

NORTH CAROLINA

DURHAM COUNTY

Book 1053 page 308
Book 1053 page 308
1917 North St
Pho. 27705

AMENDMENT OF DECLARATION

noted
THIS AMENDMENT made this 10th day of March 1981, by the Board of Administrators of the Unit Owners Association of On The Fairway Condominium, to that certain Declaration of Unit Ownership under the provisions of Chapter 47A of the General Statutes of North Carolina as recorded in Book 377 at pages 290, et seq.; in the office of the Register of Deeds of Durham County, North Carolina.

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, the annual meeting of the Unit Owners was held at 7:30 o'clock p.m. on March 10, 1981, and a quorum being present, certain changes to the Declaration of Unit Ownership were discussed and approved by a two-thirds majority of the Unit Owners and voting; and

WHEREAS, subsequent to that meeting the Board of Administrators met and in accordance with the provisions for amending the Declaration and By-laws set forth in Article 12, Section (b)(i);

NOW THEREFORE, the Board of Administrators, acting on behalf of and for the unit Owners Association, pursuant to the provisions of said Declaration and Bylaws and in accordance with the provisions of Chapter 47A of the General Statutes of North Carolina, hereby made the following amendments:

1. Amend Article 12 (b)(i) to read as follows:

Loss or damage by fire and other hazards covered by a standard extended coverage endorsement. Such coverage shall cover fixtures, installations or additions comprising a part of the building within the unfinished interior surfaces of the perimeter walls, floors and ceilings of the individual condominium units initially installed or replacements thereof, in accordance with the original condominium plans and specification, or installed at the expense of the unit owners. Such coverage shall include, without limiting the generality of the foregoing, such items as cabinets, counters, appliances, wall coverings, floor coverings (carpet, etc.), and light fixtures.

IN WITNESS WHEREOF, the Board of Administrators has executed these Amended Bylaws, the day and year first above written.

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NORTH CAROLINA

DURHAM COUNTY

AMENDED DECLARATION

THIS AMENDMENT is made this 20th day of July, 1973, by CROASDAILE, INC., hereinafter referred to as "Declarant", to that certain Declaration of Unit Ownership under the provisions of Chapter 47 A of the General Statutes of North Carolina as recorded in Book 377, at Pages 290, et seq., in the Office of the Register of Deeds of Durham County, North Carolina.

WHEREAS, by authority reserved by Article 18. of said Declaration and the consent therein granted on behalf of all unit owners and mortgagees holding under said Declaration, Exhibits and By-Laws attached thereto, the Declarant has elected to and by these presents does hereby exercise its right to construct twelve (12) additional units, to be located in two (2) additional buildings constructed on that certain tract or parcel of land contiguous to the land now subject to said Declaration, as hereinafter described, which units are and shall be substantially equivalent in unit value and construction to those pre-existing eight (8) units covered by said Declaration, and in conjunction therewith to redetermine each unit owner's percentage interest in the common areas and facilities as shown on Exhibit "C" attached hereto.

NOW, THEREFORE, the Declarant does hereby publish and declare that all of the property described hereinbelow and the multi-unit buildings located or to be located thereon, and all other improvements constructed thereto, is held and shall be held, conveyed, hypothecated, encumbered, used, occupied and improved subject to the provisions of the North Carolina Unit Ownership Act (Chapter 47 A, North Carolina General Statutes) and the covenants, conditions, restrictions, limitations, uses, obligations and provisions of the Declaration of Unit Ownership and By-Laws attached thereto, as recorded in Book 377, at Pages 290, et seq., Durham County Registry, all of which terms and conditions are hereby incorporated by reference as fully as if set forth herein verbatim.

MANNING, ALLEN
AND HUDSON
ATTORNEYS AT LAW
CHAPEL HILL, N. C.

1. Descriptions: (a) The property which the Declarant now submits and declares to be subject to the provisions of

of said Declaration as additional property is more particularly described as follows:

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All of that certain parcel or tract of land situated, lying and being located along the western margin of Front Street in the subdivision known as "CROASDAILE", Durham Township, Durham County, North Carolina, and more particularly described as BEGINNING at an iron stake in the Northwestern corner of property designated "Property Of Croasdaile, Inc." by plat recorded in Map Book 69, at Page 37, Durham County Registry, (which is the subject property of the aforesaid Declaration Of Unit Ownership recorded in Book 377, at Pages 290, et seq., Durham County Registry), which iron stake is designated as a control corner on the plat hereinafter referred to, and running thence along the Eastern margin of the Croasdaile Golf Course North $3^{\circ} 36' 30''$ East a distance of 159.17 feet to an iron stake; running thence along said Eastern margin of the Croasdaile Golf Course North $0^{\circ} 40'$ East a distance of 94.10 feet to the center line of a sanitary sewer easement for the City of Durham 25 feet in width; running thence along said center line North $32^{\circ} 09'$ East a distance of 250.65 feet to the Western boundary of Front Street; running thence along said Western boundary of Front Street South $13^{\circ} 26'$ East a distance of 109.92 feet to a monument; running thence along said Western boundary of Front Street with the arc of a circle to the right having a radius of 971.77 feet a distance of 260.34 feet to a monument; running thence along said western boundary of Front Street with the arc of a circle to the right having a radius of 1265.81 feet a distance of 112.18 feet to an iron stake in the Northeast corner of the property hereinabove referred to as depicted by plat recorded in Map Book 69, at Page 37, Durham County Registry, which iron stake is located 278.61 feet from the intersection of Front Street and Medford Road; running thence along the Northern boundary of the property hereinabove referred to as depicted by plat recorded in Map Book 69, at Page 37, Durham County Registry, North $86^{\circ} 23' 30''$ West a distance of 187.73 feet to the point and place of BEGINNING, and containing 67,715 square feet, more or less, as shown by plat drawn by Credle Engineering Company and dated June 11, 1973, as revised June 25, 1973, entitled "Property Of Croasdaile, Inc." which appears of record in the Office of the Register Of Deeds for Durham County, North Carolina, in Map Book 77, at Page 47, and reference to which is hereby made for a more particular description of said land.

(b) The buildings constructed or to be constructed upon the land hereinabove described are to be used for residential purposes only. Said buildings shall be three (3) stories in height, with elevators, and shall contain six (6) condominium units each. Said multi-unit buildings are more particularly described in the plans and specifications of said buildings, a copy of which plans are attached hereto and made a part hereof

as Exhibit "D" and filed with the Register of Deeds of Durham County, North Carolina, simultaneously herewith, to which reference is made for a more particular description thereof.

2. Unit Designations, Common Areas and Facilities:

The unit designations of each condominium unit added by this Amendment To The Declaration Of Unit Ownership as set forth above shall be as set forth on Exhibit "D" hereinabove referred to and made a part hereof. The land as herein described and all unit boundaries, common areas and facilities shall be as more fully set forth in said Declaration and herein, and the ratios of undivided interest of each unit owner for the entire group of twenty (20) units shall be as amended and set forth below.

3. Amended Ratios: All unit owners of the twenty

(20) units comprising the amended condominium property shall have an undivided interest in the common areas and facilities as is set forth on Exhibit "C" attached hereto and made a part hereof, subject to the provisions of said Declaration and By-Laws.

4. Effect of Amendment: In all respects not other-

wise specifically set forth herein this Amendment shall subject the property hereinabove described, together with the property heretofore subjected to the provisions of said Declaration, as fully and completely to all terms and conditions of said Declaration and By-Laws under the North Carolina Unit Ownership Act as if originally described and included therein, it being the intent of the Declarant to combine the units provided for by this Amendment on the land herein described with those units heretofore constructed and subjected by said Declaration as a single condominium consisting of twenty (20) units in four (4) buildings, with the undivided interest of each owner of the twenty (20) units being amended as set forth on Exhibit "C" attached hereto and made a part hereof.

IN WITNESS WHEREOF, the Declarant has caused this Amended Declaration to be executed by its duly authorized officers and its corporate seal to be affixed hereto, the day and year first above written.

CROASDAILE, INC.

(CORPORATE SEAL)

BY:

Herbert J. Fox
President

ATTEST:

Louise Hill Fox
Secretary

NORTH CAROLINA

DURHAM COUNTY

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THIS IS TO CERTIFY that on this day personally came before me FRANCES HILL FOX with whom I am personally acquainted, who, being by me duly sworn, says that HERBERT J. FOX is the President and that she, the said FRANCES HILL FOX is Secretary of CROASDAILE, INC., the corporation described in and which executed the foregoing Amended Declaration; that she knows the common seal of said corporation; that the seal affixed to said Amended Declaration is said common seal, and that the name of the corporation was subscribed thereto by the said President, and that said President and Secretary subscribed their names thereto and said common seal was affixed, all by order of the Board of Directors of said corporation, and that said Amended Declaration is the act and deed of said corporation.

WITNESS my hand and notarial seal, this 30th day of July, 1973.



Frances Hill Fox
Notary Public

My Commission expires: My Commission Expires March 15, 1978

For Exhibit D See Drawer I in the Register of Deed, Durham, N.C.

State of North Carolina - Durham County

The Foregoing certificate (s) of Frances Hill Fox

A Notary (Notaries) Public of the Designated Governmental units is (are) certified to be correct.

This the 30 day of July A. D. 1973

A. Gresham
Register of Deeds

By: James S. Hightower
Assistant, Deputy
Register of Deeds

FILED
BOOK 404 PAGE 854
JUL 30 12 06 PM '73
A. GRESHAM
REGISTER OF DEEDS
DURHAM COUNTY, N.C.

ON THE FAIRWAY CONDOMINIUM
DURHAM, NORTH CAROLINA

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EXHIBIT " C "

UNIT DESCRIP- TION	LOCATION (Portion of Building)	APPROXIMATE AREA IN SQUARE FEET	NO. OF ROOMS	PERCENTAGE OF INTEREST IN THE COMMON AREAS & FACILITIES & OF THE COMMON EXPENSES
Unit 1-A	1st Floor South Side	1492.99	5	4.126 %
1-B	1st Floor North Side	1492.99	5	4.126 %
1-C	2nd Floor South Side	1492.99	5	4.126 %
1-D	2nd Floor North Side	1492.99	5	4.126 %
				16.504
Unit 2-A	1st Floor South Side	1800.5	6	4.977 %
2-B	1st Floor North Side	1800.5	6	4.977 %
2-C	2nd Floor South Side	1800.5	6	4.977 %
2-D	2nd Floor North Side	1800.5	6	4.977 %
				19.908
Unit 3-1	1st Floor South Side	1917.16	7	5.299 %
3-2	1st Floor North Side	1917.16	7	5.299 %
3-3	2nd Floor South Side	1917.16	7	5.299 %
3-4	2nd Floor North Side	1917.16	7	5.299 %
3-5	3rd Floor South Side	1917.16	7	5.299 %
3-6	3rd Floor North Side	1917.16	7	5.299 %
				31.794
Unit 4-1	1st Floor South Side	1917.16	7	5.299 %
4-2	1st Floor North Side	1917.16	7	5.299 %
4-3	2nd Floor South Side	1917.16	7	5.299 %
4-4	2nd Floor North Side	1917.16	7	5.299 %
4-5	3rd Floor South Side	1917.16	7	5.299 %
4-6	3rd Floor North Side	1917.16	7	5.299 %
				31.794
		36,179.88		
				100.000

EXHIBIT " C "