

CREEKSIDE
TOWNHOMES

SUPPLEMENT
DECLARATION

Recorded June 11, 1987
Book 0695 pages 306 thru 313

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Deeds of Brunswick County, North Carolina, to submit all of the real property and the improvements thereto, described in Exhibit "A" attached hereto, to the provisions of the above referenced recorded Declaration;

NOW, THEREFORE, THE DECLARANT DOES HEREBY DECLARE THAT ALL OF THE REAL PROPERTY DESCRIBED IN EXHIBIT "A", ATTACHED HERETO AND MADE A PART HEREOF BY REFERENCE, AS WELL AS ALL OF THE IMPROVEMENTS CONSTRUCTED THEREON, IS HELD AND SHALL BE HELD, CONVEYED, HYPOTHECATED, ENCUMBERED, USED, OCCUPIED, AND IMPROVED SUBJECT TO THE FOLLOWING ARTICLES OF COVENANTS, CONDITIONS, RESTRICTIONS, USES, LIMITATIONS AND OBLIGATIONS, ALL OF WHICH ARE DECLARED TO BE IN FURTHERANCE OF A PLAN FOR THE IMPROVEMENT OF SAID PROPERTY AND THE DIVISION THEREOF INTO TOWNHOUSE UNITS AND SHALL BE DEEMED TO RUN WITH THE LAND AND SHALL BE A BURDEN AND A BENEFIT TO THE DECLARANT, ITS SUCCESSORS AND ASSIGNS, AND ANY PERSON OR ENTITY ACQUIRING OR OWNING AN INTEREST IN THE REAL PROPERTY AND IMPROVEMENTS, OR ANY SUBDIVISION THEREOF, THEIR GRANTEEES, SUCCESSORS, HEIRS, EXECUTORS, ADMINISTRATORS, DEVISEES AND ASSIGNS.

ARTICLE I.

Submission of Property

A. In furtherance of the foregoing, the Declarant does hereby submit all of the real property described in Exhibit "A", attached hereto and made a part hereof by reference, together with all improvements, used and described herein, to the provisions of the Declaration as originally recorded, except as is modified herein or by later Agreements properly executed and recorded.

B. In furtherance thereof, Declarant declares and affirms that the real property described in Exhibit "A", attached hereto, is a portion of the real property described in Exhibit "A" attached to the DECLARATION and therefore, by virtue of the exclusive right and option, belonging to the Declarant, as reserved to it in Article VII of said Declaration, the Declarant further declares that all of the real property described in Exhibit "A" attached hereto and made a part hereof by reference, as all of the improvements constructed thereon, is hereby subjected to and henceforth shall be held, conveyed, hypothecated, encumbered, used, occupied and improved subject to each and every provision of those Articles of Covenants, Conditions, Restrictions, Uses, Limitations and Obligations which are set

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forth in that recorded Declaration referred to hereinabove, except as those provisions are necessarily altered or changed for this submission as set forth hereinbelow.

Hereinbelow, Declarant has set forth those provisions of said recorded Declaration which of necessity must change for this submission, and has incorporated by reference those provisions which do not change.

ARTICLE II

DEFINITIONS

The definitions for the terms used in this Supplemental Declaration and used in the Articles of the said recorded Declaration (recorded in Book 650 at Page 137, and rerecorded in Book 675 at Page 18), as they are applicable to this Submission of real property by incorporation herein shall be as follows:

1. The terms Association, Owner or Lot Owner, Properties, Common Area, Lot or Unit, and Declarant are defined in Article I of the Declaration recorded in Book 650 at Page 137 and rerecorded in Book 675 at Page 18, referred to hereinabove, and said definitions are incorporated herein by reference.

2. The term "Building" shall mean and refer to the one multi-unit building which the Declarant has constructed upon the real property described in Exhibit "A", to be used for residential purposes, as hereinabove provided. The building has been subdivided into eight (8) units, each of which is located entirely on one lot in Creekside Townhomes.

3. The term Supplemental Declaration shall mean and refer to this instrument.

4. The term "Property" means and includes the land described in Exhibit "A" attached hereto and incorporated herein by reference, together with any buildings and improvements located thereon.

ARTICLE III

Plan of Development and Scope of Declaration

The name by which the entire townhouse project is known is CREEKSIDE TOWNHOMES. The Declarant has caused to be constructed upon the real property, comprising PHASE TWO, a multi-unit building, containing the eight (8) units as well as the common areas and facilities of the building, and the

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real property, all as defined hereinabove. The units of the building, together with their privileges and appurtenances, shall be offered for sale to the public by the Declarant as townhouse lots, subject to the covenants, conditions, restrictions, and obligations stated in the Articles of this Supplemental Declaration, the Articles of the Declaration recorded in Book 650 at Page 137, and rerecorded in Book 675 at Page 18, referred to hereinabove, which have been incorporated herein by reference, the Articles of Incorporation of the Association, its duly adopted By-Laws and its Rules and Regulations. The lots and their owners shall be subject to the jurisdiction of the Association of which each lot owner shall be a member and which shall manage the upkeep and maintenance of the entire townhouse project, both PHASE ONE and PHASE TWO of CREEKSIDE TOWNHOMES, together with any future phases thereof, as a whole, as envisioned and provided for in its Articles of Incorporation and the Declaration (recorded in Book 650, at Page 137, and rerecorded in Book 675 at Page 18).

The Declarant, by this Supplemental Declaration, submits only the real property described in Exhibit "A", attached hereto, together with the improvements thereon, to the Declaration and hereinafter this submission shall be referred to as CREEKSIDE TOWNHOMES, PHASE TWO. Nevertheless, the Declarant hereby reserves to itself the exclusive right and option, but not the obligation, to add to or expand the property subject to the Declaration recorded in Book 650 at Page 137, and rerecorded in Book 675 at Page 18, referred to hereinabove, by the addition of all or any portion or portions of the remainder of the real property described in Exhibit "A" to said Declaration in one or more phases of CREEKSIDE TOWNHOMES upon the terms and in the manner set forth in said Declaration, which are incorporated herein by reference.

ARTICLE IV.

The Nature and Incidents of Unit Ownership

Each lot shall be conveyed and treated as an individual real property capable of independent use and fee simple ownership, and the owner of each lot shall also own, as an appurtenance to the ownership of each said lot, those property rights and voting rights as set forth in the Declaration.

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ARTICLE V

INCORPORATION

The terms and provisions of Articles II, III, IV, V, VI, VII, and VIII and Exhibit A of the Declaration are hereby adopted in their entirety and incorporated herein by reference, except that reference to recording this Supplemental Declaration in New Hanover County shall be waived, and in its place, for this and all future Supplemental Declarations (if any) they shall be recorded in Brunswick County. All other information contained in the original Declaration is validated hereby as to GREENSIDE TOWNHOMES, PHASE ONE, as if fully set forth again.

IN WITNESS WHEREOF, the Declarant, JOHNSON AND PERRY COMPANY has caused this Supplemental Declaration to be signed by its President and Attested by its Secretary the day and year first above written.

JOHNSON AND PERRY COMPANY

By Blondell B. Johnson
Blondell B. Johnson, President

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I, Veritas Sanders Washburn, a Notary Public in and for the aforesaid State and County, do hereby certify that Dianne S. Perry, Grantor, personally appeared before me this day and acknowledged that she is Secretary of Johnson and Perry Company, a North Carolina corporation, and that by authority duly given and as an act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by her as its Secretary.

NOTARY PUBLIC
NEW HAMPSHIRE
100.011
N. H.

WITNESS my hand and official stamp this 10th day of June, 1987.

Commission expires: 3/23/90

Veritas Sanders Washburn
Notary Public

STATE OF NORTH CAROLINA
COUNTY OF BRUNSWICK

The foregoing certificate of Veritas Sanders Washburn, a Notary Public, is certified to be correct. Recorded this 11th day of June, 1987, at 4:29 P.M.

Robert J. Robinson, Register of Deeds

Robert J. Robinson /brf

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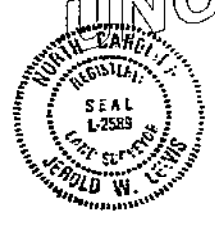
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Legal Description
for
Phase 2 Creekside Townhomes

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Beginning at a point in the southern boundary line of Creekside Townhomes; said point being located North 56 degrees 36 minutes 55 seconds West One Hundred Eighty-Three and 20/100 (183.20) feet and North 48 degrees 28 minutes 33 seconds West Seventy and 0/10 (70.00) feet, more or less, from an Iron Pipe (found) in the western right-of-way line of N. C. Highway #133 (River Road S.E.-allowing 60 feet in width), such pipe marks the southeast corner of Creekside Townhomes; runs thence and leaving the southern line of Creekside Townhomes at a right angle North 41 degrees 31 minutes 27 seconds East One Hundred Thirty-Nine and 56/100 (139.56) feet, more or less, to a point in the southern line of Creekside Drive (allowing 60 feet in width) as the same is shown on a map entitled, "Phase 2 of Creekside Townhomes"; said map being duly recorded in Condo Book 5 at Page 242 of the Brunswick County Registry; runs thence with along the southern line of said Drive North 52 degrees 40 minutes 20 seconds West Twenty-Two and 40/100 (22.80) feet, more or less, to a point marking the beginning of a curve to the right; runs thence and continuing with said southern line of said Drive as the same curves to the right to a point in said southern line, said point being North 48 degrees 43 minutes 14 seconds West a chord distance of One Hundred Thirty and 47/100 (130.47) feet, more or less, from the point of beginning of said curve; runs thence and leaving said Drive South 43 degrees 35 minutes 59 seconds West One Hundred Thirty-Five and 18/100 (135.18) feet, more or less, to a point in the aforesaid southern boundary of Creekside Townhomes; runs thence with and along said southern line of said Creekside Townhomes South 46 degrees 24 minutes 01 second East Sixty-Two and 0/10 (62.0) feet, more or less, to an Iron Pipe (found); runs thence South 48 degrees 28 minutes 33 seconds East Ninety-Six and 14/100 (96.14) feet, more or less, to the "Point of Beginning". Description prepared in the office of Jerold W. Lewis, P.E., N. C. Registration Number L-2589 on June 11, 1987.



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87 JUN 11 PM 4:30

EDWARD L. ROBINSON
REGISTER OF DEEDS
BRUNSWICK COUNTY, N.C.

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Encise Tax -0-

Recording Time, Book and Page 650.

Tax Lot No. _____ Parcel Identifier No. _____
 Verified by _____ County on the _____ day of _____ 19____
 by Margaret H. Perry
 Mail after recording to Creekside Association of Brunswick, Creekside Townhomes
Box 12, Creekside Drive, Seaside, N. C. 28451
 This instrument was prepared by ROY S. WASHBURN, 718 Market Street, Wilmington, N. C. 28401
 Brief description for the Index Common Areas, Creekside Townhomes

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 10th day of June, 1987, by and between

GRANTOR

GRANTEE

JUNSON AND PERRY COMPANY,
a North Carolina corporation

CREEKSIDE ASSOCIATION OF BRUNSWICK,
a North Carolina corporation

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Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership.

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of _____ Town Creek _____ Township,

_____ County, North Carolina and more particularly described as follows:

BEING ALL of that property shown as Common Areas on that map of Creekside Townhomes, Phase One, as shown more fully on a map of Creekside Townhomes, Phase One, recorded in Map Cabinet 5 at Pages 212 and 213 of the Brunswick County Registry, incorporated herein by reference.

BEING ALL of that property shown as Common Areas on that map of Creekside Townhomes, Phase Two, as shown more fully on a map of Creekside Townhomes, Phase Two, recorded in Map Cabinet R at Pages 307, 308 of the Brunswick County Registry, incorporated herein by reference.

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The property hereinabove described was acquired by Grantor by instrument recorded in _____

A map showing the above described property is recorded in Plat Book R PAGE 337 & 338

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

The provisions of all applicable zoning and land use ordinances, statutes and regulations, and all applicable restrictive covenants and utility easements of record.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or, if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

JOHNSON AND PERRY COMPANY

(Corporate Name)

By: Blondell B. Johnson

Blondell B. Johnson, President

Attest: [Signature]
Secretary (Corporate Seal)



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NORTH CAROLINA, _____ County.

I, a Notary Public of the County and State aforesaid, certify that _____

personally appeared before me this day and acknowledged the execution of the foregoing instrument. WITNESS my hand and official stamp or seal, this _____ day of _____ 19____

My commission expires _____ Notary Public

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NORTH CAROLINA, New Hanover County.

I, a Notary Public of the County and State aforesaid, certify that _____

personally came before me this day and acknowledged that _____

Secretary of _____

Johnson and Perry Company, a North Carolina corporation, and that by authority here given and as the act of the corporation, the foregoing instrument was signed by _____

her as its Secretary. Witness my hand and official stamp or seal, this 10th day of June 1987.

My commission expires 7-25-90 [Signature] Notary Public



VERLENE SANDERS WALSWORTH, a Notary Public

The foregoing Certificate(s) of _____

has/have been recorded in _____ and this certificate are duly registered at the date and time and in the Book and Page shown on the first line hereof. Recorded this 11th day of June 1987 at 4:30 P.M.

Robert J. Robinson, REGISTER OF DEEDS FOR _____ COUNTY

By: Betty R. Freeman, Deputy _____ Register of Deeds