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END PAGE	0119
INSTRUMENT #	06198
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Drawn by and mail after recording to:  
Alexander Ricks PLLC (MJH)  
4601 Park Road, Suite 580, Charlotte, NC 28209

**STATE OF NORTH CAROLINA**

**COUNTY OF CABARRUS**

**FOURTH AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR HARRISBURG TOWN CENTER BUILDING II CONDOMINIUM**

**THIS FOURTH AMENDMENT TO DECLARATION OF CONDOMINIUM FOR HARRISBURG TOWN CENTER BUILDING II CONDOMINIUM** (this "Amendment") is made as of the 18th day of March, 2019 (the "Effective Date"), by and between **HTC DEVELOPMENT, INC.**, a North Carolina corporation ("Declarant"), and **HARRISBURG TOWN CENTER BUILDING II CONDOMINIUM ASSOCIATION, INC.**, a North Carolina non-profit corporation (referred to as "Association").

RECITALS:

**WHEREAS**, Declarant, by recordation of that certain Declaration of Condominium for Harrisburg Town Center Building II Condominium recorded in Book 6582, Page 229 of the Cabarrus County Registry, as amended by that certain First Amendment to Declaration of Condominium for Harrisburg Town Center Building II Condominium recorded in Book 12227, Page 291 of the Cabarrus County Registry, as further amended by that certain Second Amendment to Declaration of Condominium for Harrisburg Town Center Building II Condominium recorded in Book 12621, Page 304 of the Cabarrus County Registry, as further amended by that certain Third Amendment to Declaration of Condominium for Harrisburg Town Center Building II Condominium recorded in Book 12785, Page 134 of the Cabarrus County Registry (as amended, the "Declaration"), established the condominium known as Harrisburg Town Center Building II Condominium (the "Condominium"), which Condominium is shown on the plats and plans of the Condominium recorded in Condominium Book 2, Map 34, Pages 1-5 of the Cabarrus County Registry, Condominium Book 3, Map 14, Pages 1-2, and Condominium Book 3, Map 17, Page 1 (collectively, the "Condominium Plats").

00457-004/00159197-1

Submitted electronically by "Alexander Ricks PLLC"  
in compliance with North Carolina statutes governing recordable documents  
and the terms of the Memorandum of Understanding with  
the Office of the Register of Deeds of Cabarrus County. NCGS 47-14(a1)(5).

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**WHEREAS**, the Declarant currently owns fee simple title to Unit Number 202 of the Condominium, as defined in the Declaration and shown on the Condominium Plats (“Unit 202”), which Unit 202 contained approximately 9,048 square feet prior to the Subdivision (defined herein).

**WHEREAS**, the Association is charged with the operation and maintenance of the Condominium pursuant to the Declaration and the North Carolina Condominium Act, N.C.G.S. § 47C-1-101 *et seq.* (the “Act”).

**WHEREAS**, the Declarant applied to the Association to subdivide Unit 202 (the “Subdivision”) in accordance with Section 47C-2-113 of the Act and Section 4.5 of the Declaration to create new Unit Number 207 containing approximately 3,768 square feet (“Unit 207”, and, together with Unit 202, collectively referred to herein as the “Units”). The Subdivision is shown on the plat plans attached hereto as Exhibit A and incorporated herein by this reference (the “Subdivision Plats”).

**WHEREAS**, the Association has approved the Subdivision, as well as the reallocation of the allocated interests of the Common Elements and Common Expenses between the Units, as set forth below.

**NOW, THEREFORE**, the Declaration is hereby amended as follows:

1. The Recitals above are hereby incorporated into this Amendment. Capitalized terms used but not defined herein shall have the meanings given them in the Declaration.

2. Unit 202 is hereby subdivided as shown on the Subdivision Plats. As a result of the Subdivision, Unit 207 has been created, and the reallocation of the shares of the Common Elements applicable to such Units, as set forth in Exhibit B of the Declaration, is hereby amended as follows:

Unit Number	Square Feet	Allocated Interest of Whole
202	5,280	20.8%
207	3,768	14.9%

3. Declarant and Association hereby certify that the Subdivision has been accomplished in compliance with the Act and Section 4.5 of the Declaration.

4. Except as specifically amended herein, the remaining provisions of the Declaration shall continue in full force and effect. If there is any conflict between this Amendment and the Declaration, this Amendment shall control. Except where the context otherwise requires, all references in this Amendment to the Declaration shall be deemed to include the provisions of this Amendment. The terms and provisions of this Amendment shall be binding upon and shall inure to the benefit of the parties hereto, their respective successors, heirs and assigns, if any. This Amendment may be executed in counterparts and/or with counterpart signature pages, all of which together shall constitute a single agreement. Electronic facsimiles of signatures shall be acceptable and binding upon the parties hereto.

**[SIGNATURES APPEAR ON FOLLOWING PAGE(S)]**

IN WITNESS WHEREOF, the Declarant and Association have caused this Amendment to be executed and delivered as of the day and year first above written.

**DECLARANT:**

**HTC DEVELOPMENT, INC.,**  
a North Carolina corporation.

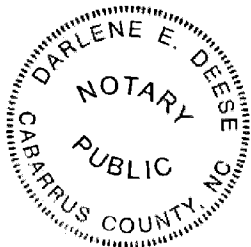
By: *Mark Swartz*  
Mark Swartz, Vice President

STATE OF NORTH CAROLINA

COUNTY OF *Cabarrus*

I, the undersigned, a Notary Public of the County and the State aforesaid, certify that Mark Swartz, personally appeared before me this day and acknowledged that he is the Vice President of HTC Development, Inc., a North Carolina corporation, and that by authority duly given and as the act of the corporation, he executed the foregoing instrument.

Witness my hand and official seal, this the *7th* day of *March*, 2019.



*Darlene E. Deese*  
Notary Public

*Darlene E. Deese*  
Print Name

My commission expires: *September 14, 2019*

ASSOCIATION:

**HARRISBURG TOWN CENTER BUILDING II  
CONDOMINIUM ASSOCIATION, INC.**, a North  
Carolina non-profit corporation

By: *Mark Swartz*  
Mark Swartz, President

STATE OF NORTH CAROLINA

COUNTY OF *Cabarrus*

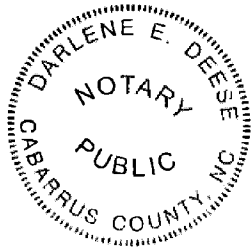
I, the undersigned, a Notary Public of the County and the State aforesaid, certify that Mark Swartz, personally appeared before me this day and acknowledged that he is the President of Harrisburg Town Center Building II Condominium Association, Inc., a North Carolina non-profit corporation, and that by authority duly given and as the act of the corporation, he executed the foregoing instrument.

Witness my hand and official seal, this the *7th* day of *March*, 2019.

*Darlene E. Deese*  
Notary Public

*Darlene E. Deese*  
Print Name

My commission expires: *September 14, 2019*



**Exhibit A**  
**Subdivision Plats**

[see attached]

UNIT FILE NO. \_\_\_\_\_ PAGE \_\_\_\_\_  
 DECLARATION RECORDED \_\_\_\_\_ IN \_\_\_\_\_  
 BOOK \_\_\_\_\_ AT PAGE \_\_\_\_\_

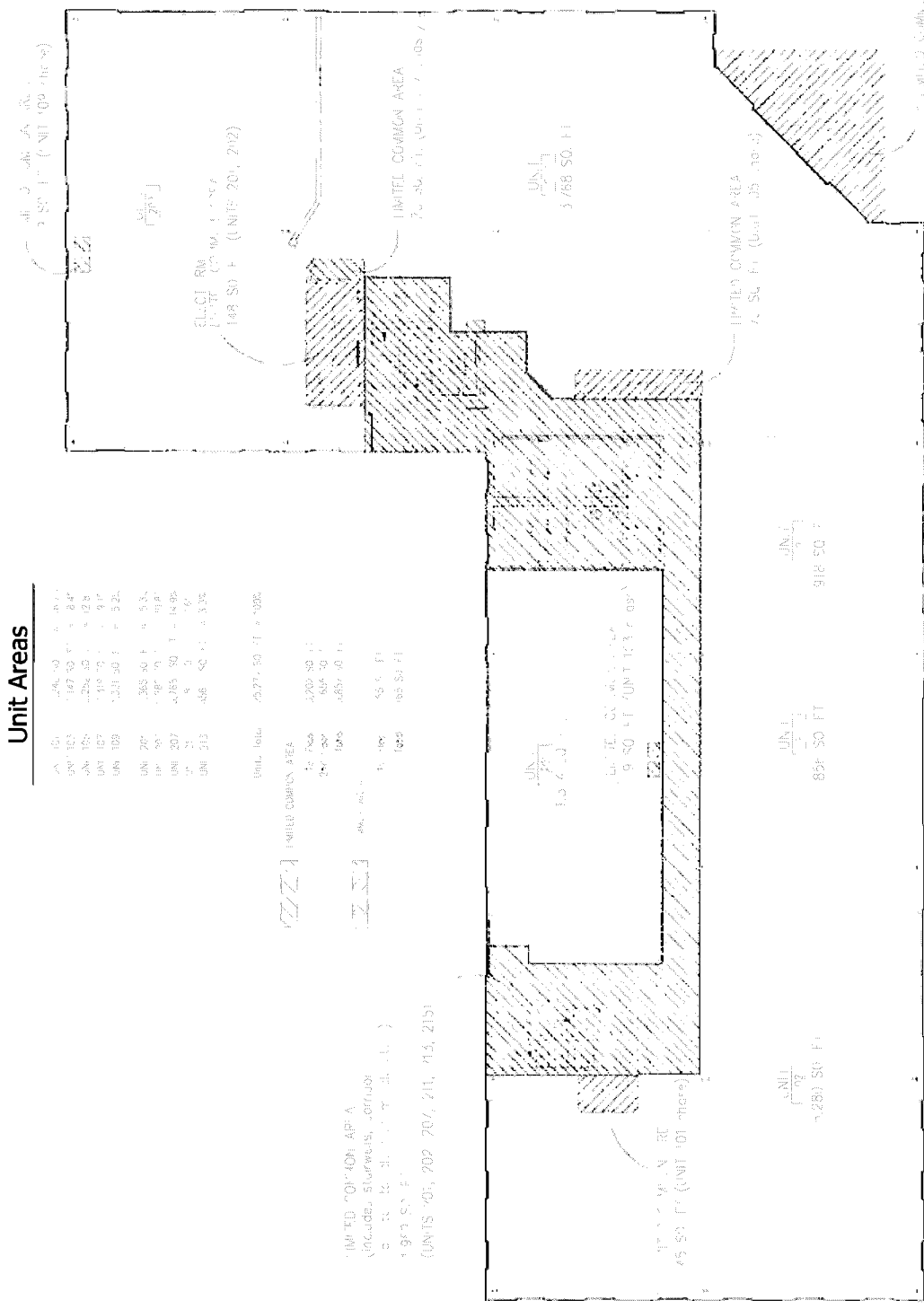
# HARRISBURG TOWN CENTER BUILDING II CONDOMINIUM PLAT PLANS

FILED Mar 12, 2019 10:33 am  
 BOOK 3M017  
 PAGE 0001-1460 0001  
 INSTRUMENT # 05574  
 EXCISE TAX 50.00  
 COUNTY NC  
 WAYNE NIXON  
 REGISTER  
 OF DEEDS

(EXTERNAL PLAT IS RECORDED IN UNIT FILE \_\_\_\_\_ AT PAGE \_\_\_\_\_)

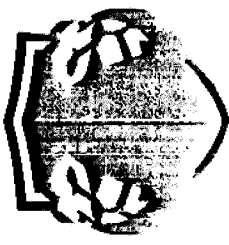
### Unit Areas

UNIT 101	1,241 SQ FT
UNIT 102	1,677 SQ FT
UNIT 103	2,224 SQ FT
UNIT 104	1,119 SQ FT
UNIT 105	1,231 SQ FT
UNIT 201	1,365 SQ FT
UNIT 202	1,987 SQ FT
UNIT 203	4,783 SQ FT
UNIT 204	588 SQ FT
UNIT 205	2,971 SQ FT
UNIT 206	2,270 SQ FT
UNIT 207	1,845 SQ FT
UNIT 208	1,108 SQ FT
UNIT 209	1,425 SQ FT
UNIT 210	1,307 SQ FT
UNIT 211	1,153 SQ FT
UNIT 212	1,232 SQ FT
UNIT 213	1,118 SQ FT
UNIT 214	1,118 SQ FT
UNIT 215	1,118 SQ FT
UNIT 216	1,118 SQ FT
UNIT 217	1,118 SQ FT
UNIT 218	1,118 SQ FT
UNIT 219	1,118 SQ FT
UNIT 220	1,118 SQ FT
UNIT 221	1,118 SQ FT
UNIT 222	1,118 SQ FT
UNIT 223	1,118 SQ FT
UNIT 224	1,118 SQ FT
UNIT 225	1,118 SQ FT
UNIT 226	1,118 SQ FT
UNIT 227	1,118 SQ FT
UNIT 228	1,118 SQ FT
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UNIT 230	1,118 SQ FT
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UNIT 240	1,118 SQ FT
UNIT 241	1,118 SQ FT
UNIT 242	1,118 SQ FT
UNIT 243	1,118 SQ FT
UNIT 244	1,118 SQ FT
UNIT 245	1,118 SQ FT
UNIT 246	1,118 SQ FT
UNIT 247	1,118 SQ FT
UNIT 248	1,118 SQ FT
UNIT 249	1,118 SQ FT
UNIT 250	1,118 SQ FT



This map may not be a certified survey and has not been reviewed by a local government agency for compliance with any applicable land development regulations and has not been reviewed for compliance with recording requirements for plats.

## 01 CONDOMINIUM FLOOR PLAN



**parker studios**  
 1300 Mint Street, Suite 110  
 Charlotte, NC 28203  
 980-819-0416

13419 0119

ENCLOSURE  
 8621  
 3/7/20



ERIC J. UNDERWOOD  
 ENGINEER  
 8621  
 3/7/20

ZONING: RES-1C  
 HARRISBURG, NC  
 HARRISBURG TOWN CENTER  
 BUILDING II CONDOMINIUM

## SECOND FLOOR PLAN

**A-2**

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