

AMENDMENT TO
CONDOMINIUM DECLARATION OF
SHEARWATER CONDOMINIUM
EXPANDING THE CONDOMINIUM TO INCLUDE PHASE III-C

THIS AMENDMENT is made this 29th day of December, 1987 by SPA CREEK ASSOCIATES, a Limited Partnership, duly organized and existing under the laws of the State of Maryland, being the "Developer" as that term is used in the Maryland Condominium Act, and hereinafter referred to as the "Declarant".

WHEREAS, Declarant executed certain documents establishing the Shearwater Condominium and caused such documents to be recorded among the Land Records of Anne Arundel County beginning at Liber 3471, folio 169, et seq. and is delineated on plats of the condominium recorded in Condominium Plat Book 20 at folio 47-50, and Condominium Plat Book E-21, folios 1 through 26, both inclusive, and subjected the land described to a condominium reserving the right to certain expansion; and

RECORD FEE 34.00
POSTAGE .50

WHEREAS, the Declarant, with unanimous consent of the unit owners and mortgagees, amended the Condominium Declaration, which amendment is duly recorded among the Land Records of Anne Arundel County in Liber 3575, folio 518, et seq., wherein Declarant reserved the right to expand the condominium by adding to it certain property, which property includes Phase II (which has already been added to the condominium by virtue of an amendment dated the 22nd day of February, 1984, and recorded among the Land Records of Anne Arundel County in Liber 3700, folio 583) Phase III-A (which has already been added to the Condominium by virtue of an amendment dated the 3rd day of May, 1985 and recorded among the Land Records of Anne Arundel County in Liber 3882, folio 328), and Phase III-B

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12/31/87

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(which has already been added to the condominium by virtue of an amendment dated the 16th day of June, 1986 and recorded among the Land Records of Anne Arundel County in Liber 4117, folio 29), as well as certain property referred to herein as "Phase III-C"; and

WHEREAS, the Declarant now wishes to add Phase III-C to the condominium; and

WHEREAS, the Declarant is filing the necessary condominium plats for Phase III among the Land Records of Anne Arundel County simultaneous with the recording of this Declaration.

NOW, THEREFORE, pursuant to Maryland Code, Real Property Article, Section 11-120, and the powers reserved in Article V of the Declaration amended as aforesaid, Declarant hereby amends the Condominium Declaration as follows:

1. Additions. Declarant hereby adds Phase III-C, and subjects it to the condominium regime created by the Declaration of Shearwater Condominium, all of which is described in the attached "Description of Phases I, II, III-A, III-B, and III-C of Shearwater, a Maryland Condominium, City of Annapolis, Maryland (94 units.)"

2. Limited Common Elements. The area noted on the Plat as the limited common element reserved for the use of Unit 94 is hereby reserved for the purpose of creating up to seven (7) limited common element garages for storage of vehicles, as well as common access areas for the garages, so long as the appropriate permits can be obtained for such construction. The right is reserved to the Declarant, or the owner of Unit 94 to divide the limited common element area into as many as seven (7) separate limited common elements, each of which may be conveyed for the use of other units pursuant to Maryland

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Code, Real Property Article, Section 11-108b. The right is reserved to the Declarant, or the owner of Unit 94, by an Amended Plat filed by that party to designate the specific areas of the limited common elements to be used for each garage, or for common access, and to convey each such limited common element garage for the exclusive use of any unit in the Condominium, or to convey the common access areas for the use in common of any units in the Condominium, all in accordance with Maryland Code, Real Property Article, Section 11-108(b).

3. Percentage Interest and Voting. The new percentage interests of the unit owners and the votes which each unit owner may cast when the condominium is expanded are as set forth on attached Exhibit "Shearwater Condominium - Phase I, II, III-A, III-B, III-C (94 units)."

Except as specifically set forth and modified herein, all terms and provisions of the Condominium Declaration previously recorded and amended are hereby ratified and confirmed, and shall remain in full force and effect.

IN WITNESS WHEREOF, the Declarant has caused this Amendment to be executed by its general partner, the day and year first above written.

WITNESS:

Narah Edington

SEA CREEK ASSOCIATES

BY: [Signature]
Paul M. Pearson, II
General Partner

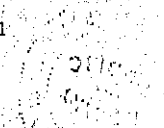
STATE OF MARYLAND, COUNTY OF ANNE ARUNDEL, to wit:

I hereby certify that on this 27th day of December, 1987, before me, the Subscriber, a Notary Public in and for the State and County aforesaid personally appeared Paul M. Pearson, II, who made oath in due form of

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law that he is the General Partner of Spa Creek Associates, and that he is authorized to execute this Amendment on behalf of the Limited partnership, and acknowledged that the Amendment is the free act and deed of the Partnership, and in my presence signed and sealed the same.

AS WITNESS my hand and Notarial Seal


John J. Johnson
Notary Public

My Commission Expires: 7/1/90

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Urban Engineering & Associates, Inc.



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ANNANDALE, VIRGINIA 22003

703-642-6050

OFFICES
 O J. EDGAR BEARS JR. P.E., C.L.S. R.L.A.
 O GARY D. SMITH P.E.

ASSOCIATES
 O PHILLIP A. BLEVINS C.L.S.
 O GARY P. BOWMAN P.E.

December 29, 1987

Description of

PHASE I, II, III-A, III-B, III-C (94 UNITS)

"SHEARWATER"

Anne Arundel County, Maryland

Beginning for the same at a point on the north side of Boucher Avenue, 30 foot wide, said point being the easterly corner of Lutkafeddar property, DB 2893, Pg. 636; thence departing said point and running with the limits of "SHEARWATER" as recorded in Liber 3471 at Page 169 among the Land Records of Anne Arundel County, Maryland, with bearings as corrected to Annapolis Metropolitan Sewerage Commission Grid North

- 1.) North 35° 41' 59" West, 100.70 feet to a point; thence
- 2.) North 29° 27' 59" West, 50.71 feet to a point; thence
- 3.) South 63° 43' 01" West, 144.94 feet to a point on the easterly shore of Spa Creek; thence running with said shoreline
- 4.) North 05° 32' 59" West, 22.05 feet to a point; thence
- 5.) North 07° 37' 59" West, 80.04 feet to a point; thence
- 6.) North 06° 56' 42" East, 61.73 feet to a point; thence
- 7.) North 39° 55' 59" West, 52.85 feet to a point; thence
- 8.) North 49° 01' 59" West, 220.10 feet to a point; thence
- 9.) North 60° 46' 59" West, 96.44 feet to a point; thence
- 10.) North 11° 42' 01" East, 63.30 feet to a point; thence

- 11.) North 22° 13' 01" East, 35.01 feet to a point; thence
- 12.) North 67° 46' 59" West, 10.94 feet to a point; thence
- 13.) North 20° 25' 18" West, 8.98 feet to a point; thence
- 14.) North 25° 04' 43" East, 160.50 feet to a point; thence
- 15.) North 46° 19' 08" East, 72.25 feet to a point; thence
- 16.) South 41° 37' 47" East, 252.40 feet to a point; thence
- 17.) South 46° 00' 16" East, 38.46 feet to a point; thence
- 18.) South 37° 35' 42" East, 62.70 feet to a point; thence
- 19.) North 56° 58' 40" East, 63.23 feet to a point; thence
- 20.) North 24° 40' 49" West, 116.45 feet to a point; thence
- 21.) North 39° 32' 12" West, 129.60 feet to a point; thence
- 22.) North 28° 13' 36" East, 214.04 feet to a point; thence departing Spa Creek
- 23.) South 23° 43' 52" East, 573.13 feet to a point on the southerly right-of-way of Miami Avenue, 30 foot wide; thence with said right-of-way
- 24.) North 66° 01' 08" East, 251.46 feet to a point; thence departing said right-of-way and running
- 25.) South 23° 58' 52" East, 150.00 feet to a point; thence
- 26.) South 66° 01' 08" West, 252.16 feet to a point; thence
- 27.) South 23° 42' 52" East, 150.00 feet to a point on said northerly side of Boucher Avenue; thence with said Boucher Avenue
- 28.) South 66° 01' 08" West, 10.00 feet to a point; thence
- 29.) South 23° 42' 52" East, 5.23 feet to a point; thence
- 30.) South 63° 43' 01" West, 257.28 feet to the point of beginning containing 349,689 square feet or 8.02775 acres.

EXHIBIT

SHALFATER CONCRETEWORK - CHASE I, II, III-A, III-B, III-C

(94 15 133)

Percentage Interests in Common Elements,
Common Expenses and Common Profits -
Also Controls Voting Rights ("rounded
to three decimal places for convenience)

Unit No.	Unit Type	
1A	2 BR (T)	1.266
1A1	1 BR	0.806
1A2	1 BR	0.806
1A3	2 BR (D)	1.008
1B1	2 BR	1.008
1B2	2 BR	1.008
1B3	2 BR (C)	1.040
2A	2 BR (T)	1.266
2A1	1 BR	0.806
2A2	1 BR	0.806
2A3	2 BR (E)	1.008
2B1	2 BR	1.008
2B2	2 BR	1.008
2B3	2 BR (C)	1.040
3A	2 BR (T)	1.266
3A1	1 BR	0.806
3A2	3 BR (B)	1.314
3B1	2 BR	1.008
3B2	2 BR	1.008
3B3	2 BR (C)	1.040
4A	2 BR (T)	1.266
4A1	3 BR	1.468
4A2	3 BR (D)	1.314
4B2	2 BR	1.008
4B3	2 BR (C)	1.040
5A1	1 BR	0.806
5A2	1 BR	0.806
5A3	2 BR (D)	1.008
5B1	2 BR	1.008
5B2	2 BR	1.008
5B3	2 BR (C)	1.040
6A1	1 BR	0.806
6A2	1 BR	0.806
6A3	2 BR (E)	1.008
6B1	2 BR	1.008
6B2	2 BR	1.008
6B3	2 BR (C)	1.040
7A	3 BR (T)	1.395
7A1	2 BR	1.008
7A2	2 BR	1.008
7A3	2 BR (C)	1.040
7B1	2 BR	1.008
7B2	2 BR	1.008
7B3	2 BR (C)	1.040
8A	2 BR (T)	1.266
8A1	1 BR	0.806
8A2	1 BR	0.806
8A3	2 BR (D)	1.008
8B1	2 BR	1.008
8B2	2 BR	1.008
8B3	2 BR (C)	1.040
11A	2 BR (T)	1.266
11A1	1 BR	.806
11A2	1 BR	.806
11A3	2 BR (D)	1.008

EXPENSE

11F1	7 BR	1,000
11F2	2 BR	1,000
11F3	2 BR (C)	1,040
12A	2 BR (T)	1,266
12A1	3 BR	1,468
12A2	1 BR	0,806
12A3	2 BR (D)	1,080
12F2	2 BR	1,000
12F3	2 BR (C)	1,040
13A	2 BR (T)	1,266
13A1	1 BR	806
13A2	1 BR	806
13A3	2 BR (C)	1,080
13B1	2 BR	1,000
13B2	2 BR	1,000
13F2	2 BR (C)	1,040
14A	2 BR (T)	1,266
14F1	1 BR	0,806
14A1	1 BR	0,806
14A3	2 BR (D)	1,080
14B1	2 BR	1,000
14B2	2 BR	1,000
14B3	2 BR (C)	1,040
15A	3 BR (T)	1,395
15A1	2 BR	1,000
15A2	2 BR	1,000
15A3	2 BR (C)	1,040
15B1	2 BR	1,000
15B2	2 BR	1,000
15B3	2 BR (C)	1,040
16A	2 BR (T)	1,266
16F1	3 BR	1,468
16A3	3 BR (AMENDED)	1,540
16F2	2 BR	1,000
16B3	2 BR (C)	1,040
9A	3 BR/TH	1,468
9B	3 BR/TH	1,468
10	3 BR/TH	1,468
10B	3 BR/CF	1,474

SUMMARY BY UNIT TYPE AND NUMBER

1BR	10	0,806	14,514
2BR	29	1,000	29,229
2BR(C)	16	1,040	16,642
2BR(D)	9	1,080	9,724
2BR(T)	10	1,266	12,659
3BR(D)	2	1,314	2,629
3BR(T)	2	1,395	2,790
3BR	7	1,468	10,273
3BR Amended	1	1,540	1,540
	94		100,000

~~Mail to~~ Paul Pearson