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Penny T. Newbern, Pasquotank County, NC

STATE OF NORTH CAROLINA
COUNTY OF PASQUOTANK

AMENDMENT TO DECLARATION OF 604 FEARING CONDOMINIUM

THIS AMENDMENT TO DECLARATION OF 604 FEARING
CONDOMINIUM (this "Amendment") is made this 15th day of JULY, 2026 by 604
FEARING, LLC, a North Carolina limited liability company ("Declarant").

RECITALS

A. Declarant executed that certain Declaration of 604 Fearing Condominium recorded in Book 1569, Page 207, Pasquotank County Registry (the "Declaration"), submitting the real property described therein to condominium ownership pursuant to the North Carolina Condominium Act (Chapter 47C of the General Statutes of North Carolina). The capitalized terms in this Amendment shall have the same meanings as set forth in the Declaration, unless otherwise defined herein or the context shall otherwise prohibit.

B. Pursuant to that certain Amendment to Declaration of 604 Fearing Condominium recorded in Book 1581, Page 219, Pasquotank County Registry (the "Prior Amendment"), and that certain General Warranty Deed recorded in Book 1581, Page 224, Pasquotank County Registry (the "604 Fearing Deed"), the parcel more particularly described on Exhibit A-1 attached hereto and incorporated herein by reference (the "604 Fearing Parcel"), including the Unit formerly identified as "604 Fearing Street" (the "604 Fearing Street Unit"), was removed from the Condominium and is no longer subject to the Declaration.

C. Pursuant to Article 23, Section 23.2 of the Declaration and N.C. Gen. Stat. § 47C-2-117, Declarant may amend the Declaration as set forth herein to exercise Development Rights. Pursuant to Article 24, Section 24.2(b), the Declarant reserved the right to withdraw property from the Condominium. Declarant desires to amend the Declaration to: (i) affirm the withdrawal of the 604 Fearing Parcel, including the 604 Fearing Street Unit, from the Condominium, (ii) incorporate an amended condominium plat reflecting the removal of the 604 Fearing Street Parcel and Unit, (iii) reallocate the undivided interests in Common Elements and liability for Common Expenses among the remaining Units, (iv) remove the second-floor deck as a Limited Common Element, and (v) make such other conforming changes as are necessary following the withdrawal of the 604 Fearing Street Unit.

NOW, THEREFORE, Declarant, exercising its right to amend the Declaration and pursuant to the provisions set forth above, hereby amends the Declaration as follows:

1. Affirmation of Withdrawal. Declarant hereby references, affirms, and ratifies the removal of the 604 Fearing Parcel from the Condominium pursuant to the Prior Amendment and the 604 Fearing Deed. The 604 Fearing Street Unit is no longer a Unit within the Condominium and the 604 Fearing Parcel is no longer subject to the Declaration or the Condominium created thereby.
2. Amendment of Exhibit B. Exhibit B to the Declaration is hereby deleted in its entirety and replaced with the new Exhibit B attached hereto and incorporated herein by reference, which reflects the amended condominium plat.
3. Amendment of Exhibit C. Exhibit C to the Declaration is hereby deleted in its entirety and replaced with the new Exhibit C attached hereto and incorporated herein by reference, which sets forth the reallocation of Common Expenses for the remaining five (5) Units following the removal of the 604 Fearing Parcel.
4. Removal of Second-Floor Deck as Limited Common Element. Section 3.17 of the Declaration is hereby amended to delete the reference to the second-floor deck on the 604 Fearing Parcel from the Limited Common

Elements of the Condominium. The second-floor deck shall no longer constitute a Limited Common Element and shall no longer be subject to any restrictions or allocations as a Limited Common Element under the Declaration.

5. Access and Maintenance Rights. Notwithstanding the removal of the 604 Fearing Parcel from the Condominium:
 - a. The owner(s) of the 604 Fearing Parcel shall have a perpetual, non-exclusive easement for ingress and egress through the stairway within the Condominium to access the second-floor deck of the 604 Fearing Parcel, including the right to secure the door providing such access at such owner(s)' sole cost and expense.
 - b. Consistent with the 604 Fearing Deed and the Prior Amendment, the Association and Unit Owners shall have a perpetual, non-exclusive easement to access the second-floor deck of the 604 Fearing Parcel solely to perform maintenance, repairs, or inspections of Common Elements, Limited Common Elements, or Units accessible only from such second-floor deck, upon reasonable advance notice except in emergencies.
 - c. The easements granted herein shall be appurtenant to and run with the land, binding upon and inuring to the benefit of the respective owners, their heirs, successors, and assigns.
6. Deletion of References to 604 Fearing Street Unit. All references in the Declaration to the 604 Fearing Street unit, including without limitation any reference to "six (6) Units" or to "604 Fearing St" as a Unit within the Condominium, are hereby deleted. The Condominium shall consist of five (5) Units: Unit B (608 Fearing St), Unit C (610 Fearing St), Unit D, Unit E, and Unit F, as more particularly depicted on the amended plat attached hereto as Exhibit B.
7. Reallocation of Interests. The undivided interests in Common Elements, liability for Common Expenses, and voting rights previously allocated to

the 604 Fearing Street unit have been extinguished and are hereby reallocated among the remaining five (5) Units on an equal basis, such that each remaining Unit shall have a twenty percent (20%) interest in the Common Elements, a twenty percent (20%) liability for Common Expenses, and one (1) vote in the Association, as more particularly set forth in the amended Exhibit C attached hereto.

8. Amendment of Section 3.17 (Limited Common Elements). The last paragraph of Section 3.17 of the Declaration, which designates the staircase leading to the second floor, together with the second-floor hallway and the second-floor deck, as Limited Common Elements solely reserved for the use of the Owners of Units 1, 2, and 3 (now designated as Units D, E, and F), is hereby amended to read as follows:

"The staircase leading to the second floor, together with the second-floor hallway, as depicted on Exhibit B, shall be Limited Common Elements, solely reserved for the use of the Owners of Units D, E, and F, their occupants, tenants, guests, and invitees; provided, however, that the owner(s) of the 604 Fearing Parcel shall have an easement for access through such staircase and hallway as set forth in this Declaration."

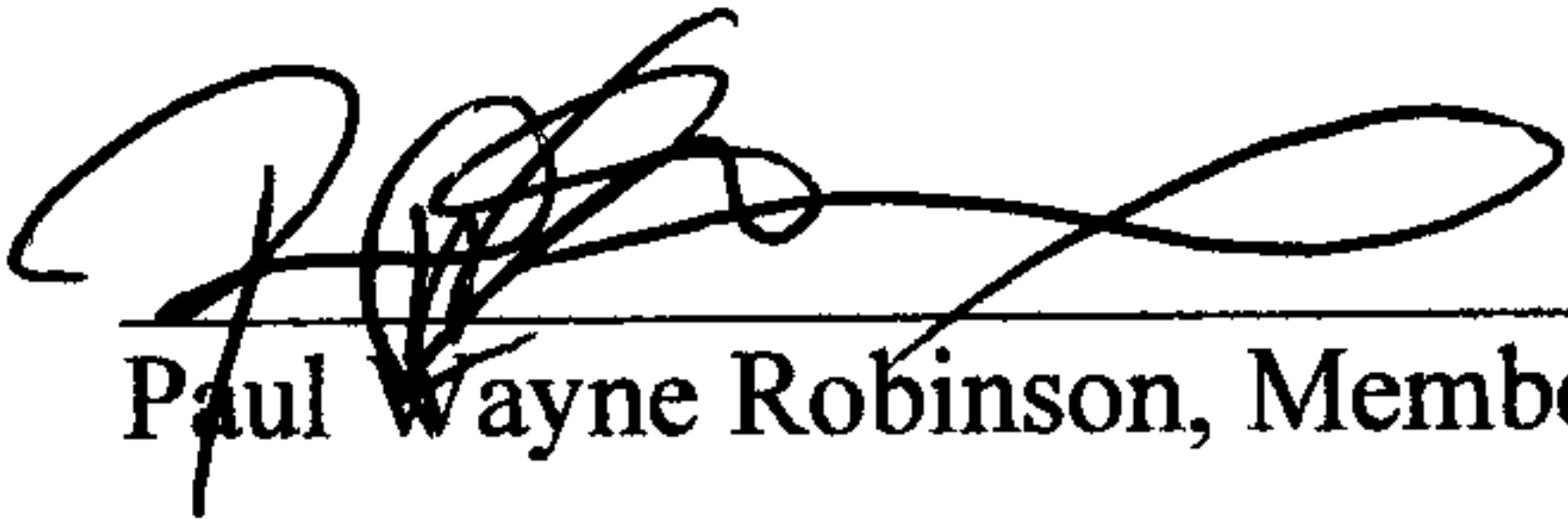
9. Amendment of Exhibit D (Initial Use Restrictions). All references in Exhibit D to the "604 Fearing Street" unit are hereby deleted. The remaining Commercial Units shall be Unit B (608 Fearing Street) and Unit C (610 Fearing Street). The Residential Units shall be Units D, E, and F.
10. Continuation of Declaration. Except as expressly modified hereby, the Declaration shall remain in full force and effect. To the extent that any exhibit, schedule, plat, or provision of the Declaration is inconsistent with this Amendment, the provisions of this Amendment shall control and such provisions shall be deemed modified accordingly without further amendment.

This Amendment shall be effective upon recording in the Pasquotank County Registry.

[Signature Follows]

IN TESTIMONY WHEREOF, the Declarant, pursuant to the authority above recited, has caused this Amendment to be executed under seal and in such form as to be legally binding all by authority duly given this the day and year first above written.

604 FEARING, LLC, a North Carolina limited liability
company

By:  (SEAL)
Paul Wayne Robinson, Member/Manager

STATE OF NORTH CAROLINA
COUNTY OF PASQUOTANK

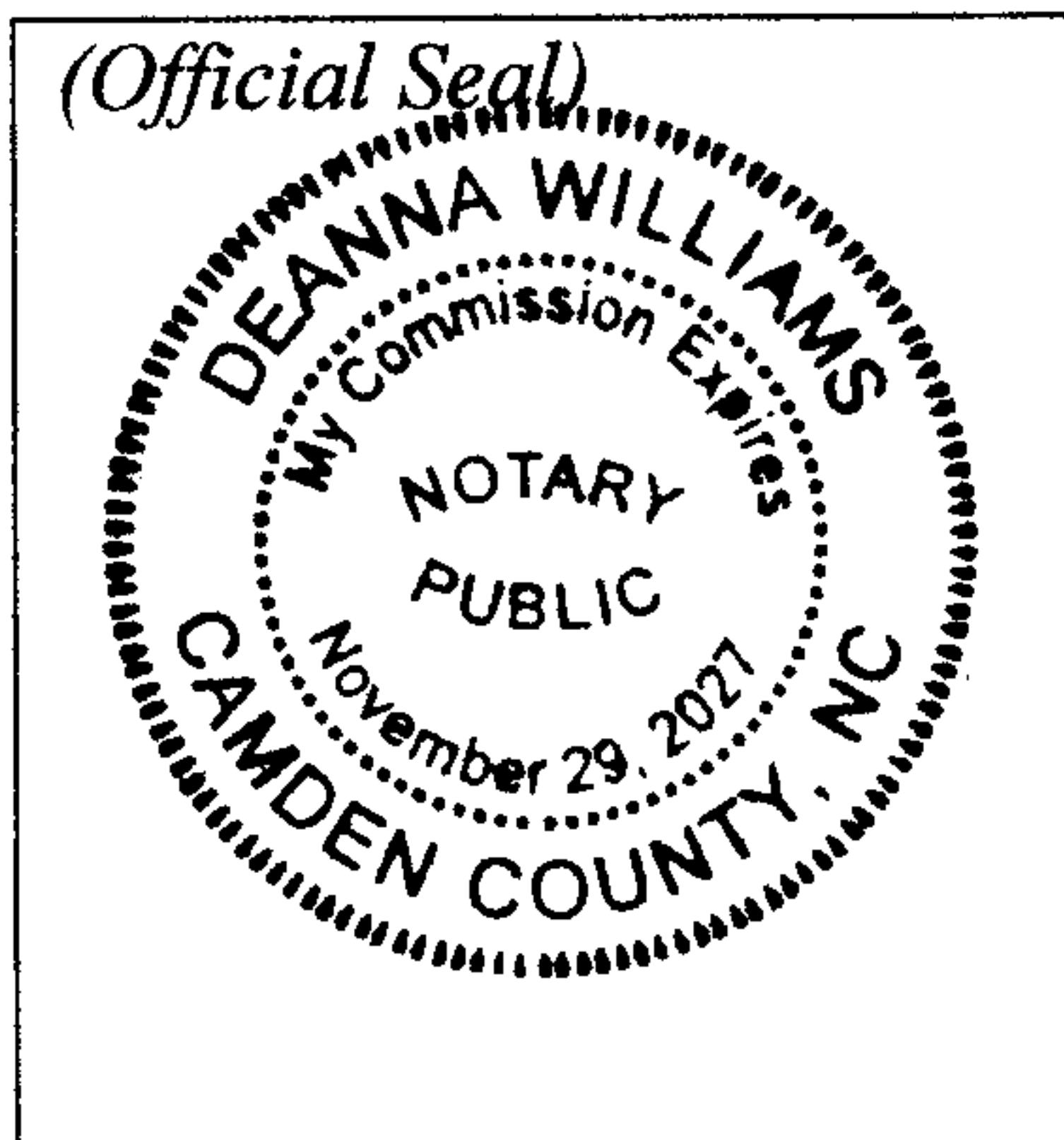
I, a Notary Public of said County and State, certify that Paul Wayne Robinson personally appeared before me this day and acknowledged the due execution of the foregoing instrument as Member/Manager of 604 Fearing, LLC, a North Carolina limited liability company.

Date 7/15/2020

Deanna Williams
Signature of Notary Public

Deanna Williams Notary Public
Printed or typed name

My commission expires: 11/29/2027



Notary seal or stamp must appear within this box.

EXHIBIT A-1

(Legal Description of 604 Fearing Parcel)

Being that parcel identified as "604 Fearing Street, D.B. 1355, P.G. 796, Parcel Two" on that "Boundary Survey for 604 Fearing Condominium" recorded at Map Book 3, Page 24, Pasquotank County Registry.

EXHIBIT B

For survey and plat and plans see Plat Book 3, at Pages 50 through 52 in the office of the Register of Deeds of Pasquotank County.

EXHIBIT C

(Allocations)

Unit B (608 Fearing Street): 20%

Unit C (610 Fearing Street): 20%

Unit D: 20%

Unit E: 20%

Unit F: 20%