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JUDITH A. GIBSON REGISTER OF DEEDS MECKLENBURG COUNTY, NC	

Prepared by and mail to: Susan K. Irvin, Esq.  
P.O. Box 2376  
Davidson, North Carolina 28036

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

FIRST AMENDMENT TO DECLARATION  
OF CONDOMINIUM FOR CARMEL COMMONS CONDOMINIUM

THIS FIRST AMENDMENT TO DECLARATION is made and executed this 19<sup>TH</sup> day of January, 2005, by TIDEWATER DEVELOPMENT, LLC, a North Carolina limited liability company, hereinafter called the "Declarant," for itself, its successors, grantees, and assigns, pursuant to the provisions of the North Carolina Condominium Act ("The Act"), Chapter 47C, North Carolina General Statutes.

WITNESSETH:

WHEREAS, the Declarant created the Carmel Commons Condominium by Declaration dated October 28, 2004, and filed for record in Book 17963 at Page 615 in the Mecklenburg County Public Registry (herein called the "Declaration"); and

WHEREAS, the Articles of Incorporation of the Carmel Commons Condominium Association, Inc. (the "Association") were filed with the Secretary of State of North Carolina on November 1, 2004; and

WHEREAS, Declarant and Association did subdivide the condominium units in the Declaration and on the plans recorded in Unit File No. 701, Pages 1-2, Mecklenburg County Public Registry (the "Plans"); and

WHEREAS, Declarant desires to subdivide Unit 204 as shown on the Plans into two (2) Units known as 205 and 210 as set forth herein;

NOW, THEREFORE, the Declarant and the Association do hereby publish and declare that Unit 204 as shown on the Plans is hereby subdivided into Units 205 and 210. The Declaration is specifically incorporated herein by reference.

Supplemental plans for Units 205 and 210 showing floor and ceiling elevations, prepared by Geoscience Group, Inc., and consisting of 1 sheet, are incorporated herein by reference and have been filed and appear in the Unit Ownership File No. 701, Page 4 in the Mecklenburg County Public Registry.

Upon the recordation of this 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:

**Exhibit B**

Percentage of Undivided Interest in the Common Elements

<u>Unit Number</u>	<u>Percentage Of Ownership</u>
100	25.67%
104	7.33%
108	7.9%
112	9.92%
200	20.05%
205	19.72%
210	9.41%

IN WITNESS WHEREOF, the Declarant and Association have caused this First Amendment to Declaration to be signed by their duly authorized officers, as their act and deed, the day and year first above written.

TIDEWATER DEVELOPMENT, LLC,  
a North Carolina limited liability company

By: Grant Schoonmaker  
Grant Schoonmaker, its President

STATE OF NORTH CAROLINA

COUNTY OF Mecklenburg

I, Shelli M. Moore, a Notary Public of the County and State aforesaid, certify that Grant Schoonmaker personally came before me this day, and acknowledged that he is Member/Manager of Tidewater Development, LLC, a North Carolina limited liability company, and that he as Member/Manager being authorized to do so, executed the foregoing on behalf of the limited liability company.

Witness my hand and official stamp or seal, this 19 day of Jan., 2005.

Shelli M. Moore  
NOTARY PUBLIC

My Commission Expires: My Commission Expires June 6, 2006

[NOTARIAL SEAL]

CARMEL COMMONS CONDOMINIUM  
ASSOCIATION, INC., a North Carolina  
corporation

By: Grant Schoonmaker  
President

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

I, Shelli M. Moore a Notary Public of the County and State aforesaid, certify  
that Grant Charles Schoonmaker personally came before me this day and acknowledged that s/he is  
Grant Charles Schoonmaker President of Carmel Commons Condominium Association, Inc., a North  
Carolina Corporation, and that he/she, as Grant Charles Schoonmaker President, being authorized to do so,  
executed the foregoing instrument on behalf of the corporation.

Witness my hand and official seal, this 19 day of Jan., 2005.

Shelli M. Moore  
Notary Public

My commission expires:  
My Commission Expires June 6, 2006

[NOTARIAL SEAL]