



FOR REGISTRATION REGISTER OF DEEDS  
JENNIFER H. MACNEISH  
NEW HANOVER COUNTY, NC  
2009 AUG 14 04:03:13 PM  
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INSTRUMENT # 2009029438

Prepared by: Ryan T. Rhodenhiser  
1908 Eastwood Road Ste. 320  
Wilmington, NC 28403

STATE OF NORTH CAROLINA

AMENDMENT TO THE DECLARATIONS  
OF UNIT OWNERSHIP AND COVENANTS,  
CONDITIONS AND RESTRICTIONS OF  
TIDAL OAKS CONDOMINIUMS

COUNTY OF NEW HANOVER

THIS AMENDMENT, made this 11 day of August, 2009 by TIDAL OAKS  
CONDOMINIUM UNITOWNERS ASSOCIATION, INC., a North Carolina non-profit  
corporation, hereinafter called "Association";

WITNESSETH:

WHEREAS, the Association desires to Amend the DECLARATIONS OF UNIT OWNERSHIP  
AND COVENANTS, CONDITIONS AND RESTRICTIONS FOR TIDAL OAKS  
CONDOMINIUMS, which were recorded in Book 2168, Page 0996 in the New Hanover County  
Registry and amended from time to time thereafter.

WHEREAS, Section 20 of the Declaration provides for and sets forth the procedure for amending  
the Declaration.

WHEREAS, following proper notice to all unit owners in Tidal Oaks, a special meeting of the  
Association was duly held in accordance with the provisions of the Bylaws of the Association on  
APRIL 25, 2009 at 10:00 a.m. for the purpose of considering amendments to the Declaration, said  
amendments being more specifically set forth hereinafter. At such meeting, the amendments set  
forth hereinafter received the affirmative vote of at least seventy-five percent (75%) in interest of  
the unit owners in all phases casting their vote in person or by proxy.

NOW THEREFORE, the Association, acting pursuant to the provisions of Section 20 of the  
Declaration, hereby declares that the DECLARATIONS OF UNIT OWNERSHIP AND  
COVENANTS, CONDITIONS AND RESTRICTIONS FOR TIDAL OAKS CONDOMINIUMS  
are amended as follows:

DIANE PERRY - MAIL  
208 TREADWELL ST  
WILMINGTON NC 28403

1. Section 14(c) is amended to read as follows:

c. Premiums. All premiums on insurance policies purchased by the Board of Directors or manager shall be paid by the Association and chargeable to the Association as a common expense. In the event damage occurs to an owner's unit, or to any other adjoining unit or common element, as a result of negligence or failure by the owner, or tenant or guest of owner to perform proper maintenance and such damage is covered by the Association insurance, the responsible owner will be required to pay the deductible amount of the claim, whether or not the claim is filed by the Association, for this occurrence and any other cost to reconstruct, replace or repair which exceeds the amount of insurance coverage applicable thereto. Cost to reconstruct, replace, or repair damage not covered by insurance that results from negligence or failure by the owner or tenant or guest of owner to perform proper maintenance, will be the responsibility of the owner.

DATED this 11 day of August, 2009.

IN WITNESS WHEREOF, TIDAL OAKS CONDOMINIUM UNITOWNERS ASSOCIATION, INC. has caused this instrument to be duly executed as of the day and year above written.

TIDAL OAKS CONDOMINIUM UNITOWNERS ASSOCIATION, INC.

Theresa K. Moody, Director, Secretary  
BY:

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, Maureen A. Sherwood, a Notary Public in and for the State and County aforesaid, certify that Theresa K. Moody personally came before me this day and acknowledged that he is the President of TIDAL OAKS CONDOMINIUM UNITOWNERS ASSOCIATION, INC., a North Carolina non-profit corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President.

Witness my hand and official seal this 11<sup>th</sup> day of August, 2009.

Maureen A. Sherwood  
Notary Public

My commission expires: July 28, 2012

(Notary Seal)

**Maureen A. Sherwood**  
Notary Public  
Wake County, NC  
My Commission Expires July 28, 2012



JENNIFER H. MACNEISH  
REGISTER OF DEEDS, NEW HANOVER  
216 NORTH SECOND STREET

WILMINGTON, NC 28401

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**Recorder:** CRESWELL, ANDREA

State of North Carolina, County of New Hanover

PLEASE RETAIN YELLOW TRAILER PAGE WITH ORIGINAL DOCUMENT.

**\*2009029438\***

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