

For Registration
Fredrick Smith
Register of Deeds
Mecklenburg County, NC
Electronically Recorded
2021 Jun 04 01:38 PM RE Excise Tax: \$ 0.00
Book: 36147 Page: 526 - 527 Fee: \$ 26.00
Instrument Number: 2021110512

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

**FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM FOR
HAWTHORNE DUETS CONDOMINIUM**

This First Amendment to the Declaration of Condominium for Hawthorne Duets Condominium (this "First Amendment"), is made this 24th day of May, 2021, by **FMJ PROPERTIES 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 Hawthorne Duets Condominium, dated September 24, 2020 and recorded October 14, 2020 at Book 35175 Page 494, Mecklenburg County Registry (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 First 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:

f. Section 13.f. of the Declaration is deleted in its entirety and replaced with the following:

f. Leases of Units. Any lease of a Unit or portion thereof shall be in writing and shall provide that the terms of the lease shall be subject in all respects to the Governing Documents and that any failure by the lessee to comply with all of the terms of such Governing Documents shall constitute a default under the lease. Any lease shall have an initial term of at least thirty (30) days unless the prior written approve of the Board shall have been obtained; however, notwithstanding the foregoing, no more than three (3) of the Units may be rented for periods of less than thirty (30) days. If an Owner is interested in leasing a Unit for less than thirty (30) days but the maximum three (3) Units are

already leasing for less than thirty (30) days, the Owner can request that the Unit be placed on a short-term rental waiting list maintained by the Association. Any lease of a Unit shall be in writing and shall provide, among other things, that the terms of the lease shall be subject in all respects to the Governing Documents and that any failure by the lessee to comply with all of the terms of such Governing Documents shall constitute a default under the lease. A true copy of each executed lease, together with such additional information as may be required by the Association, shall be given to the Association by the Unit Owner within ten (10) days of execution of the lease. The foregoing provisions shall not apply to any leases entered into by the Declarant or the Association.

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.

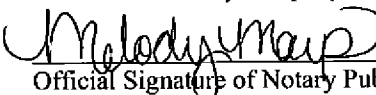
IN WITNESS WHEREOF, Declarant has caused this First Amendment to be executed, as of the date first stated above.

FMJ PROPERTIES, LLC, Declarant,
a North Carolina limited liability company

By: 
Jason Javer, Managing Partner

NORTH CAROLINA
COUNTY OF Mecklenburg

I, Melody Mays, a Notary Public, do hereby certify that Jason Javer personally came before me and acknowledged that he is a Managing Partner of FMJ Properties, 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: ^{mm} ~~July 12, 2021~~ May 24, 2021

Melody Mays
Notary's Printed or Typed Name, Notary Public

(Official Seal)

My commission expires: July 12, 2021

