

FOR REGISTRATION JUDITH A. GIBSON  
REGISTER OF DEEDS  
MECKLENBURG COUNTY, NC  
2005 MAY 17 11:44 AM  
BK:18747 PG:678-679 FEE:\$14.00  
INSTRUMENT # 2005089067



**COPY**

**AMENDMENT TO SECTION 12 OF THE CONDOMINIUM'S DECLARATION**

**Section 12**

**RESIDENTIAL USE RESTRICTIONS; APPLICABLE TO CONDOMINIUM UNITS**

A. Each Condominium Unit is hereby restricted to residential use by its Owner, his immediate family, guests, invitees and lessees. With the exception of a Lender in possession of a Condominium Unit, following a default in a first deed of trust, a foreclosure proceeding or any deed in lieu of foreclosure, no Unit Owner shall lease his Unit for transient, hotel or commercial purposes. No Unit Owner may lease less than the entire Unit. Any lease agreement must provide that it shall be subject to the provisions of this Declaration, and that any failure by the Lessee to comply with the terms hereof shall be a default under the lease and shall be in writing. There is no other restriction on the right of any Unit Owner to lease his Unit. Furthermore, no Unit Owner may own more than two (2) Units at any time, and in the event that a unit Owner owns two (2) Units, must occupy one (1) of those Units as the Unit Owner's primary residence. With respect to this limitation regarding the ownership of more than two (2) Units at any time, it is expressly acknowledged that any Unit Owner owning more than two (2) Units or otherwise owning two (2) Units, neither of which are the Unit Owner's primary residence, shall be exempt from this restriction as to any Units owned prior to October 19, 2004.

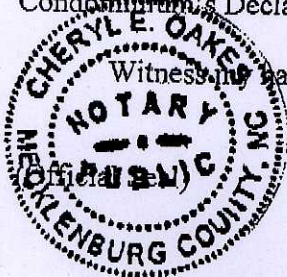
Passed: October 19, 2004

M. Heath Gilbert, Jr.  
THE BRAY LAW FIRM, PLLC  
Counsel for Emerald Point Condominium

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

I, Cheryl E. Oakes, a Notary Public of the County and State aforesaid, certify that M. Heath Gilbert, Jr., counsel for Emerald Point Condominiums, executed this Amendment to Section 12 of the Condominium's Declaration on behalf of the Homeowners' Association.



Witness my hand and official stamp, this the 11<sup>th</sup> day of May 2005.

Notary Public

My Commission Expires: 5-23-07

Mail to:  
The Bray Law Firm, PLLC



JUDITH A. GIBSON  
REGISTER OF DEEDS, MECKLENBURG  
COUNTY & COURTS OFFICE BUILDING  
720 EAST FOURTH STREET  
CHARLOTTE, NC 28202

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It is part of the recorded document, and must be submitted with original for re-recording and/or cancellation.

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Document No.: 2005089067  
ADMT 2 PGS \$14.00

Recorder: SERENA ROSS

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State of North Carolina, County of Mecklenburg

The foregoing certificate of CHERYL E. OAKES Notary is certified to be correct. This 17TH of May 2005

JUDITH A. GIBSON, REGISTER OF DEEDS By: Serena M. Ross  
Deputy/Assistant Register of Deeds

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