

For Registration  
Fredrick Smith  
Register of Deeds  
Mecklenburg County, NC  
Electronically Recorded  
2020 Oct 14 09:19 AM RE Excise Tax: \$ 0.00  
Book: 35175 Page: 473 - 475 Fee: \$ 26.00  
Instrument Number: 2020168803

*Fredrick Smith*

Prepared by and return to:

Michael R. Ganley, Attorney, Bagwell Holt Smith P.A.  
111 Cloister Court, Ste. 200, Chapel Hill, NC 27514

**SECOND AMENDMENT  
TO  
DECLARATION OF CONDOMINIUM  
FOR  
LUXITY TERRACES V CONDOMINIUM**

This Second Amendment to the Declaration of Condominium for Luxity Terraces V Condominium (this "Second Amendment"), is made this 30<sup>th</sup> day of September, 2020, by **LUXITY LLC**, a North Carolina limited liability company, hereinafter referred to as the "Declarant". Declarant states and declares as follows:

A. Declarant previously made a Declaration of Condominium for Luxity Terraces V Condominium, dated July 10, 2018 and recorded July 11, 2018 at Book 32821 Page 323, Mecklenburg County Registry, as amended by that First Amendment to Declaration of Condominium for Luxity Terraces V Condominium, dated March 19, 2020 and recorded March 25, 2020 at Book 34398 Page 657, Mecklenburg County Registry (as amended, the "Declaration").

B. Section 23.c. of the Declaration provides that the Declaration may be amended only by a written instrument executed on behalf of the Association by an officer of the Association designated for that purpose and authorized by the affirmative vote of at least sixty-seven percent (67%) of the total allocated interests of the Condominium.

C. As of the date of this Second Amendment, Declarant owns one hundred percent (100%) of the total allocated interests of the Condominium.

D. Declarant now desires to amend the Declaration.

THEREFORE, Declarant hereby amends the Declaration as follows:

1. **Exhibit B** of the Declaration is deleted in its entirety and replaced with the **Exhibit B** attached hereto and incorporated herein.

2. Except as amended herein, all terms and provisions of the Declaration remain unmodified. As amended herein, the Declaration remains in full force and effect.

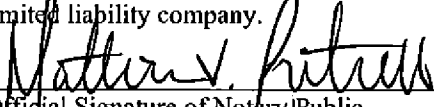
IN WITNESS WHEREOF, Declarant has caused this Second Amendment to be executed, as of the date first stated above.

**LUXITY LLC, Declarant,**  
a North Carolina limited liability company

By:   
Jason Javer, Managing Partner

NORTH CAROLINA  
COUNTY OF Mecklenburg

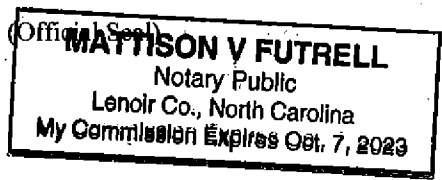
I, Mattison V. Futrell, a Notary Public, do hereby certify that Jason Javer personally came before me and acknowledged that he is a Managing Partner of Luxity LLC, a North Carolina limited liability company, and that he, as Managing Partner, being authorized to do so executed the foregoing on behalf of the limited liability company.

  
Official Signature of Notary Public

Date: 9/30/2020

Mattison V. Futrell  
Notary's Printed or Typed Name, Notary Public

My commission expires: 10/7/2023



**Exhibit B**

**TABLE OF ALLOCATED INTERESTS**

*Allocated Interest:*

The allocated interest in the Common Elements of each Unit is as follows:

Unit 1004-C	25.00%
Unit 1004-D	25.00%
Unit 1006-A	25.00%
Unit 1006-B	25.00%
<b>TOTAL:</b>	<b>100.00%</b>