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SECOND AMENDMENT TO DECLARATION OF GEORGE TATUM

HUFF BUILT OFFICE CONDOMINIUMS REGISTER OF DEEDS CUMBERLAND CO., N.C.

WHEREAS, Breezewood Associates, LLC, a North Carolina Limited Liability Company Carolina, H & H Investments, Inc., a North Carolina corporation, Ralph Huff Family Limited Partnership, a North Carolina limited partnership, and Breezewood Six, LLC, a North Carolina Limited Liability Company, as Declarants and Co-Declarants under the terms of the Amended Declaration of Condominium of Huff Built Office Condominiums do hereby amend the Declaration of Condominium of Huff Built Office Condominiums recorded in Book 5226, Page 281, as previously amended at Book 1015, Page 314, Cumberland County Registry as previously for by the Declaration of Condominium as follows:

- 1. The additional real property, together with improvements locally described to the Park "Huff Built Office Condominiums, Phase Four" shall be and are hereby substituted that the Declaration of Condominium of Huff Built Office Condominiums, as amended. Phase Four, Huff Built Office Condominiums consists of approximately .76 acres of land located in Carver's Creek Township, Cumberland County, North Carolina, together with a six-unit office condominium building. The real property is more specifically described on Exhibit "A" which is attached hereto and incorporated herein by reference.
- 2. The individual condominium units, the common area and the limited common area are more specifically described in Exhibit "B", attached hereto and incorporated herein by reference (See Condominium Plat Book  $\underline{\omega}$ , at Pages  $\underline{\lambda}$  through  $\underline{5}$ , Cumberland County Registry, North Carolina.)
- 3. Exhibit "C" to the Declaration, entitled "Percentage Interest of Common Area, Common Expenses and Votes in Huff Built Office Condominium Owner's Association, Inc.", is amended by substituting for the previously recorded Exhibit "C" a new Exhibit "C" which is attached hereto and incorporated herein by reference.
- 5. Except as specifically amended, all terms and provisions of the Declaration, as amended, remain full force and effect and are incorporated herein by reference to this Amendment to Declaration.

IN WITNESS WHEREOF, Breezewood Associates, LLC, H & H Investments, Inc., Ralph Huff Family Limited Partnership and Breezewood Six, LLC have caused this Amendment

This Amendment is being re-recorded solely for the purpose of insuring the recording of the Amendments in the proper order.

39/

of Declaration to be executed by the appropriate officers, agents, members and sealed this 11th of October, 2001.

of October, 2001.	
	BREEZEWOOD ASSOCIATES, LLC
	BY: (SEAL) D. RALPH HUFF, Member-Manager
	BY: W. LANDO TAPPETT, Member-Manager
	BY: HAROLD D. TYNDALL, Member-Manager
ATTEST:	H & H INWESTMENTS, INC.  BY: (SEAL)  D. RALPH HUFF, President
Ronald S. Huff, Secretary	
	RALPH HUFF FAMILY LIMITED PARTNERSHIP  BY: (SEAL)  D. RALPH HUFF, General Partner
	BREEZEWOOD SIX, LLC  BY: (SEAL)  D. RALPH HUFF, Member-Manager
	BY: (SEAL) THOMAS BRADFORD, Member-Manager
	BY: HAROLD D. TYNDALL, Member-Manager

STATE OF NORTH CAROLINA COUNTY OF CUMBERLAND

I, Emul M. Willie a Notary Public, do hereby certify that D. RALPH HUFF, Member-Manager of Breezewood Place, LLC, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

My Commission Expires: 12-14-05

STATE OF NORTH CAROLINA COUNTY OF CUMBERLAND

I, Enval (N. (1)) See a Notary Public, do hereby certify that W. LYNDO TIPPETT, a Member-Manager of Breezewood Place, LLC, personally appeared before me this day and appeared the due execution of the foregoing instrument.

My Commission Expires: 12-14-05

STATE OF NORTH CAROLINA COUNTY OF CUMBERLAND

I, Emaly 19). Little Notary Public, do hereby certify that HAROLD D. TYNDALL, a Member-Manager of Breezewood Place, LLC, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my Hand and Seal this the // day of October, 2001.

Ty Commission Expires: 12-14-05

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***************************************	****
STATE OF NORTH CAROLINA COUNTY OF CUMBERLAND	
I, Emal Mullion Notary Public, do hereby certify that Hondel & North- personally appeared before me this day and acknowledged that she/he is the Secretary & H Investments, Inc., a 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 herself/himself as Secretary.  OTAR WITNESS my Hand and Seal this the// day of	of H
My Commission Expires: 12-14-05	
STATE OF NORTH CAROLINA COUNTY OF CUMBERLAND	·***
I, Emal M. willife Notary Public, do hereby certify that D. RALPH HUF	F,

General Partner of Ralph Huff Family Limited Partnership, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

My Commission Expires: 12-14-05

STATE OF NORTH CAROLINA COUNTY OF CUMBERLAND

I, Emaly M. Willifed Notary Public, do hereby certify that D. RALPH HUFF, Member-Manager of Breezewood Six, LLC, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my Hand and Seal this the // day of // 2001.

NOTARY PUBLIC

Tommission Expires: 12-11-11

My Commission Expires: \_

STATE OF NORTH CAROLINA COUNTY OF CUMBERLAND

I, Envel (M. 4) II God a Notary Public, do hereby certify that THOMAS BRADFORD, a Member-Manager of Breezewood Six, LLC, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

OTAWITESS my Hand and Seal this the // day of // 2001.

NOTARY PUBLIC

My Commission Expires: /2-14-0\)

STATE OF NORTH CAROLINA COUNTY OF CUMBERLAND

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I, Emale M. (1) Iligated Notary Public, do hereby certify that HAROLD D. TYNDALL, a Member-Manager of Breezewood Six, LLC, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

BK5720PG807

# EXHIBIT "A" SECOND AMENDMENT TO DECLARATION OF HUFF BUILT OFFICE CONDOMINIUMS

Beginning at an iron in the western right-of-way of Ramsey Street (100' right-of-way), said iron being the northeastern corner of parcel "A" as shown on a plat recorded in Plat Book 87, Page 195 of the Cumberland County, North Carolina Registry and running with said right-of-way South 19 degrees 34 minutes 36 seconds West, 133.85 feet to an iron at a point of curvature;

thence with a curve in a southwesterly direction on a radius of 25.00 feet, an arc distance of 39.17 feet (chord: South 64 degrees 27 minutes 39 seconds West, 35.28 feet) to a point of tangency in the northen right-of-way of Tallstone Drive;

thence with the northern right-of-way of Tallstone Drive (50' right-of-way) North 70 degrees 39 minutes 18 seconds West, 185.10 feet to an iron in the common line between said parcel "A" and parcel "B" of the aforementioned plat;

thence leaving said right-of-way and running with said common line North 19 degrees 34 minutes 34 seconds East, 159.16 feet to an iron;

thence with the northen line of said parcel "A" South 70 degrees 32 minutes 31 seconds East, 210.00 feet to the beginning.

Containing 33,248 S.F. (0.76 acres) more or less and being subject to any and all easements of records.

### Legal Description Surface Drainage Easement:

Beginning at an existing iron at the common rear corner of Parcels "A" and "B" of the property as shown on a plat recorded in Plat Book 87, Page 195 of the Cumberland County, North Carolina Registry and running with the common line between the two parcels South 19 degrees 34 minutes 04 seconds West, 14.16 feet to a point;

thence North 70 degrees 39 minutes 18 seconds West, 550 feet crossing Parcels "B" and "C" to a point in the west line of Parcel "C" of the aforementioned plat;

thence running with said western line North 19 degrees 34 minutes 34 seconds East, 15.25 feet to an iron at the northwestern corner of Parcel "C";

thence running with the real line of said Parcels "B" and "C", South 70 degrees 32 minutes 31 seconds East, 550 feet to the beginning.

Containing approximately 8088 s.f., more or less and being an easement for surface drainage lying at the rear of Parcel "B" and Parcel "C".

This surface drainage easement lies completely within the easement shown on Plat Book 87, Page 195.

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# EXHIBIT "B" SECOND AMENDMENT TO DECLARATION OF HUFF BUILT OFFICE CONDOMINIUMS

SEE CONDOMINIUM PLAT BOOK  $\underline{4}$ , AT PAGES  $\underline{\underline{2}}$  THROUGH  $\underline{\underline{5}}$ , CUMBERLAND COUNTY REGISTRY, NORTH CAROLINA.

## EXHIBIT "C" SECOND AMENDMENT TO DECLARATION OF HUFF BUILT OFFICE CONDOMINIUM

## PERCENTAGE INTEREST OF COMMON AREA, COMMON EXPENSES AND VOTES IN HUFF BUILT OFFICE CONDOMINIUMS

#### PHASE ONE

Unit No.*	Fair Market Value	Percent Interest
100	\$145,700	3.78
101	\$35,300	0.91
102	\$52,500	1.36
103	\$35,700	0.93
200	\$77,800	2.02
Reserved for Future Units	\$190,300**	4.93

#### PHASE TWO

Unit No.*	Fair Market Value	Percent Interest
100	\$232,750	6.03
101	\$111,750	2.90
Reserved for Future Units	\$344,500**	8.93

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#### EXHIBIT "D" CONTINUED

#### PHASE THREE

Unit No.*	Fair Market Value	Percent Interest
100	\$285,200	7.39
101	\$262,300	6.80
102	\$76,500	1.98
200	\$681,800	17.67

#### PHASE FOUR

Unit No.*	Fair Market Value	Percent Interest
100	\$293,000	7.59
101	\$177,680	4.60
102	\$117,600	3.05
103	\$71,200	1.85
201	\$253,650	6.57
202	\$413,270	10.71

<sup>\*</sup> The Units are sometimes referred to as Suites and the terms "Units" and "Suites" have synonymous meanings for purposes of this Declaration and this Condominium.

<sup>\*\*</sup>Declarant reserves the right to adjust and allocate the fair market value of any Unit as constructed consistent with the terms of this Declaration and applicable law.

### BK5720PG811

EXPLANATION STATEMENT TO CORRECT OBVIOUS MINOR ERROR (S) MADE IN AN INSTRUMENT AS ORIGINALLY RECORDED.

	RE: BOOK <b>3615</b>	
	PAGE <u>034</u>	<del></del>
RECORDED IN THECum	berland (	COUNTY REGISTRY
NAMES OF ALL PARTIES TO TH	E ORIGINAL INSTRUMENT	Γ:
GRANTORS: Breezewood Associ Patthe ship & Breeze TRUSTEE/GRANTEES:		s Inc. j Ralph Heff Femily Limbo
STATE OF NORTH CAROLINA COUNTY OF		
I/WE, The Undersigned, here above named recorded instrument in 30, 1986.	eby certify that the following co accordance with the provision	orrections are made in the s of G.S. 47-36.1 ratified June
DESCRIPTION OF CORRECTION	(S): This Amendment:	o being
re excended soley for the prope		J 0 *
THIS, THE <b>9th</b> DAY OF	April	, 20 <u>02</u> .
<b>~</b> .	Wendy H Hughes Drafter )	(SEAL) (SEAL) (SEAL)
This explanation statement together—  \( \frac{1.09}{.41} \) o'clock \( \frac{1.09}{.41} \) M this the book and page shown on the firs	the G day of April	(SEAL)  (SEAL)  uly rerecorded at , 20 0 2 in
GEORGE E. TATUM	BY Seila N	Saio
REGISTER OF DEEDS	DEPUTY <del>/ASSISTANT</del>	REGISTER OF DEEDS