

LIBER 2684 FOLIO 586

SEVENTH AMENDMENT TO CONDOMINIUM DECLARATION

For

"THE ISLAND AT HIDDEN HARBOUR"

(An Expanding Condominium)

**ADDING "PHASE VII", "BUILDING G"
(ALSO KNOWN AS THE "LANAI BUILDING"),
AND "PHASE XII (POOL B)"
TO THE CONDOMINIUM REGIME**

THIS SEVENTH AMENDMENT TO THE CONDOMINIUM DECLARATION, made this 29th day of April, 1999, by Hidden Harbour VI, Inc., a Maryland corporation (hereinafter referred to as "Developer").

WHEREAS Developer has previously executed a Condominium Declaration for The Island At Hidden Harbour, a condominium, dated June 7, 1993, which Declaration has been recorded among the Land Records of Worcester County, Maryland in Liber R.H.O. No. 1939, Folio 257, et seq. (hereinafter referred to as the "Original Condominium Declaration") and has recorded a Condominium Plat entitled "The Island At Hidden Harbour (A Condominium)" among said records in Liber R.H.O. No. 135, Folio 69-74 (hereinafter referred to as the "Original Condominium Plat"), thereby submitting certain lands located in the Town of Ocean City, Worcester County and State of Maryland together with certain buildings and improvements constructed thereon (designated therein as the "Phase I Property" and the "Phase XI Property" and more fully described therein in Exhibits "A-1" and "A-11" thereto) to a condominium regime

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pursuant to the provisions of the Condominium Act, §11-101, et seq. of the Real Property Article of the Annotated Code of Maryland; and

WHEREAS, Developer has also previously executed a First Amendment to Condominium Declaration dated February 25, 1994, which has been recorded among the aforesaid Land Records in Liber R.H.O. No. 2030, Folio 549, et seq., the effect of which was to add "Phase II", "Building B" to the condominium regime; and

WHEREAS, Developer has also previously executed a Second Amendment to Condominium Declaration dated June 14, 1994, which has been recorded among the aforesaid Land Records in Liber R.H.O. No. 2068, Folio 484, et seq., the effect of which was to add "Phase III", "Building C" to the condominium regime; and

WHEREAS, Developer has also previously executed a Third Amendment to Condominium Declaration dated June 6, 1995, which has been recorded among the aforesaid Land Records in Liber R.H.O. No. 2167, Folio 192, et seq., the effect of which was to add "Phase IV", "Building D" to the condominium regime; and

WHEREAS, Developer has also previously executed a Fourth Amendment to Condominium Declaration dated June 20, 1996, which has been recorded among the aforesaid Land Records in Liber R.H.O. No. 2286, Folio 166, et seq., the effect of which was to add "Phase V", "Building E" (also known as the "Hawaii Building") to the condominium regime; and

WHEREAS, Developer has also previously executed a Fifth Amendment to Condominium Declaration dated April 11, 1997, which has been recorded among the aforesaid Land Records in

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Liber R.H.O. No. 2376, Folio 414, et seq., the effect of which was to add "Phase VI", "Building F" (also known as the "Kauai Building") to the condominium regime; and

WHEREAS, Developer has also previously executed a Sixth Amendment to Condominium Declaration dated April 15, 1998, which has been recorded among the aforesaid Land Records in Liber R.H.O. No. 2508, Folio 163, et seq., the effect of which was to add "Phase IX", "Building J" (also known as the "Oahu Building") to the condominium regime; and

WHEREAS, Developer in said Original Condominium Declaration reserved the right, pursuant to §11-120 of the Condominium Act, to submit certain additional lands in said town, county and state to the condominium regime established by the Original Condominium Declaration, the additional property being referred to collectively therein as the "Expansion Phases Property" and being more fully described in Exhibits "A-2" through "A-10", and "A-12" as set forth therein; and

WHEREAS, Developer now wishes to submit to the condominium regime as "Phase VII" thereof the land and property together with certain buildings and improvements constructed thereon which are more fully set forth in Exhibit "A-7" attached hereto. Developer also wishes to submit to the condominium regime as "Phase XII" thereof the land and improvements which are more fully set forth on Exhibit "A-12" attached hereto. The "Phase VII" description is the same property described in Exhibit "A-7" to the Original Condominium Declaration. The "Phase XII" description is the same property described in Exhibit "A-12" to the Original Condominium Declaration.

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NOW, THEREFORE, THIS SEVENTH AMENDMENT TO CONDOMINIUM DECLARATION WITNESSETH: That Developer, for itself, its successors and assigns, does hereby expressly establish and declare the following:

1. **Submission of Additional Property to the Condominium Regime.**

The Developer hereby submits the "Phase VII" property as set forth and described in Exhibit "A-7" attached hereto and incorporated herein by reference, together with the improvements thereon and all the rights and appurtenances thereto belonging to or in any manner appertaining, to the condominium regime established by the Original Condominium Declaration. The "Phase VII" property submitted to the condominium regime by this Seventh Amendment contains one (1) 3-story building (designated as "Building G", also known as the "Lanai Building", on the plat hereinafter mentioned) containing a total of eighteen (18) units and common elements as more fully described herein. The "Phase XII" property submitted to the condominium regime by this Seventh Amendment contains Pool B and appurtenant improvements which are all general common elements of the condominium. The phases of the project submitted to the condominium regime by this Amendment is depicted on the Original Condominium Plat, and the property, building and units submitted by this Amendment are more particularly shown and depicted on the Amendments to the Condominium Plat, entitled "The 'Lanai' Building - The Island At Hidden Harbour (A Condominium)", prepared by John H. Plummer and Associates, Inc., Registered Land Surveyors, dated March 26, 1999, a copy of which is recorded or intended to be recorded among the Worcester County Land Records simultaneously herewith.

2. **Condominium Buildings and Units.**

(a) **Condominium Building.** The condominium units within "Phase VII" ("Building G" also known as the "Lanai Building") are contained in one (1) building containing a total of eighteen (18) units, as follows:

(i) **"Phase VII" Building.** The condominium units in the "Phase VII" building are contained in a 3-story building (designated as "Building G", also known as the "Lanai Building", on plat hereinafter mentioned) containing a total of eighteen (18) units. The location and configuration of the Condominium building is more fully shown and designated on the Condominium Plats. The units in the "Phase VII" building are numbered as follows: six (6) units on the first floor thereof designated by unit numbers 143-G through 148-G; six (6) units on the second floor thereof designated by unit numbers 243-G through 248-G; and six (6) units on the third floor thereof designated by unit numbers 343-G through 348-G.

(b) **Condominium Units.** Each unit within the condominium regime is designated by a corresponding unit number as set forth on the Condominium Plats and consists of an enclosed three-dimensional space, the perimeters, dimensions and locations of which are more fully shown and designated on said Condominium Plats which are incorporated herein by reference.

(c) **Limited Common Elements.** Balcony areas reserved to the exclusive use of adjacent condominium units are shown as limited common elements appurtenant to the respective units whose numbers are shown on the amendments to the Condominium Plat, a copy of which is recorded or intended to be recorded among the Land Records simultaneously herewith.

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(d) **“Phase XII”/Pool B.** The land, building and improvements submitted to the condominium regime by this Amendment as “Phase XII (Pool B)” together with all buildings, improvements and related real and personal property and fixtures and/or equipment are general common elements within the condominium regime.

3. Effect of Amendment; Percentage Interests and Votes Appurtenant to Units.

As provided in the Original Condominium Declaration, upon the recording of this instrument, the additional property submitted to the condominium regime hereby and the property previously submitted to the condominium regime shall be and constitute one and the same condominium regime, subject to and in accordance with the terms and provisions of the Original Condominium Declaration in all respects.

Without limiting the foregoing, each owner of a condominium unit and respective percentage interest in the Condominium, as constituted prior to the recordation of this instrument (and the mortgagee or beneficiary of any mortgage or deed of trust on such unit, as his, her, its or their interest may appear) shall have and be vested with an undivided interest in the common elements in the additional property submitted to the regime by this instrument equal to that set forth in paragraph 5 and Exhibit “B” of the Original Condominium Declaration, applied as of a time immediately after the submission of the additional property submitted to the condominium regime as called for herein.

As provided in paragraph 5 and Exhibit “B” of the Original Condominium Declaration, each unit owner in the condominium regime (regardless whether the unit is a part of the property previously submitted to the condominium regime or the additional property added hereby) shall

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have an undivided percentage interest in the common elements, common expenses and common profits of the Condominium equal to that set forth in Exhibit "B" to the Original Condominium Declaration. In accordance with paragraph 8(b) of the Original Condominium Declaration, each unit owner in the condominium regime (regardless whether the unit is a part of the property previously submitted to the condominium regime or the additional property added hereby) shall have one (1) vote at meetings of the Council of Unit Owners and said one (1) vote is appurtenant to each unit.

4. Original Declaration Controlling.

Except as modified or amended by express provision herein or by necessary implication, the terms and provisions of the Original Condominium Declaration, and the By-laws of the Condominium shall apply to the entire condominium regime consisting of the "Phase I" property, the "Phase XI" property, the "Phase II" property, the "Phase III" property, the "Phase IV" property, the "Phase V" property, the "Phase VI" property, the "Phase IX" property, and the "Phase VII" property and the "Phase XII" property added hereby, and shall be controlling as to all matters and issues in the condominium regime, as thus expanded, from and after the date of recordation of this Amendment.

IN WITNESS WHEREOF, the Developer has caused this Seventh Amendment to the Condominium Declaration for "The Island At Hidden Harbour" Condominium to be executed on its behalf the day and year first above written.

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ATTEST:

HIDDEN HARBOUR VI, INC.

[Signature]

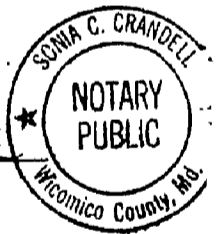
By: *Thomas P. Monahan* (SEAL)
Thomas P. Monahan
Vice President

STATE OF MARYLAND, COUNTY OF WICOMICO:

I HEREBY CERTIFY, that on this 29th day of April, 1999, before me, the subscriber, a Notary Public of the State of Maryland, in and for Wicomico County, personally appeared Thomas P. Monahan, who acknowledged himself to be Vice President of Hidden Harbour VI, Inc., a Maryland corporation, who, being authorized to do so, executed the foregoing instrument by signing, in my presence, the name of the said corporation for the purposes therein contained.

AS WITNESS my hand and seal, the day and year first above written.

Sonia C. Crandell
Notary Public



My Commission Expires:
4/22/00

Sonia C. Crandell
Notary Public, State of Maryland
My Commission Expires April 22, 2000

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EXHIBIT "A-7"

To Condominium Declaration for
"THE ISLAND AT HIDDEN HARBOUR"
(A CONDOMINIUM)

Property Description for
the "Phase VII Property"

All that piece or parcel of land situate, lying and being in the town of Ocean City, Tenth Election District, Worcester County, state of Maryland, and located generally to the south of the lands of the Town of Ocean City known as Northside Park, and located generally to the west and south of the cul-de-sac at the end of 125th Street therein and located generally west of the lands of Hidden Harbour V Condominium and west of an existing unnamed manmade canal or lagoon.

Beginning for the outlines of same at a point on the northerly boundary line of the "Phase VI Property" of "The Island at Hidden Harbour" (A Condominium) as set forth in Exhibit "A-6" to the Condominium Declaration for that condominium, said point of beginning being the point at the end of the 22nd course of the "Phase VI Property" description aforesaid; thence

(1) North 83°11'42" West, 130.48 feet to a point; thence

(2) South 22°48'18" West, 7.54 feet to a point; thence

(3) Along a curve having a radius of 10.00 feet, an arc or distance of 2.52 feet to a point;

thence

(4) North 67°11'42" West, 47.32 feet to a point; thence

(5) Along a curve having a radius of 97.00 feet, an arc or distance of 47.35 feet to a point;

thence

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- Continued -
Exhibit "A-7"
Property Description for the "Phase VII Property"
The Island at Hidden Harbour
Page 2

(6) South 84°50'16" West, 117.88 feet to a point and the highwater line of Assawoman Bay; thence

(7) By and with the meanderings of the highwater line of Assawoman Bay a course and distance approximately as follows: North 09°39'03" West, 71.23 feet to a point; thence

(8) By and with the meanderings of the highwater line of Assawoman Bay a course and distance approximately as follows: North 30°48'29" West, 84.24 feet to a point; thence

(9) By and with the meanderings of the highwater line of Assawoman Bay a course and distance approximately as follows: South 88°58'34" East, 76.45 feet to a point; thence

(10) By and with the meanderings of the highwater line of Assawoman Bay a course and distance approximately as follows: North 57°01'03" East, 65.08 feet to a point; thence

(11) By and with the meanderings of the highwater line of Assawoman Bay a course and distance approximately as follows: North 54°12'29" East, 36.02 feet to a point; thence

(12) By and with the meanderings of the highwater line of Assawoman Bay a course and distance approximately as follows: North 56°59'54" West, 28.20 feet to a point; thence

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- Continued -
Exhibit "A-7"
Property Description for the "Phase VII Property"
The Island at Hidden Harbour
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(13) By and with the meanderings of the highwater line of Assawoman Bay a course and distance approximately as follows: North 16°14'32" West, 13.82 feet to a point; thence

(14) South 67°11'42" East, 155.94 feet to a point; thence

(15) North 22°48'18" East, 3.15 feet to a point; thence

(16) South 83°11'42" East, 112.35 feet to a point; thence

(17) South 06°48'18" West, 43.00 feet to a point; thence

(18) North 83°11'42" West, 9.00 feet to a point; thence

(19) South 06°48'18" West, 63.00 feet to a point; thence

(20) North 83°11'42" West, 9.00 feet to a point; thence

(21) South 06°48'18" West, 20.00 feet to a point and the place of the beginning.

The within-described property being shown as the "Phase VII Property" consisting of 1.136 acres, more or less, on that certain condominium plat for "The Island at Hidden Harbour" (A Condominium), prepared by John H. Plummer & Associates, Inc., Registered Land Surveyors, dated March 26, 1999, and recorded or intended to be recorded simultaneously herewith among the Plat Records of Worcester County, Maryland; and being a part only of the

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- Continued -
Exhibit "A-7"
Property Description for the "Phase VII Property"
The Island at Hidden Harbour
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lands conveyed unto Hidden Harbour VI, Inc., a Maryland corporation, by deed from Larmar Corporation dated June 7, 1993, and recorded among the Land Records of Worcester County, Maryland at Liber R.H.O. No. 1939, Folio 251, et seq., and by confirmatory deed dated August 9, 1993, and recorded as aforesaid in Liber R.H.O. No. 1962, Folio 355, et seq.

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EXHIBIT "A-12"

To Condominium Declaration for
"THE ISLAND AT HIDDEN HARBOUR"
(A CONDOMINIUM)

Property Description for
the "Phase XII Property"
(Pool B)

All that piece or parcel of land situate, lying and being in the town of Ocean City, Tenth Election District, Worcester County, state of Maryland, and located generally to the south of the lands of the Town of Ocean City known as Northside Park, and located generally to the west and south of the cul-de-sac at the end of 125th Street therein and located generally west of the lands of Hidden Harbour V Condominium and west of an existing unnamed manmade canal or lagoon.

Being the piece or parcel of land surrounded generally by the "Phase III", "Phase IV" "Phase V" and "Phase VI" properties within the condominium and being shown and designed as the "Phase XII Property" on the condominium plat hereinafter referred to; and beginning for the outlines of the same at the end of the 6th course of the "Phase III Property" phase description (erroneously referred to in the Original Condominium Declaration as the 5th course of the Phase III Property); thence from said point of beginning:

- (1) North 83°11'42" West, 215.12 feet to a point; thence
- (2) South 29°50'42" East, 101.78 feet to a point; thence
- (3) South 54°45'00" East, 175.57 feet to a point; thence
- (4) North 06°48'18" East, 165.28 feet to the place of the beginning.

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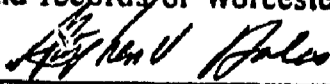
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Exhibit "A-12"
Property Description for the "Phase XII Property"
The Island at Hidden Harbour
Page 2

The within-described property being shown as the "Phase XII Property" (Pool B) consisting of 21,540.377 square feet, more or less, shown as the Phase XII property entitled "Pool and Tennis Court" on Sheet 2A on that certain condominium plat for "The Island at Hidden Harbour" (A Condominium), prepared by John H. Plummer & Associates, Inc., Registered Land Surveyors, dated March 26, 1999, and recorded or intended to be recorded immediately prior hereto among the Plat Records of Worcester County, Maryland; and being a part only of the lands conveyed unto Hidden Harbour VI, Inc., a Maryland corporation, by deed from Larmar Corporation dated June 7, 1993, and recorded among the Land Records of Worcester County, Maryland at Liber R.H.O. No. 1939, Folio 251, et seq., and by confirmatory deed dated August 9, 1993, and recorded as aforesaid in Liber R.H.O. No. 1962, Folio 355, et seq.

Plat recorded S.V.H. 158 folios 42 thru 48

IMP FD CURR \$	2.00
RECORDING FEE	75.00
TOTAL	77.00
Res# 14081	Rcpt # 49814
SVH 1864	Blk # 2915
Apr 30, 1999	08:35 am

APR 30 1999
The foregoing instrument
filed for record and is accordingly recorded
among the land records of Worcester County,
Maryland.


Clerk