

NORTH CAROLINA
DARE COUNTYFILED
DARE COUNTY NC
06/08/1999 4:11 PM
BARBARA M. GRAY
Register Of DeedsSECOND AMENDMENT TO CONDOMINIUM INSTRUMENTS
FOR BALLAST POINT VILLAS CONDOMINIUM

THIS SECOND AMENDMENT is made this 28th day of May, 1999, by ROANOKE PROPERTIES LIMITED PARTNERSHIP, a North Carolina limited partnership ("Declarant").

W I T N E S S E T H:

THAT WHEREAS, the Declarant has caused certain Condominium Instruments creating Ballast Point Villas Condominium in the Town of Manteo, Nags Head Township, Dare County, North Carolina, to be recorded on May 4, 1998, in Deed Book 1180 at page 68, and in Unit Ownership File 5, Slides 162, 163, 164, and 165, and recorded on January 28, 1999 in Book 1238, Page 639, and Plat Cabinet E, Slides 96 and 97 in the office of the Register of Deeds of Dare County, North Carolina; and whereas, Section 47C-2-110 of the North Carolina Condominium Act and Article 3 of the Declaration of Condominium permit the Declarant to add specified numbers of Condominium Units to the Condominium from time to time within 20 years of the recordation of the Declaration; and whereas, the Declarant has complied with the provisions of Article 3 of the Declaration and Section 47C-2-110 of the North Carolina Condominium Act and wishes to amend the Declaration to add Building 13 consisting of fifteen (15) additional Condominium Units and related Limited Common Elements to the Condominium as hereinafter provided.

NOW, THEREFORE, pursuant to and in compliance with Article 3 of the Declaration and Section 47C-2-110 of the North Carolina Condominium Act, the Declarant hereby amends the Declaration as follows:

1. Building 13, consisting of fifteen (15) Condominium Unit Nos. 1311, 1312, 1313, 1314, 1315, 1321, 1322, 1323, 1324, 1325, 1331, 1332, 1333, 1334 and 1335 and related Limited Common Elements, more particularly described on that Plat and Plans of Ballast Point Villas Condominium, Building 13, Phase 2, recorded in Unit Ownership File 5, Slides 192 & 193, Dare County Registry, which Plat and Plans are incorporated herein by reference, are hereby added to the Condominium.

2. Pursuant to Section 47C-2-107 of the North Carolina Condominium Act the respective interests of each Condominium Unit in the Common Elements of the Condominium, liability for Common Expenses, and Votes in the Association are set forth on the Schedule of Unit Information attached hereto as Exhibit A, which is incorporated herein by reference.

3. The additional certification required pursuant to Section 47C-2-109 of the North Carolina Condominium Act is a part of the said Plat and Plans of Ballast Point Villas Condominium, Building 13, Phase 2.

4. Except as modified by this Amendment, all of the terms and provisions of the Condominium Instruments are hereby expressly ratified and confirmed, shall remain in full force and effect and shall apply to the Condominium Units and Limited Common Elements created hereby.

IN WITNESS WHEREOF, Roanoke Properties Limited Partnership, a North Carolina Limited Partnership, has caused this instrument to be executed pursuant to due authority, the day and year first above written.

ROANOKE PROPERTIES LIMITED PARTNERSHIP
a North Carolina Limited Partnership (SEAL)

BY: GLENN ELLIOTT FUTRELL, INC.,
ITS MANAGING GENERAL PARTNER (SEAL)

By: *Glenn E. Futrell*
Glenn E. Futrell, President



ATTEST:

Benjamin S. Goldstein
Benjamin S. Goldstein
Secretary

NORTH CAROLINA
DARE COUNTY

I, the undersigned Notary Public, do hereby certify that Benjamin S. Goldstein personally came before me this day and acknowledged that he is the Secretary of GLENN ELLIOTT FUTRELL, INC., a North Carolina Corporation, and that, by authority duly given and as the act of the corporation and as the act of Roanoke Properties Limited Partnership, a North Carolina limited partnership in which the corporation is managing general partner, the foregoing instrument was signed in its name by its President, sealed with its corporate seal, and attested by himself as its Secretary.

WITNESS my hand and notarial stamp/seal, this the 28th day of May, 1999.

Patricia Y. Varnell
Notary Public

My commission expires: 11/15/99



NORTH CAROLINA
DARE COUNTY

The foregoing certificate of Patricia Y. Varnell, a notary public of Carrhuck, NC, is certified to be correct.

Barbara M. Gray
Register of Deeds

By: *Vangella McArthur*
Deputy/Asst. Register of Deeds

EXHIBIT A

SCHEDULE OF UNIT INFORMATION

Location	Unit	Number Of Votes	Percentage (%) Interest in the Common Elements
Bldg. #12	1211	1	1.666
Bldg. #12	1212	1	1.666
Bldg. #12	1213	1	1.666
Bldg. #12	1214	1	1.666
Bldg. #12	1215	1	1.666
Bldg. #12	1216	1	1.666
Bldg. #12	1217	1	1.666
Bldg. #12	1218	1	1.666
Bldg. #12	1219	1	1.666
Bldg. #12	1220	1	1.666
Bldg. #12	1221	1	1.666
Bldg. #12	1222	1	1.666
Bldg. #12	1223	1	1.666
Bldg. #12	1224	1	1.666
Bldg. #12	1225	1	1.666
Bldg. #13	1311	1	1.667
Bldg. #13	1312	1	1.666
Bldg. #13	1313	1	1.666
Bldg. #13	1314	1	1.666
Bldg. #13	1315	1	1.666
Bldg. #13	1316	1	1.666
Bldg. #13	1317	1	1.666
Bldg. #13	1318	1	1.660
Bldg. #13	1319	1	1.666
Bldg. #13	1320	1	1.666
Bldg. #13	1321	1	1.666
Bldg. #13	1322	1	1.666
Bldg. #13	1323	1	1.666
Bldg. #13	1324	1	1.666
Bldg. #13	1325	1	1.667
Bldg. #14	1411	1	1.666
Bldg. #14	1412	1	1.666
Bldg. #14	1413	1	1.666
Bldg. #14	1414	1	1.666
Bldg. #14	1415	1	1.666
Bldg. #14	1416	1	1.666
Bldg. #14	1417	1	1.666
Bldg. #14	1418	1	1.666
Bldg. #14	1419	1	1.666
Bldg. #14	1420	1	1.666
Bldg. #14	1421	1	1.666
Bldg. #14	1422	1	1.666
Bldg. #14	1423	1	1.666
Bldg. #14	1424	1	1.666
Bldg. #14	1425	1	1.667
Bldg. #15	1511	1	1.666
Bldg. #15	1512	1	1.666
Bldg. #15	1513	1	1.666
Bldg. #15	1514	1	1.666
Bldg. #15	1515	1	1.666
Bldg. #15	1516	1	1.666
Bldg. #15	1517	1	1.666
Bldg. #15	1518	1	1.666
Bldg. #15	1519	1	1.666
Bldg. #15	1520	1	1.666
Bldg. #15	1521	1	1.666
Bldg. #15	1522	1	1.666
Bldg. #15	1523	1	1.666
Bldg. #15	1524	1	1.666
Bldg. #15	1525	1	1.667