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Prepared by and return to Marshal Talton, 862 N. Marye Drive, Graham, NC 27253

STATE OF NORTH CAROLINA
COUNTY OF DARE

**AMENDMENT TO SECOND AMENDED AND RESTATED
DECLARATION OF UNIT OWNERSHIP OF
PORT TRINITIE
(FORMERLY SPINNAKER AT PORT TRINITIE, DUCK, NC)**

THIS AMENDMENT TO SECOND AMENDED AND RESTATED DECLARATION OF PORT TRINITIE is made this MARCH 10 of 2011 by PORT TRINITIE ASSOCIATION, a North Carolina nonprofit corporation, hereinafter referred to as the "Association";

W I T N E S S E T H:

WHEREAS, Association is a nonprofit corporation composed of all of the dwelling owners in Port Trinitie Condominiums; and

WHEREAS, Association previously established for the aforesaid Condominiums certain covenants, conditions and restrictions which are set forth in that certain instrument entitled "Second Amended and Restated Declaration of Unit Ownership of Port Trinitie" recorded in Book 1598, Page 130, Dare County Registry (hereinafter referred to as "Declaration"); and

WHEREAS, pursuant to Section 20, Subparagraph C, the Board of Directors of the Association may amend the Declaration without the consent of the dwelling owners or any mortgagees of record to correct any obvious error or inconsistency in drafting, typing or reproduction of the Declaration; and

WHEREAS, Association through its Board of Directors, now deems it desirable to amend Section 2, Subparagraph O. of the Declaration in order to correct obvious errors and/or inconsistencies in said paragraph as hereinafter set forth.

NOW, THEREFORE, Association, pursuant to majority vote of its Board of Directors and pursuant to Section 20C(1) of the Declaration does hereby amend the Second Amended and Restated Declaration of Unit Ownership of Port Trinitie recorded in Book 1598, Page 130, Dare County Registry as follows:

1. Section 2, Subparagraph O of the Declaration is deleted in its entirety and the following is substituted in its place:

1. Section 2, Subparagraph O of the Declaration is deleted in its entirety and the following is substituted in its place:

O. "Subdivision" shall mean those building lots numbered 1-29 as shown on the plat entitled "Port Trinitie Subdivision" dated 10 March 1987 and recorded in Plat Cabinet C, Slides 20C and 20D, Dare County Registry together with and also including Lots A, B and C as shown on that Plat captioned "Port Trinitie, Duck Village, Dare County, North Carolina, Minor Subdivision" prepared by Bissell Professional Group and recorded in Plat Cabinet E at Slide 359 in the Dare County Registry. These lots and the improvements thereon are not part of the Condominium and the owners of these lots have no ownership interest in the Common Elements of the Condominium. While the lot owners are not part of the Condominium the lot owners are entitled to representation in the Association and its Board of Directors with regard to all matters dealing with or affecting the assessments concerning the Community Facilities or the use or administration thereof and shall be assessed a Monthly Community Facilities Fee, equal to that Community Facilities Fee assessed each dwelling unit of the Condominium, all as more particularly set out in Exhibit A attached to that deed from Trinitie Group, Inc. to Port Trinitie Association dated April 16, 1987 recorded in Book 505, Page 626, Dare County Registry.

2. Except as herein amended, the terms and conditions of the Second Amended and Restated Declaration of Unit Ownership of Port Trinitie shall remain in full force and effect.

IN WITNESS WHEREOF, Port Trinitie Association has caused this instrument to be executed in its corporate name by its President as the act and deed of said corporation by authority of its Board of Directors duly and legally given the day and year first above written.

PORT TRINITIE ASSOCIATION

By: Marshal Talton (SEAL)
Marshal Talton,
President

STATE OF NORTH CAROLINA
COUNTY OF Alamance

I, Debra L. Hrdlicka, a Notary Public of the County and State
aforesaid, certify that Marshal Talton personally came before me this day and
acknowledged that he is President of Port Trinitie Association, a North
Carolina nonprofit corporation, and that he as President, being authorized to
do so, executed the foregoing on behalf of the corporation.

Witness my hand and official stamp or seal, this 28 day of Feb.,
2011.

My Commission Expires:

7-29-2013

r\Port Trinitie amendment 3-23-10

Debra L. Hrdlicka
Notary Public

