

FOR REGISTRATION
Fredrick Smith
REGISTER OF DEEDS
Mecklenburg County, NC
2019 JAN 10 03:41:35 PM
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INSTRUMENT # 2019003386

TAYLORD



**Register, please index all names in Grantor and Grantee Index*

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Irvin Law Group, PLLC
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Davidson, NC 28036

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STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

FOURTH AMENDMENT TO DECLARATION
OF STEELECROFT VILLAGE CONDOMINIUM

THIS FOURTH AMENDMENT TO DECLARATION (the "Fourth Amendment") is made and executed this 10 day of January, 2019, by GOODMAN & LOCHARY REAL ESTATE PARTNERSHIP, a North Carolina general partnership, ("Goodman") for itself, its successors, grantees, and assigns and LIVE OAKS OCTAGON, LLC, a North Carolina limited liability company, ("Octagon"), for itself, its successors, grantees and assigns, and STEELECROFT VILLAGE CONDOMINIUM ASSOCIATION, INC. pursuant to the provisions of the North Carolina Condominium Act ("The Act"), Chapter 47C, North Carolina General Statutes.

WITNESSETH:

WHEREAS, the Steelescroft Village Condominium was created by Declaration dated March 13, 2008, and filed for record in Book 23498 at Page 390, as amended by First Amendment recorded in Book 25135, Page 418, by Second Amendment recorded in Book 25344, Page 175 and by Third Amendment recorded in Book 27885 at page 217, Mecklenburg County Public Registry (herein called the "Declaration"); and

WHEREAS, the plans of the Condominium (the "Map") were recorded in Unit Ownership File No. 897, Page 1 of the Mecklenburg County Public Registry and Unit Ownership File No. 897, Page 3 of the Mecklenburg County Public Registry and Unit Ownership File No. 897, Page 5 of the Mecklenburg County Public Registry; and

WHEREAS, the Articles of Incorporation of the Steelescrot Village Condominium Association, Inc. (the "Association") were filed with the Secretary of State of North Carolina; and

WHEREAS, Steelescrot Office, LLC a North Carolina limited liability company, the Declarant, as defined in the Declaration has conveyed seventy-five (75%) of the maximum number of Units, as defined in the Declaration which Declarant may create on the Property; and

WHEREAS, the Declarant Control Period, as defined in the Declaration, has ended; and

WHEREAS, in accordance with Article XI of the Declaration, subsequent to the Declarant Control Period, the Declaration may only be amended by affirmative vote or a written agreement signed by Unit Owners of Units to which at least 67% of the votes are allocated in accordance with section 2.6 of the Declaration; and

WHEREAS, Goodman is the owner of Unit A in Steelescrot Village Condominium and desires to subdivide Unit A into Units A and D as set forth herein; and

WHEREAS, Octagon is the owner of Unit B in Steelescrot Village Condominium and consents to the subdivision of Units A and D as set forth herein, approves this Fourth Amendment and joins in this Fourth Amendment to indicate its consent hereto; and

WHEREAS, Goodman and Octagon comprise at least 67% of the votes allocated under the Declaration; and

WHEREAS, Goodman and Octagon desire to further revise the Declaration to provide that Units may be subdivided into two or more units.

NOW, THEREFORE,

1. The Declaration and the recitals above are specifically incorporated herein by reference.

2. Section 2.4 of the Declaration is deleted in its entirety and replaced with the following language:

"2.4 Alteration of Units. Subject to the provisions of the Bylaws, a Unit may be altered pursuant to the provisions of Sections 47C-2-11, 47C-2-112 and 47C-2-113 of the Act."

3. Unit A is hereby subdivided into Units A and D.

4. Supplemental plans for Units A and D are incorporated herein by reference and have been filed and appear in the Unit Ownership File No. 897, Page 6 in the Mecklenburg County Public Registry (the "Revised Map").

5. Upon the recordation of this Fourth Amendment to Declaration, the Percentage Interest of each Unit Owner shall be and remain as follows and Exhibit B to the Declaration is hereby modified as follows:

<u>UNIT</u>	<u>SQUARE FOOTAGE</u>	<u>PERCENTAGE</u> <u>INTEREST</u>
A	2,994	36.4%
B	1,638	19.9%
C	1,587	19.3%
D	2,012	24.4%

6. All capitalized terms not otherwise defined in this Fourth Amendment shall have the same meanings as in the Declaration. The Declaration shall remain in full force and effect, as amended hereby.

[SIGNATURES AND ACKNOWLEDGEMENTS ON FOLLOWING PAGES]

IN WITNESS WHEREOF, Goodman and Lochary Real Estate Partnership, Live Oaks Octagon, LLC and the Association have caused this Fourth Amendment to be executed by its duly authorized representative, as of the day, month and year first above written.

GOODMAN & LOCHARY REAL ESTATE PARTNERSHIP, a North Carolina general partnership

By: [Signature]
Name: Jason D. Sperati D&S MS
Title: Owner/partner - GIREP

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

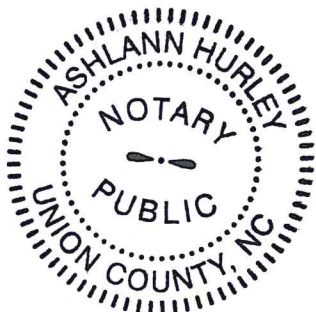
I, Ashlann Hurley a Notary Public of the County and State aforesaid, certify that Jason Sperati personally came before me this day and acknowledged that he is owner/partner of Goodman & Lochary Real Estate Partnership, a North Carolina general partnership and that he, as owner, being authorized to do so, executed the foregoing instrument on behalf of the general partnership.

I certify that the following person personally appeared before me this day, acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and, in the capacity, indicated: owner / partner.

January 10th 2019
[Signature]
(Official Signature of Notary)
Notary's printed name: Ashlann Hurley

STAMP/SEAL

Notary Public
My commission expires: 05/20/2023



Consented to and acknowledged:

LIVE OAKS OCTAGON, LLC., a North Carolina limited liability company

By: [Signature]
Name: Thomas J. Mullen
Title: President

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

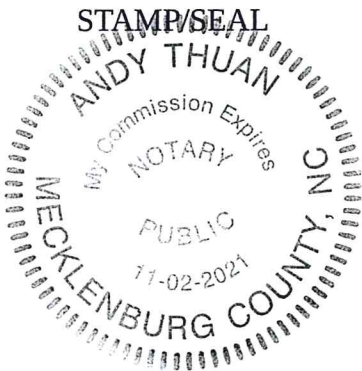
I, Andy Thuan, a Notary Public of the County and State aforesaid, certify that Thomas J. Mullen personally came before me this day and acknowledged that he or she is President of Live Oaks Octagon, LLC and that he or she, as president, being authorized to do so, executed the foregoing instrument on behalf of the corporation.

I certify that the following person personally appeared before me this day, acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and, in the capacity, indicated: president.

October 30, 2018
(Official Signature of Notary) [Signature]
Notary's printed name: Andy Thuan

Notary Public

My commission expires: 11-02-2021



STEELECROFT VILLAGE CONDOMINIUM ASSOCIATION, INC., a North Carolina non-profit corporation

By: _____
Name: Ian H. Bruce
Title: Vice President

~~STATE OF NORTH CAROLINA~~

STEELECROFT VILLAGE CONDOMINIUM ASSOCIATION, INC., a North Carolina non-profit corporation

By: TH Bruce
Name: Ian H. Bruce
Title: Vice President

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

I, Kimberly B Young, a Notary Public of the County and State aforesaid, certify that Ian H Bruce personally came before me this day and acknowledged that he or she is Vice President of Steelecroft Village Condominium Association, Inc. and that he, as Vice President, being authorized to do so, executed the foregoing instrument on behalf of the corporation.

I certify that the following person personally appeared before me this day, acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and, in the capacity, indicated: Ian H Bruce.

October 22, 2018

Kimberly B Young
(Official Signature of Notary)

Notary's printed name: Kimberly B Young

Notary Public
My commission expires: 12/01/18

STAMP/SEAL

Kimberly B Young
NOTARY PUBLIC
Mecklenburg County, NC
My Commission Expires 12/01/18