

FOR REGISTRATION JUDITH A GIBSON
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2005 MAR 04 12:35 PM
BK: 18437 PG: 179-184 FEE: \$26.00

INSTRUMENT # 2005039897



Drawn By and Return To:

Sandra K. Knox
Lakeside Professional Building
19453 W. Catawba Avenue, Suite E
Cornelius, NC 28031

**FIRST SUPPLEMENTAL DECLARATION OF
BOARDWALK OFFICE CONDOMINIUM, PHASE 2**

THIS FIRST SUPPLEMENTAL DECLARATION, is made this ____ day of February, 2005, by BLUEFIN PARTNERS, LLC, a North Carolina limited liability company, formerly known as KENNERLY DEVELOPMENT SERVICES LLC, (the "Declarant"), for itself, its successors and assigns, pursuant to the provisions of Chapter 47C of the North Carolina General Statutes, entitled the North Carolina Condominium Act ("Act") and Article III of the Declaration of Boardwalk Office Condominium recorded in Book 13161 at Page 1 in the Mecklenburg County Public Registry.

WITNESSETH:

WHEREAS, the Declarant created Boardwalk Office Condominium by Declaration of Boardwalk Office Condominium recorded in Book 13161 at Page 1 in the Mecklenburg County Public Registry (the "Declaration"); and

WHEREAS, the Declaration provides in Article III that Declarant or its successors and assigns can add all or any portion of the Addition Real Estate described in the Declaration and up to sixteen (16) new condominium Units to the Condominium at any time without further consent of the Unit Owners and First Mortgagees; and

WHEREAS, the property described on Exhibit A attached hereto comprises a portion of the property described as "Additional Real Estate" on Exhibit A-1 in the Declaration (the "Additional Real Estate"); and

WHEREAS, Declarant desires to submit the Additional Real Estate described on Exhibit A attached hereto to the provisions of the North Carolina Condominium Act as

Phase 2 of Boardwalk Office Condominium and has constructed two (2) buildings on the Additional Real Estate and desires to divide the Additional Real Estate into twelve (12) condominium Units and designate all such Units for separate ownership as part of Boardwalk Office Condominiums subject to the Declaration.

NOW, THEREFORE, the Declarant does hereby submit the Additional Real Estate described on Exhibit A attached hereto and all improvements located thereon to the provisions of Chapter 47C of the North Carolina General Statutes as Phase 2 of Boardwalk Office Condominium, and does hereby divide the Additional Real Estate into twelve (12) condominium Units, each designated for separate ownership, and does hereby publish and declare that all of the Additional Real Estate described on Exhibit A and the twelve (12) condominium Units created thereon are held and shall be held, conveyed, hypothecated, encumbered, used and occupied, subject to the covenants, conditions, restrictions, uses, limitations and obligations of the Declaration, which is incorporated herein by reference, which shall be deemed to run with the land and shall be a burden and benefit to the Declarant, its successors and assigns, and any person(s) acquiring an interest in the Additional Real Estate and the twelve (12) condominium Units created thereon, their grantees, successors, heirs, executors, administrators, designees and assigns.

The Units created hereby are Units 1-12 inclusive, and are more particularly described and shown on the plans and survey for Boardwalk Office Condominium Phase 2 duly recorded in Condominium Unit Ownership File No. 590 in the Mecklenburg County Public Registry, which plans and survey are incorporated herein by reference. The allocation of percentage interest in the Common Elements and Expenses of the Condominium for all Units in the Condominium (Phases 1 and 2) is shown on Exhibit B attached hereto.

IN WITNESS WHEREOF, Declarant has caused this First Supplemental Declaration to be signed and sealed as its act and deed, as of the day and year first above written.

BLUEFIN PARTNERS, LLC,
a North Carolina limited liability company

By: 

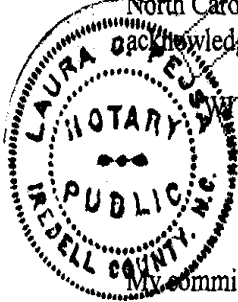
J. Christopher Kennerly
Assistant Manager

STATE OF NORTH CAROLINA

COUNTY OF Mecklenburg

I, Laura C. Pejso, a Notary Public for said County and State, do hereby certify J. Christopher Kennerly, Assistant Manager of Bluefin Partners, LLC, a North Carolina limited liability company, personally appeared before me this day and acknowledged the due execution of the foregoing instrument on behalf of the company.

WITNESS my hand and official seal, this the 28 day of February, 2005.



My commission expires:

5/13/06

[NOTARIAL SEAL]

Laura C. Pejso
Notary Public

EXHIBIT A

**TO FIRST SUPPLEMENTAL DECLARATION
OF BOARDWALK OFFICE CONDOMINIUM**

Lying and being in the Town of Davidson, Mecklenburg County, North Carolina, being more particularly described as follows:

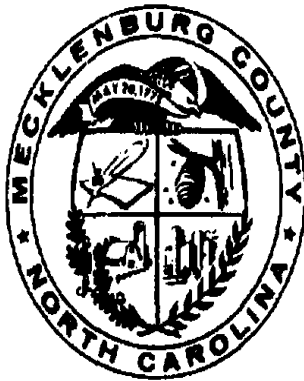
BEGINNING at a iron pin in the westerly margin of the 60 foot right of way of Southeast Drive, said iron being located the following four (4) courses and distances from North Carolina Grid System Monument "StarDrill" having North Carolina Grid System Coordinates of N= 643,450.356 feet and E=1,444,676.116 feet (NAD 1983): (1) S22-21-42 E 1,336.98 feet to an iron pin in the westerly margin of Southeast Drive, (2) along said margin of Southeast Drive with the arc of a circular curve to the left having a radius of 681.14 feet, an arc distance of 23.60 feet and a chord bearing and distance of S 31-28-56 E 23.60 feet to a point, (3) continuing along said margin of Southeast Drive N 57-31-30 E 4.50 feet to an existing iron, and (4) continuing along said margin of Southeast Drive, with the arc of a circular curve to the left having a radius of 676.64 feet, an arc distance of 35.03 feet and a chord bearing and distance of S 33-57-28 E 35.02 feet to the Beginning Point, and running thence from said Beginning Point along said margin of Southeast Drive the following two (2) courses and distances: (1) with the arc of a circular curve to the left having a radius of 676.64 feet, an arc distance of 142.43 feet and chord bearing and distance S 41-28-16 E 142.17 feet to a point and (2) S 47-30-06 E 90.98 feet to an iron pin; thence leaving said margin of Southeast Drive, S 42-29-54 W 118.51 feet to a point; thence N 47-26-35 W 93.06 feet to a point; thence N 45-32-58 W 52.36 feet to a point; thence S 65-42-45 W 59.54 feet to an iron pin; thence N 02-29-38 W 77.93 feet to a point; thence N 30-02-36 E 78.25 feet to a point; thence N 51-16-58 E 55.42 feet to the Point and Place of Beginning, and containing approximately 30.390 square feet and being 0.6977 acre, more or less, as shown on survey entitled "Survey Prepared for Kennerly Development Group" dated July 6, 2000 by Michael J. Lucas, NCRLS of R. B. Pharr & Associates, P. A. (File No. LN-314AB), to which survey reference is hereby made for a more particular description of the property.

Being all of Tract 1 as described on Exhibit A-1 of the Declaration of Boardwalk Office Condominium.

EXHIBIT B

**TO FIRST SUPPLEMENTAL DECLARATION
OF BOARDWALK OFFICE CONDOMINIUM**

<u>Unit Number</u>	<u>Unit Area (Square Feet)</u>	<u>% Interest in Common Elements and of Common Expenses</u>
580	1207	5.65
582	1207	5.65
584	1207	5.65
586	1207	5.65
705	1207	5.65
707	1207	5.65
709	1207	5.65
711	1207	5.65
001	986	4.6
002	979	4.6
003	969	4.5
004	962	4.5
005	986	4.6
006	979	4.6
007	986	4.6
008	979	4.6
009	969	4.5
010	962	4.5
011	986	4.6
012	<u>979</u>	<u>4.6</u>
	21378	100%



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

PLEASE RETAIN YELLOW TRAILER PAGE

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

Filed For Registration: 03/04/2005 12:35 PM
Book: RE 18437 Page: 179-184
Document No.: 2005039897
DEC/U 6 PGS \$26.00
Recorder: LINDA CASTLEBERRY

State of North Carolina, County of Mecklenburg

The foregoing certificate of LAURA C PEJSA Notary is certified to be correct. This 4TH of March 2005

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



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