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FOR REGISTRATION REGISTER OF DEEDS
JENNIFER H. MACNEISH
NEW HANOVER COUNTY, NC
2009 OCT 22 03:25:04 PM
BK:5445 PG:1736-1740 FEE:\$23.00

INSTRUMENT # 2009036489

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

**AMENDMENT TO THE DECLARATION OF CONDOMINIUM
OF COMPASS BEND CONDOMINIUM**

THIS AMENDMENT to the DECLARATION OF CONDOMINIUM OF COMPASS BEND CONDOMINIUM recorded in Book 2373 at Page 0153 of the New Hanover County Registry dated this 16th day of October, 2009 is being made by COMPASS BEND OWNERS ASSOCIATION, INC.;

WITNESSETH:

WHEREAS, COMPASS BEND OWNERS ASSOCIATION, INC. is a North Carolina non-profit corporation;

WHEREAS, the Declaration for COMPASS BEND is recorded in Book 2373, at Page 0153; and

WHEREAS, the COMPASS BEND OWNERS ASSOCIATION, INC. may amend the Declaration upon an affirmative vote of 2/3 of the owners pursuant to N.C.G.S. 47C-2-117; and

WHEREAS, the COMPASS BEND OWNERS ASSOCIATION, INC. desires to amend the Declaration;

WHEREAS, as evidenced by the Affidavit attached hereto and incorporated, a vote was held by the membership and a two-thirds majority voted in favor of the amendment;

WHEREAS, it is the desire of the association to amend the Declaration as follows:

Return to: Ned Barnes

To add the following language to Paragraphs 8.1(c); 9.1(a); 9.2, 10.1 and 10.7:

“Notwithstanding any provision to the contrary, a unit owner shall be responsible for all repairs which originate in his/her/their/its unit where the costs of repairs do not exceed \$5,000.00. All such repairs shall be completed by the unit owner within 45 days from the date of damage unless approved otherwise in writing by the Board of Directors. Should the unit owner fail to comply with the hereinabove repair provision, the Board of Directors is hereby granted the authority to have all repairs completed as the same relates to the common area and such cost of repairs shall be the responsibility of the unit owner where the damage originated and shall be a lien on said unit until such time as the unit owner pays in full said cost of repairs, including any costs or attorneys’ fees associated with the collection to include filing a lien.”

NOW, THEREFORE, the COMPASS BEND OWNERS ASSOCIATION, INC. hereby amends the Declaration of Compass Bend as hereinabove described.

Accept as amended hereby, the Declaration of Compass Bend as hereinabove referenced shall remain in full force and effect.

IN TESTIMONY WHEREOF, COMPASS BEND OWNERS ASSOCIATION, INC. has caused this AMENDMENT TO DECLARATION to be signed in its corporate name and duly attested and sealed with its corporate seal on the day and year first above written.

COMPASS BEND OWNERS ASSOCIATION, INC.

By: May Javelka
President

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

I certify that Mary Faulkner, who is personally known to me or having provided satisfactory identification, personally appeared before me this day and acknowledged that s/he is President of Compass Bend Owners Association, Inc., a North Carolina corporation, and acknowledged, on behalf of Compass Bend Owners Association, Inc. the due and voluntary execution of the foregoing instrument for the purpose stated therein.

WITNESS my hand and notarial stamp or seal, this the 16th day of October, 2009.



Patricia Sledge Ford
NOTARY PUBLIC

My commission expires: 7-8-11

Attachment
AFFIDAVIT

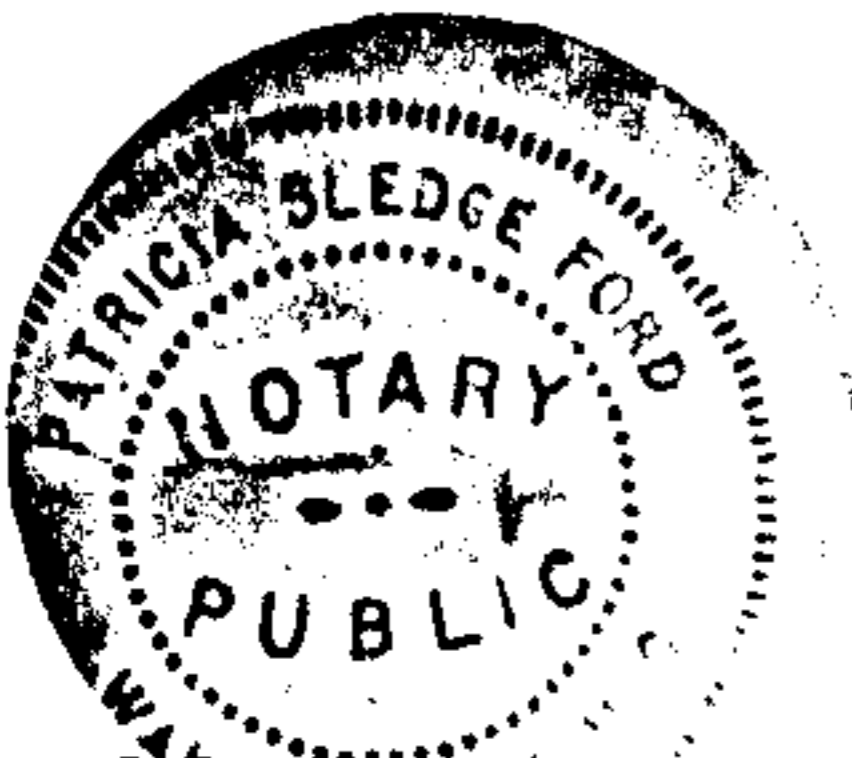
The undersigned, after first being duly sworn, deposes and says, as follows:

1. All of the owners of Units in Compass Bend are members of Compass Bend Owners Association, Inc.
2. That the proposed amendment to the Declaration as described herein was presented at the annual meeting of the members of Compass Bend Owners Association, Inc., all those attending being owners of units in Compass Bend and said meeting being pursuant to a notice duly mailed to the unit owners and a proxy being mailed with said notice;
3. That the President and Secretary of Compass Bend Owners Association, Inc. counted and confirmed the proxies, if any, returned by members and tallied the vote of the members both present and by proxy.
4. That the total possible votes is twelve and of those members voting, either by proxy or in person, 11 voted in favor and 0 voted against the foregoing amendment.

This the 16th day of October, 2009.

COMPASS BEND OWNERS
ASSOCIATION, INC.

By: May Saulekner
President



Sworn to and subscribed before me
by May Saulekner,

President of Compass Bend Owners Association, Inc.,

this 16th day of October, 2009.

Patricia Sledge Ford
NOTARY PUBLIC

My Commission Expires: 7-8-11



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

WILMINGTON, NC 28401

Filed For Registration: 10/22/2009 03:25:04 PM
Book: RE 5445 Page: 1736-1740
Document No.: 2009036489
5 PGS \$23.00
Recorder: CRESWELL, ANDREA

State of North Carolina, County of New Hanover

PLEASE RETAIN YELLOW TRAILER PAGE WITH ORIGINAL DOCUMENT.

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