filed in the office of the Register of Deeds for Brunswick County, North Carolina, in Condominium Book No. 5, Pages 326 through 329. 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.

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C. Percentage Interest

With the addition of additional phases 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 interest in the common elements as heretofore set forth in Exhibit "D" of the Declaration 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.

D. Common Elements and Limited Common Elements

The common elements and limited common elements in Phase II are identical as those defined in Article IV of the Declaration and are depicted on the plats and plans for Phase II and with respect to limited common elements 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.

Except as specifically amended by this Amendment No. One, the Declaration shall be and remain in full force and effect and is incorporated herein by reference with all parts thereof, including exhibits, applying to the property and units added thereto by this Amendment.

IN WITNESS WHEREOF, Indigo Village Partnership has caused these presents to be signed and sealed by its corporate partners this the 20 day of August, 1987.

J. P. O'CONNOR COMPANY  
OF N. C., INC.

INDIGO PLANTATION, INC.

BY: [Signature]  
President

BY: [Signature]  
President

Attest: [Signature]  
Secretary

Attest: [Signature]  
Secretary

(corporate seal)



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STATE OF NORTH CAROLINA  
COUNTY OF BRUNSWICK

I, Linda H. Elwood, Notary Public, do hereby certify that ALLAN D. WEAVER personally appeared before me this day and acknowledged that he is ASST. Secretary of J. P. O'CONNOR COMPANY OF N. C., INC. and that by authority duly given and as the act of the corporation, the foregoing Amendment No. One of Declaration of Condominium was signed in its name by its President, sealed with its corporate seal, and attested by him self as its ASST. Secretary.

Witness my hand and official stamp or seal, this the 20<sup>th</sup> day of August, 1987.



Linda H. Elwood  
Notary Public

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STATE OF NORTH CAROLINA  
COUNTY OF BRUNSWICK

I, Linda H. Elwood, Notary Public, do hereby certify that M. KENT MITCHELL personally appeared before me this day and acknowledged that he is Secretary of INDIGO PLANTATION, INC. and that by authority duly given and as the act of the corporation, the foregoing Amendment No. One of Declaration of Condominium was signed in its name by its VICE President, sealed with its corporate seal, and attested by him self as its Secretary.

Witness my hand and official stamp or seal, this the 20<sup>th</sup> day of August, 1987.



Linda H. Elwood  
Notary Public

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STATE OF NORTH CAROLINA, Brunswick County  
The Foregoing Certificate(s) of Linda H. Elwood, Notary Public

Recorded this 20th day of August 19 87 at 1:41 (State) certified to be correct P.M. o'clock

Robert J. Robinson  
Register of Deeds

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EXHIBIT "A"

Description of Phase II, Indigo Village Townhomes  
Southport, North Carolina

BEGINNING at a point in the southern right-of-way of Indigo Plantation Drive in Indigo Plantation, Southport, North Carolina, which said point is the northwest corner of Phase I of Indigo Village Townhomes, as per the Declaration of Indigo Village Townhomes, a Condominium, located in Condominium Book 5 at Pages 250-254, Office of the Register of Deeds of Brunswick County; For a tie-line to said point, commencing at the point runs thence North 65 degrees 55 minutes 12 seconds East with the southern right-of-way of Indigo Plantation Drive 252.10 feet to the P.T. of Indigo Plantation Drive; thence North 79 degrees 03 minutes 54 seconds East 181.11 feet to the P.C. of Indigo Plantation Drive; runs thence South 87 degrees 47 minutes 23 seconds East 405.20 feet; runs thence North 83 degrees 17 minutes 13 seconds East 30.71 feet; runs thence North 00 degrees 11 minutes 53 seconds East 70.04 feet to the existing iron pipe "A", as indicated on a plat of survey for Section Three, Indigo Plantation Subdivision, Map Cabinet P at Page 381, Brunswick Registry; From said POINT OF BEGINNING, runs thence South 23 degrees 28 minutes 40 seconds East 33.46 feet; runs thence South 33 degrees 05 minutes 02 seconds East 36.97 feet; runs thence South 46 degrees 40 minutes 04 seconds East 26.10 feet; runs thence South 45 degrees 55 minutes 36 seconds West 152.66 feet; runs thence North 39 degrees 28 minutes 11 seconds West 15.65 feet; runs thence North 82 degrees 38 minutes 11 seconds West 106.31 feet; runs thence North 37 degrees 52 minutes 37 seconds West 40.97 feet; runs thence South 84 degrees 15 minutes 42 seconds West 32.50 feet; runs thence North 61 degrees 57 minutes 16 seconds West 28.51 feet to a point in the southern right-of-way of Indigo Plantation Drive; runs thence with a curve to the right, said curve having a radius of 332.23 feet and a long chord of North 61 degrees 56 minutes 28 seconds East 46.11 feet to the point of tangency; runs thence with the southern right-of-way of Indigo Plantation Drive North 65 degrees 55 minutes 12 seconds East 234.97 feet to the PLACE AND POINT OF BEGINNING and being Phase II of Indigo Village Townhomes, as per survey by Thomas N. Morgan, Brunswick Surveying, dated January 16, 1987.

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EXHIBIT "B"  
Plats and Plans for Phase II

Reference is made to Brunswick County Condominium Book 5  
Pages 326 through 329, Brunswick County Registry.

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EXHIBIT "c"

Percentage of Undivided Interest in Common Elements

<u>Unit Number</u>	<u>Percentage</u>
K-1	.188
K-2	.156
A-1	.188
A-2	.156
A-3	.156
A-4	.156

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.

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EXHIBIT "D"  
AS-BUILT VERIFICATION  
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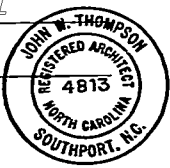
RICHARD B. SCHNEDL AND PARTNER, ARCHITECTS, P.A., Registered North Carolina Architects, hereby certify that the plans being filed simultaneously with the Declaration of Condominium contain all information required by Section 47C-2-109 of Chapter 47 of the North Carolina General Statutes, and that the plans fully depict the layout, location, ceiling and floor elevations, unit numbers and dimensions of the units as built.

IN TESTIMONY WHEREOF, RICHARD B. SCHNEDL AND PARTNER, ARCHITECTS, P.A., has caused this instrument to be executed in its corporate name by its President, sealed with its corporate seal, and attested by its Secretary, this the 11th day of August, 1987.



RICHARD B. SCHNEDL AND PARTNER ARCHITECTS, P.A.

BY: [Signature] President  
[Signature] Secretary



STATE OF NORTH CAROLINA  
COUNTY OF BRUNSWICK

I, a Notary Public of the County and State aforesaid, certify that John W. Thompson personally appeared before me this day and acknowledged that he is Secretary of RICHARD B. SCHNEDL AND PARTNER ARCHITECTS, P.A., a North Carolina corporation, and that by authority duly given and as an act of the corporation, the foregoing was signed in its name by its President, sealed with its corporate seal and attested by himself as its Secretary.

Witness my hand and official stamp or seal, this 19th day of August, 1987.

[Signature]  
Notary Public



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