

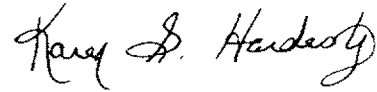
Karen S. Hardesty  
Carteret County, NC  
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Rt: Kirkman Whitford Law

STATE OF NORTH CAROLINA

COUNTY OF CARTERET

AMENDMENT TO CONSOLIDATION, RESTATEMENT AND AMENDMENT OF  
DECLARATION AND COVENANTS, CONDITIONS AND RESTRICTIONS  
OF TAR LANDING VILLAS

This instrument is dated for purposes of reference the 1<sup>st</sup> day of July, 2024  
and is made by Tar Landing Villas Owner's Association, Inc. (herein the "Association").

STATEMENT OF EXPLANATION

Tar Landing, Inc. (the "Declarant") established a Declaration and Covenants, Conditions and Restrictions of Tar Landing Villas dated July 4, 1972, recorded in Book UO-1, Page 146, "Original Declaration") in order create a condominium known as Tar Landing Villas located in the Town of Atlantic Beach, Carteret County, North Carolina (herein "Tar Landing"). The Declarant established Tar Landing Villas Owners' Association, Inc., a North Carolina nonprofit association, to operate and manage the affairs at Tar Landing. The Association has adopted certain By-laws, a copy of which is recorded with the Original Declaration.

The Original Declaration, and By-laws and the subsequent amendments thereto were consolidated and restated by a Consolidation, Restatement and Amendment of Declaration and Covenants, Conditions and Restrictions of Tar Landing Villas dated September 5, 2020, and recorded in File # 1689362, Carteret County Registry (herein "Declaration").

The Board of Directors of the Association has determined it is in the best interest of the Association and its members to amend the Declaration to clarify certain provisions related to descriptions of the condominium units and insurance coverage provided by the Association on the units.

The Declaration in Section 23 provides it may be amended by an affirmative vote of at least sixty-six and two-thirds percent (66 2/3rds %) in common interest of all unit owners, cast in person or by proxy, at meeting duly held in accordance with the provisions of the By-laws.

By unanimous vote of the members at the Association's annual meeting held on May 24, 2024, the below amendments to the Declaration were approved.

#### STATEMENT OF AMENDMENT

The Declaration is amended as follows and said amendment shall be effective upon the recording of this instrument with the Register of Deeds Office of Carteret County:

1. Section 2 of the Declaration captioned "Description of Buildings" is by rewritten to read as follows:

(2) Description of Buildings. The original construction plans for Phase I of the Tar Landing Villas consists of four (4) multi-unit buildings, each being two stories in height, with no basements, but with each unit having beneath it a garage, storage room and utility room. The total number of units in said first phase is fifty-two (52). Phase I units are units 201 through 212, units 301 through 316, units 401 through 416 and units 501 through 508.

The original construction plans for Phase II of Tar Landing Villas consists of two (2) multi-unit buildings; the first of which contains fourteen (14) units being number units 601 through 614, each such unit being two stories in height with full basement and garage beneath; and the second of which contains three (3) units being numbered 701 through 703, each such unit being one story in height with no basement; the total number of units in Phase II being seventeen (17) in number.

Note: Some Owners have modified their units by converting a garage into a living space and/or finishing previously unfinished space behind a garage to make the same into living space. These modifications are to be insured by the Association as set forth in Section 12.

The principal materials of which said buildings are constructed, or are to be constructed, are concrete block masonry, frame and wood siding.

2. That Section 12 of the Declaration captioned "Assessment for Hazard Insurance" is rewritten to read as follows:

(12) Assessment for Hazard Insurance. It shall be the duty of the Association to procure and maintain at all time hazard insurance coverage on the buildings and individual units in Tar Landing including an owner betterment. An owner betterment shall mean any upgrade, modification or addition made to a Unit or Common Element by a Unit Owner or is an addition to the Unit in Tar Landing. For this purpose, owners of individual units in the condominium development shall be responsible for payment of a special hazard insurance assessment, in addition to those assessments set forth above. Each unit owner shall pay an annual insurance assessment that is equal to all other's insurance assessment, determined by dividing the annual premium costs of the hazard

insurance policy by the number of units to determine each owner's equal share of the total costs.

Assessments for hazard insurance premiums shall be paid on an annual basis as assessed by the Association.

3. Except as modified herein all other terms and conditions of the Declaration and By-laws remain in full force and effect.

IN WITNESS WHEREOF, the Association has caused this instrument to be executed in its corporate name by its duly authorized officers all by authority of its Board of Directors and by appropriate action of its members.

Tar Landing Villas Owner's Association, Inc.

By: George M. Burnette  
George Burnette, President

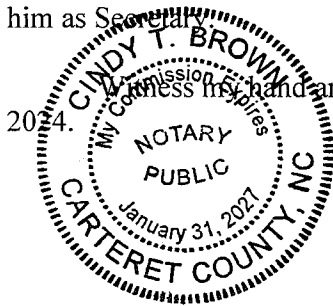
ATTEST: Grady Fulcher  
Grady Fulcher, Secretary

STATE OF NORTH CAROLINA

COUNTY OF Carteret

I, the undersigned, a Notary Public of the County and State aforesaid, certify that Grady Fulcher, Secretary of Tar Landing Villas Owner's Association, Inc., a North Carolina corporation, personally appeared before me this day and acknowledged that he/she is Secretary of Tar Landing Villas Owner's Association, Inc., and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, George Burnette and attested by him as Secretary.

2024. My commission expires by hand and official stamp or seal, this 1 day of July.



Cindy T. Brown  
Notary Public

Cindy T. Brown  
Printed Name of Notary Public

My commission expires: 1-31-2021