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NEW HANOVER COUNTY, NC

TAMMY THEUSCH BEASLEY

REGISTER OF DEEDS

NC FEE \$26.00

Prepared by: The Cottages at Carolina Beach Lake HOA, Inc.
Return to: Marshall, Williams, & Gorham, LLP

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

**SECOND AMENDMENT TO THE DECLARATION
OF CONDOMINIUM OF
THE COTTAGES AT CAROLINA BEACH LAKE**

This Second Amendment to the Declaration of Condominium of The Cottages at Carolina Beach Lake ("Amendment") is made and entered into as of this 25th day of March, 2020 by The Cottages at Carolina Beach Lake HOA, Inc., a North Carolina nonprofit corporation ("Association");

WITNESSETH:

A. The Association is the property owners' association charged with the responsibility for the operation of that certain real property known as The Cottages at Carolina Beach Lake located in New Hanover County, North Carolina, and described in a Declaration recorded in Book 2246, Page 818, Book 2393, Page 89, and Book 2648, Page 243, New Hanover County Register of Deeds (collectively the "Declaration").

B. Said Declaration was amended by that First Amendment to the Declaration, Bylaws, and Rules and Regulations of The Cottages at Carolina Beach Lake recorded in Book 5601, Page 2933, New Hanover County Register of Deeds.

C. Said Declaration, as amended, provides in Article XIV that the Declaration can be amended by an affirmative vote of Owners of Units to which at least sixty-six percent (66%) of the ownership of the Association is allocated.

D. The amendments set forth below have been adopted by an affirmative vote of 100% of the Members, Lot/Unit Owners by a ballot vote held in January, 2017, and have otherwise been properly adopted and approved as required by the Declaration, Bylaws and Articles of Incorporation, as applicable, and the amendments to the Rules and Regulations have been adopted by a majority vote of the Board of Directors.

E. The President of the Association has been duly authorized and empowered to execute this Amendment and has caused the same to be recorded in the New Hanover County Register of Deeds as the binding act of the Association, its Members, Lot/Unit Owners and Board of Directors.

NOW, THEREFORE, in consideration of the recitals set forth above, and as the act and deed of the Association, its Members, Lot/Unit Owners and Board of Directors, the Declaration, is hereby amended and modified as set forth below:

AMENDMENTS TO DECLARATION

Article IV, Paragraph 6, of the Declaration is amended and modified by deleting the following sentence:

Except as set out below, the homeowners association, at its expense, shall be responsible for the maintenance, repair and replacement of all of the Common Elements, and, except as set out below, Limited Common Elements, including, those portions thereof which contribute to the support of the building, and all conduits, ducts, plumbing, wiring and other facilities located in the Common Elements or Limited Common Elements, and should any incidental damage be caused to an unit by virtue of any work which may be done or caused to be done by the homeowners association in the maintenance, repair or replacement of any Common Elements or Limited Common Elements, the homeowners association shall, at its expense, repair such incidental damage.

The following is inserted in lieu thereof:

The Association, at its expense, shall be responsible for the maintenance, repair and replacement of all the Common Elements, including, window glass, if damaged by other than the Owner and/or a member of his/her family; by tenants and agents; by unidentified malicious breakage; by any loss or damage which may be covered by insurance maintained in force by the homeowners association; and those portions thereof which contribute to the support of the building, and all conduits, ducts, plumbing, wiring and other facilities located in the Common Elements or Limited Common Elements, and should any incidental damage be caused to a Unit by virtue of any work which may be done or caused to be done by the Association in the maintenance, repair or replacement of any Common Elements or Limited

Common Elements, the Association shall, at its expense, repair such incidental damage.

Except as amended, Article IV, Paragraph 6 and the Declaration, as may have been previously amended, shall remain in full force and effect.

The undersigned, being the President of the Association, does, by his/her execution hereof, certify that this Amendment was duly adopted by 100% of the Members of the Association in person, by proxy, or by ballot, and was duly adopted by a vote of the Board of Directors (if required), and that all the procedures, steps and requirements necessary to amend said Declaration, Bylaws and Rules and Regulations have been complied with, the day and year first above written.

THE COTTAGES AT CAROLINA BEACH LAKE HOA, INC.

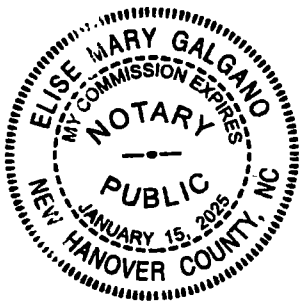
By: Ronald L. Bond
Printed Name: RONALD L. BOND
President

STATE OF NORTH CAROLINA
COUNTY OF New Hanover

I, Elise Mary Galgano, notary public, do hereby certify that Ronald L. Bond, President of The Cottages at Carolina Beach Lake HOA, Inc., a North Carolina nonprofit corporation, personally appeared before me this day and acknowledged the due execution of the foregoing Second Amendment to the Declaration, Bylaws and Rules and Regulations of The Cottages at Carolina Beach Lake on behalf of said corporation.

Witness my hand and official seal this the 25th day of March, 2020.

Elise Mary Galgano
Notary Public
My Commission expires: 01-15-2025



TAMMY THEUSCH
BEASLEY
Register of Deeds

New Hanover County

Register of Deeds

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Telephone 910-798-4530 • Fax 910-798-7716



State of North Carolina, County of NEW HANOVER
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