



Recorded: 05/28/2010 at 01:15:37 PM
Fee Amt: \$17.00 Page 1 of 2
Workflow# 0000030500-0001
Buncombe County, NC
Otto W. DeBruhl Register of Deeds

BK 4787 PG 1481-1482

Prepared by and return to The Van Winkle Law Firm (BOX 55, Suzannah P. Justus)

STATE OF NORTH CAROLINA

COUNTY OF BUNCOMBE

AMENDMENT TO DECLARATION OF
CONDOMINIUM FOR THE BEAUCATCHER
HOUSE, A CONDOMINIUM

THIS AMENDMENT to Declaration of Condominium for The Beaucatcher House, a Condominium (this "Amendment") is made and entered into this the 18th day of May, 2010, by Declarant, Beaucatcher Condominiums, LLC, a North Carolina limited liability company ("Beaucatcher"), and The Beaucatcher House Condominium Owners Association, Inc., a North Carolina nonprofit corporation (the "Association"), for The Beaucatcher House, A Condominium (the "Condominium").

WITNESSETH:

WHEREAS, in accordance with N.C. Gen. Stat. 47C-2-117, the Declaration of Condominium for The Beaucatcher House, A Condominium (the "Declaration"), recorded in Deed Book 4491, Page 859 of the Buncombe County, North Carolina Register of Deeds Office (the "Registry"), may be amended by affirmative vote of or a written agreement signed by at least sixty-seven percent (67%) of the unit owners of units to which votes in the Association are allocated;

WHEREAS, Owners holding at least sixty-seven percent (67%) of the units in the Condominium to which votes in the Association are allocated have approved of this Amendment by affirmative vote;

WHEREAS, Beaucatcher desires to amend the Declaration to extend the time period in which the appropriate Administrator of the VA, FNMA and/or FHLMC may respond to a written request for approval pursuant to the terms of Article XIII, Section 13.1 of the Declaration, before said approval shall be deemed to have been given;

NOW THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

1. Each and every term and provision of the Declaration, including each and every Exhibit thereto, is incorporated herein by reference, and is effective except as modified and amended by the terms and provisions of this Amendment.
2. The Association joins in the execution of this Amendment for the purpose of consenting to the terms hereof.
3. Roger Crow, as President of the Association, hereby certifies that Owners holding at least sixty-seven percent (67%) of the units in the Condominium to which votes in the Association are allocated have approved of this Amendment by affirmative vote at the annual meeting of the Association on May 18, 2010, or by proxy.
4. Section 13.1 of Article XIII of the Declaration is hereby completely restated as follows:

"13.1. Amendments During Declarant Control Period. Any amendments to this Declaration or to the Bylaws during the Declarant Control Period, including those necessitated by Special Declarant Rights, shall be subject to the prior approval of the appropriate Administrator of the VA, FNMA and FHLMC; provided, however, that if said Administrator fails to respond to a written request for approval (to be sent via certified or registered mail with return receipt requested) within sixty (60) days of receipt of said request, approval shall be deemed to have been given."
5. Except as herein amended, the remaining provisions of the Declaration shall remain in full force and effect.

[SIGNATURES ON FOLLOWING PAGE.]

This the day and year first above written.

BEAUCATCHER CONDOMINIUMS, LLC, a North Carolina limited liability company
By: Kassinger Development Group, LLC, a South Carolina limited liability company, its Manager

By: [Signature]
Edward T. Kassinger, Jr., Member/Manager

THE BEAUCATCHER HOUSE CONDOMINIUM OWNERS ASSOCIATION, INC., a North Carolina nonprofit corporation

By: [Signature]
Roger Crow, President

STATE OF Georgia
COUNTY OF Forsyth

I certify that **Edward T. Kassinger, Jr.**, as Member/Manager of Kassinger Development Group, LLC, the Manager of Beaucatcher Condominiums, LLC, personally appeared before me this day, acknowledging to me that he signed the foregoing document.

Date: 5-20-10

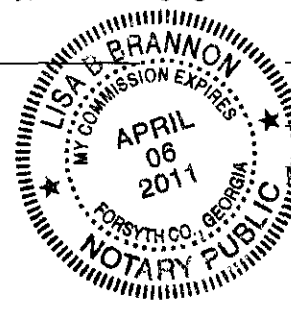


[Signature]
Notary Public
Lisa B. Brannon
(Printed Name of Notary)
My Commission Expires: 4-6-2011
DMS:4829-7542-6818v1|25634-0006

STATE OF Georgia
COUNTY OF Forsyth

I certify that **Roger Crow**, as President of The Beaucatcher House Condominium Owners Association, Inc., personally appeared before me this day, acknowledging to me that he signed the foregoing document.

Date: 5-20-10



[Signature]
Notary Public
Lisa B. Brannon
(Printed Name of Notary)
My Commission Expires: 4-6-2011