

STATE OF NORTH CAROLINA
COUNTY OF CALDWELL

SUPPLEMENTARY DECLARATION OF CONDOMINIUMS
UNDER CHAPTER 47A OF THE NORTH CAROLINA GENERAL STATUTES
FOR PINNACLE WOODS CONDOMINIUMS, PHASE II

THIS DECLARATION is made and entered this 18th day of September, 1984, by BLOWING ROCK, INC., a North Carolina corporation, hereinafter called the "Declarant", for itself, its grantees, successors and assigns, pursuant to the provisions of the North Carolina Unit Ownership Act as set forth in Chapter 47A of the North Carolina General Statutes:

W I T N E S S E T H :

WHEREAS, the Declarant is the successor in title to Pinnacle Woods, Inc., which executed that certain Declaration of Condominium of Pinnacle Woods Condominium, hereinafter called the "Declaration", dated June 9, 1983, and recorded in Book 807, Page 1078, Caldwell County Registry, and in Condominium Unit Ownership Book 1, Pages 33-36, Caldwell County Registry;

WHEREAS, Paragraph 15 of said Declaration provides inter alia that additional property and units, up to a maximum of fifty (50), may be added to the Condominium Property by amending said Declaration and all Exhibits thereto in order to include such additional units and property; and

WHEREAS, it is the desire and intention of Declarant to add to the Condominium Property six (6) condominium units to comprise Phase II as authorized by Paragraph 15 of said Declaration and to sell and convey the same to various purchasers subject to the covenants, conditions, obligations and restrictions set forth in said Declaration.

NOW THEREFORE, Declarant does hereby publish and declare that all of those six (6) condominium units identified and described as Phase II, and more particularly shown on the amended/revised site plan and plans filed simultaneously herewith in Condominium Plat Book 1, Page 41-47, Caldwell County Registry, said units being located on a portion of the property described in Exhibit "D" of that certain Declaration of Condominium of Pinnacle Woods Condominium recorded in Book 807, Page 1078, hereinafter the "Declaration", be and same hereby are added to the Condominium Property; and Declarant hereby makes Phase II subject to said Declaration as recorded and as hereinafter amended. Effective with the recordation of this Supplementally Declaration, the Condominium shall consist of Phases I and II.

AND FURTHER, Declarant, for itself, its successors and assigns does hereby amend said Declaration as follows:

A. Paragraph 1 is amended to read as follows:

"1. Description of Property. All that certain tract, parcel, piece or plot of land with the buildings and improvements thereon erected or to be erected, situated, lying and being in the City of Blowing Rock, Township of Globe, County of Caldwell, State of North Carolina, and being more particularly described in Exhibit "A" Revised attached hereto and incorporated herein by this reference."

B. Paragraph 2 is amended to read as follows:

"2. Description of Buildings. There has been constructed on the above property two multi-unit buildings to be used for residential purposes only, said buildings being designated as Phase I and as Phase II. The Phase I building is two stories in height, without basement, and contains five (5)

condominium units. The Phase II building is three (3) stories in height, without basement and contains six (6) condominium units. Each said building is more particularly described in the plans attached hereto as Exhibit "B" Revised and incorporated herein by reference, showing all particulars of the buildings, including the layout, location, ceiling and floor elevation, unit numbers and dimensions of the units and location of the common areas and facilities affording access to each unit. Such plans bear the verified statement of a licensed engineer. Each of said buildings is constructed principally of concrete footers and block foundations, wood frame construction and asphalt shingle roof."

- C. Paragraph 3 is amended by striking the references to "Exhibit 'B'" and "Exhibit 'C'" and substituting therefor "Exhibit 'B' Revised" and "Exhibit 'C' Revised" respectively.
- D. Paragraph 4 is amended by striking the references to "Exhibit 'C'" in the last paragraph thereof and substituting therefor "Exhibit 'C' Revised."
- E. Paragraph 5 is amended by adding thereto a paragraph as follows:

"All of the lobby/foyer, elevator shaft and pit and rear stairway shown on the plans for Phase II are hereby reserved for the exclusive use of the owners of the six (6) condominium units in Phase II only, to the exclusion of the other units located in Phase I. Each unit owner in Phase II shall own a 16.66% undivided interest in said limited common areas and facilities pertaining to Phase II only; the cost of maintenance and repair of such common areas and facilities serving these six (6) particular units exclusively shall be the responsibility of the owners of these particular units in Phase II and not the responsibility of the owners of units in Phase I."

- F. Paragraph 7 is amended to read as follows:

"7. Person to Receive Service of Process. Susan Glenn, Blowing Rock, North Carolina, is hereby designated as the person to receive Service of Process in any action which may be brought against or in relation to this condominium. Said person's place of residence is Unit 3, Pinnacle Woods Condominium, Blowing Rock, Caldwell County, North Carolina 28605, which place of residence is within the city and county in which the condominium is located."

- G. Exhibit "A" is amended to read as follows:

EXHIBIT "A" REVISED

to Declaration of Condominium of Pinnacle Woods Condominiums

BEGINNING at an existing iron pin at the corner of U.S. 321 and Pinnacle Avenue, THENCE S84-32-34E 258.84 feet to a monument; THENCE N04-37-51E 49.70 feet to a point; THENCE S75-59-48E 62.41 feet to a point; THENCE S04-19-38E 40.43 feet to a point; THENCE N84-32-34W 17.00 feet to a point; THENCE S04-19-38W 86.70 feet to a point; THENCE S84-32-34E 3.00 feet to a point; THENCE S04-19-38W 49.84 feet to a point in the north margin of Cliff Drive; THENCE S61-11-46W 9.14 feet to a point in the bend of Cliff Drive; THENCE N84-32-00W 190.98 feet to a point; THENCE with the line of Pinnacle Avenue N32-32-00W 180.00 feet to the point and

place of BEGINNING ... containing .880 acre more or less, all according to plat and description prepared by Rothrock Engineering, P. Marion Rothrock, P.E. 3476 (RLS No. L-1668, from map prepared by Northwestern Surveying & Mapping, Inc. (Ronald H. Carpenter, RLS), dated July 13, 1982.

Also conveyed herewith is a right-of-way and road easement appurtenant to the above described tract for ingress, egress and regress over and upon that southwestern corner of Lot No. 7 of Leak and Wall property, said southwestern corner being more particularly described as follows:

BEGINNING on an iron pin set at the new southwest corner to Lot No. 7; THENCE with the new line between Lot No. 7 and Lot No. 6 N04-19-38E 44.00 feet to an iron pin set; THENCE leaving the new line between Lot No. 7 and Lot No. 6 S25-36-56E 36.90 feet to an iron pin set in the north margin of Cliff Drive, said iron being located S61-11-46W 40.10 feet from the southeast corner to Lot No. 7 and a common corner to Lot No. 7 and Lot No. 8; THENCE with the northern margin of said drive S61-11-46W 22.00 feet to the point of BEGINNING ... containing 405 square feet or 0.009 acre more or less.

H. Exhibit "B" is hereby amended to read as follows:

EXHIBIT "B" REVISED

Phase I:

Certification of Professional Engineer, dated June 8, 1983 and recorded June 9, 1983, in Book 807, Page 1117, Caldwell County Registry, incorporated herein by reference.

Plans, including site plans, recorded in Condominium Unit Ownership Book 1, at Pages 33-36, Caldwell County Registry, incorporated herein by reference.

Phase II:

Certification of Licensed Engineer and Plans, including Revised Site Plan showing Phase I and II, recorded in Condominium Unit Ownership Book __, at Page ____, Caldwell County Registry, incorporated herein by reference.

I. Exhibit "C" is hereby amended to read as follows:

EXHIBIT "C" REVISED

to Declaration of Condominium of Pinnacle Woods Condominiums

| PHASE | UNIT | UNDIVIDED INTEREST IN COMMON AREAS AND FACILITIES | |
|-------|------|--|---|
| | | | |
| I | 1 | 9.09% | \ |
| I | 2 | 9.09% | |
| I | 3 | 9.09% | |
| I | 4 | 9.09% | |
| I | 5 | 9.09% | |
| II | 11 | 9.09% | \ |
| II | 12 | 9.09% | |
| II | 21 | 9.09% | |
| II | 22 | 9.09% | |
| II | 31 | 9.09% | |
| II | 32 | 9.09% | |
| TOTAL | | 100.00% | |

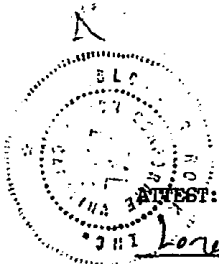
Condo Book I See Page 41-47

BOOK 841 PAGE 153

IN WITNESS WHEREOF, Declarant has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

BLOWING ROCK, INC.

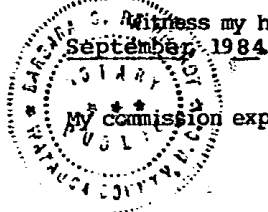
By: Susan Glenn
President



Loretta B. Glenn
Secretary

STATE OF NORTH CAROLINA
COUNTY OF WATAUGA

I, a Notary Public of the County and State aforesaid, certify that Loretta B. Glenn personally came before me this day and acknowledged that she is Secretary of BLOWING ROCK, 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 President, sealed with its corporate seal and attested by her as its Secretary.



Witness my hand and notarial seal, this the 18th day of September, 1984

My commission expires: 9-29-88

Barbara S. Reinhardt
Notary Public

NORTH CAROLINA CALDWELL COUNTY
THE FOREGOING CERTIFICATE OF:

Barbara S. Reinhardt
Notary of county state
NP of Watauga County
Notary of county state

is certified to be correct

This the 18 day of September, 19 84

Patsy Thomas Fowler By Sheila Stone
Register of Deeds Deputy

Presented for registration at 3:51
o'clock P.M., this 18 day of
September, 19 84, and recorded in
the office of Register of Deeds of Caldwell County,
N. C., in Book 841 Page 153

Patsy Thomas Fowler By Sheila Stone
Register of Deeds, Caldwell County