

FOR REGISTRATION
J. David Granberry
REGISTER OF DEEDS
Mecklenburg County, NC
2013 MAR 26 10:08:46 AM
BK: 28180 PG: 1-7
FEE: \$26.00
INSTRUMENT # 2013044736

BAKERFR



Drawn by/Return to: W. Scott Cooper
Rayburn Cooper & Durham, P.A.
227 W. Trade St., Suite 1200
Charlotte, NC 28202

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

SECOND SUPPLEMENT AND AMENDMENT TO
DECLARATION OF CONDOMINIUM
FOR THE WATERMARK CONDOMINIUMS

THIS SECOND SUPPLEMENT AND AMENDMENT TO DECLARATION OF CONDOMINIUM FOR THE WATERMARK CONDOMINIUMS ("Second Supplement") is made 25th day of March, 2013, by GREENWOOD CLIFF DEVELOPERS, LLC, a North Carolina limited liability company ("Declarant"); and APS WATERMARK, LLC, a North Carolina limited liability company; BRUNNEMER & CO., a North Carolina corporation, BLUE DEVIL INVESTMENTS, LLC, a North Carolina limited liability company, 300 WATERMARK, LLC, a North Carolina limited liability company, and GREENWOOD CLIFF DEVELOPERS, LLC, a North Carolina limited liability company (collectively, the "Existing Unit Owners").

WITNESSETH

WHEREAS, Declarant has heretofore filed a Declaration of Condominium for the Watermark Condominiums dated October 3, 2006, recorded October 5, 2006 in Book 21172 at Pages 111-173 in the Mecklenburg County Public Registry (the "Initial Declaration");

WHEREAS, Declarant and certain unit owners filed a First Supplement and Amendment to Declaration of Condominium for the Watermark Condominiums dated December 10, 2007, recorded December 10, 2007 in Book 23145 at Pages 427-446 in the Mecklenburg County Public Registry (the "First Supplement", as modified hereby and as further amended, restated, supplemented or otherwise modified and in effect from time to time, the "Declaration"); and

WHEREAS, the property together with all improvements located thereon which is currently part of the Condominium is more particularly described in the Initial Declaration and First Supplement (the "Property"); and

WHEREAS, the Declaration provides in Article III, Section 3.2(d) that those certain twenty (20) parking spaces shown on the revised plats and plans recorded December 10, 2007, in Condominium Ownership File Number

807, Page 7 in the Mecklenburg County Public Registry (the "First Supplemental Plats and Plans") as "Reserved Parking Area" shall be Limited Common Elements allocated to the exclusive use of Units 200, 300, 301, 400 and 401 with nine (9) such spaces being assigned collectively to Units 300 and 400, as shown on the First Supplemental Plat and Plans, nine (9) such spaces being assigned collectively to Units 301 and 401, as shown on the First Supplemental Plats and Plans, and the remaining two (2) spaces assigned collectively to Unit 200 as shown on the First Supplemental Plats and Plans; and

WHEREAS, the Declaration provides in Article IV, Section 4.4 that the parking spaces which are Limited Common Elements may not be transferred by the Owner of Units 200, 300, 301, 400 and 401, except in connection with a conveyance of his Unit; or a conveyance to another Unit Owner, and any such attempted transfer in violation of this provision is null and void; and

WHEREAS, the Existing Unit Owners for Units 300 and 400 desire to separate their collective allocation of nine (9) units and to convey four (4) of the nine (9) spaces collectively assigned to Units 300 and 400 to Unit 300 and five (5) of the nine (9) spaces collectively assigned to Units 300 and 400 to Unit 400; and

WHEREAS, the Existing Unit Owners for Units 301 and 401 desire to separate their collective allocation of nine (9) units and to convey three (3) of the nine (9) spaces collectively assigned to Units 301 and 401 to Unit 301 and six (6) of the nine (9) spaces collectively assigned to Units 301 and 401 to Unit 401; and

WHEREAS, the Existing Owners desire to revise the First Supplemental Plats and Plans by recording a revised page 1 of the First Supplemental Plats and Plans depicting the conveyance of spaces within the Reserved Parking Area in the Condominium Unit Ownership File Number 807, Pages 5, in the Mecklenburg County Public Registry (the "Second Supplemental Plats and Plans") and by the Act made a part of the Declaration. 12-14

NOW, THEREFORE, pursuant to the provisions of the aforesaid Declaration, Declarant does hereby amend the Declaration to (a) allocate four (4) parking spaces within the Reserved Parking Area for the exclusive use of Unit 300 as shown on the Second Supplemental Plats and Plans; (b) allocate five (5) parking spaces within the Reserved Parking Area for the exclusive use of Unit 400 as shown on the Second Supplemental Plats and Plans; (c) allocate three (3) parking spaces within the Restricted Parking Area for the exclusive use of Unit 301 as shown on the Second Supplemental Plats and Plans; and (d) allocate six (6) parking spaces within the Restricted Parking Area for the exclusive use of Unit 401 as shown on the Second Supplemental Plats and Plans; and further, that all present and future Unit Owners of all or any portion of the Units shall be subject to the terms and conditions of the aforesaid Declaration and this Second Supplement and that the Unit Owners thereof shall have the rights, privileges and obligations therein set out, as follows:

I. The Declaration is hereby amended by deleting Article III, Section 3.2(d) in its entirety and inserting in lieu thereof the following:

3.2 (d) *Parking*. Those certain twenty (20) parking spaces shown on the Plats and Plans as "Reserved Parking Area" shall be Limited Common Elements allocated to the exclusive use of Units 200, 300, 301, 400 and 401 with two (2) such spaces being assigned to Unit 200, as shown on the Second Supplemental Plats and Plans, four (4) such spaces allocated to Unit 300, as shown on the Second Supplemental Plats and Plans, three (3) such spaces allocated to Unit 301, as shown on the Second Supplemental Plats and Plans, five (5) such spaces being assigned to Unit 400 as shown on the Second Supplemental Plats and Plans, and the remaining six(6) spaces being assigned to Unit 401 as shown on the Second Supplemental Plats and Plans.

Terms not defined in this Second Supplement shall have the meaning given them as set forth in the Initial Declaration. The Declaration, as amended herein, shall remain in full force and effect.

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, the Declarant and Existing Unit Owners have caused this instrument to be duly executed as of the day and year first above written.

DECLARANT AND UNIT OWNER:

GREENWOOD CLIFF DEVELOPERS, LLC,
a North Carolina limited liability company

By: Brunner & Co., a North Carolina corporation,
its Manager

H. Keith Brunner, Jr.

Print Name: H. Keith Brunner, Jr.

Title: President

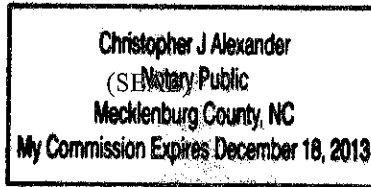
STATE OF North Carolina
COUNTY OF Mecklenburg

I, Christopher J. Alexander, a Notary Public for said County and State, do hereby certify that H. Keith Brunner, Jr. personally came before me this day and acknowledged that he is President of Brunner & Co., Manager of Greenwood Cliff Developers, LLC, a North Carolina limited liability company, and acknowledged, on behalf of Greenwood Cliff Developers, LLC the due execution of the foregoing instrument.

Witness my hand and official seal, this the 19th day of March, 2013.

Christopher J. Alexander
Notary Public

My commission expires: 12/18/2013



EXISTING UNIT OWNERS:

APS WATERMARK, LLC,
a North Carolina limited liability company

By: Alan Blumenthal

Print Name: Alan Blumenthal

Title: Manager

STATE OF North Carolina
COUNTY OF Cabarrus

I, Vickie L. Kimray, a Notary Public for said County and State, do hereby certify that Alan Blumenthal personally came before me this day and acknowledged that s/he is Manager of APS Watermark, LLC, a North Carolina limited liability company, and acknowledged, on behalf of APS Watermark, LLC the due execution of the foregoing instrument.

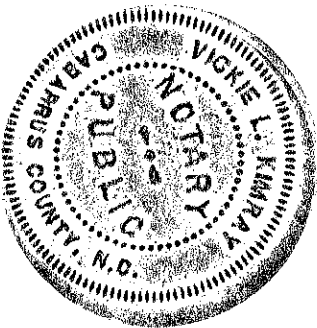
Witness my hand and official seal, this the 20TH day of March, 2013.

Vickie L. Kimray
Notary Public

My commission expires: July 01, 2014

(SEAL)

VICKIE L. KIMRAY
NOTARY PUBLIC - CABARRUS COUNTY
NORTH CAROLINA
My Commission Expires On: 07-01, 2014



BRUNNEMER & CO.,
a North Carolina corporation

By: H. Keith Brunnemer, Jr.

Print Name: H. Keith Brunnemer, Jr.

Title: President

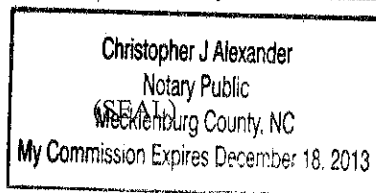
STATE OF North Carolina
COUNTY OF Mecklenburg

I, Christopher J. Alexander, a Notary Public for said County and State, do hereby certify that H. Keith Brunnemer, Jr. personally came before me this day and acknowledged that he is President of Brunnemer & Co., a North Carolina corporation, and acknowledged, on behalf of Brunnemer & Co. the due execution of the foregoing instrument.

Witness my hand and official seal, this the 19th day of March, 2013.

Christopher J. Alexander
Notary Public

My commission expires: 12/18/13



BLUE DEVIL INVESTMENTS, LLC,
a North Carolina limited liability company

By: *H. Keith Brunnemer, Jr.*

Print Name: H. Keith Brunnemer, Jr.

Title: Manager

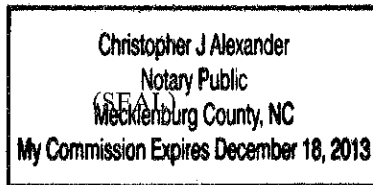
STATE OF North Carolina
COUNTY OF Mecklenburg

I, Christopher J. Alexander, a Notary Public for said County and State, do hereby certify that H. Keith Brunnemer, Jr. personally came before me this day and acknowledged that he is Manager _____ of Blue Devil Investments, LLC, a North Carolina limited liability company, and acknowledged, on behalf of Blue Devil Investments, LLC the due execution of the foregoing instrument.

Witness my hand and official seal, this the 19th day of March, 2013.

Christopher J. Alexander
Notary Public

My commission expires: 12/18/13



300 WATERMARK, LLC, a North Carolina
limited liability company

By: [Signature]
Print Name: Paul E. Norris
Title: managing member

STATE OF North Carolina
COUNTY OF Mecklenburg

I, Melissa Johnson, a Notary Public for said County and State, do hereby certify that Paul E. Norris personally came before me this day and acknowledged that s/he is Managing Member of 300 Watermark, LLC, a North Carolina limited liability company, and acknowledged, on behalf of 300 Watermark, LLC the due execution of the foregoing instrument.

Witness my hand and official seal, this the 19th day of March, 2013.

[Signature]
Notary Public

My commission expires: 11/07/2017

(SEAL)

