

BOOK 3359 PAGE 47

AMENDMENT TO DECLARATION
OF CONDOMINIUM FOR
AUTUMN CHASE, A CONDOMINIUM

PRESENTED
FOR
REGISTRATION
SEP 17 10 51 AM '85
KENNETH M. ...
REGISTRATION ...
WAKE COUNTY

EXHIBITS:

- A - Property Added by This Amendment
- B - Submitted Property
- C - Schedule of Condominium Unit Information
- D - Certification of Plans

RECORDING REFERENCES:

Declaration (original and amendment prior to this one):
Deed Book 3359, Page 254 (Declaration); and, Deed Book 3451, Page 855
(Amendment)

Plat (original and amendment prior to this one):
Condominium File No. 65, Page 1 (Phase One); and, Page 11 (Phase Two)

Plans (original and amendment prior to this one):
Condominium File No. 65, Pages 3 through 10 (Phase One)
Condominium File No. 65, Pages 3 through 8; and,
Pages 12 and 13 (Phases Two and Three)

Plat (for this amendment):
Condominium File No. 65, Page 14

Prepared by and return to: William W. Bunch, III
JORDAN, BROWN, PRICE & WALL
Suite 210, N.C. Federal Building
4900 Falls of Neuse Road
Raleigh, NC 27609

AMENDMENT TO DECLARATION OF
AUTUMN CHASE, A CONDOMINIUM

THIS AMENDMENT, is made as of August 14, 1985, by Calibre Autumn Chase, Ltd., whose sole general partners are Steve M. Simpson, a natural person, and Calibre Properties, Inc., a Georgia corporation, 6040 Six Forks Road, Suite C, Raleigh, North Carolina 27609 (the "Declarant"), and is joined in by 1st Home Federal Savings and Loan Association of the Carolinas, F.A. (the "Mortgagee") and Henry V. Cunningham, Jr. ("Trustee") for the Mortgagee.

STATEMENT OF BACKGROUND INFORMATION

The Declaration of Autumn Chase, A Condominium, is dated September 25, 1984 and is recorded in Book 3359, Page 254, Wake County Registry. The Plat and Plans accompanying the Declaration and the amendments thereto are recorded as set forth on the first page of this Amendment. The Declaration, in Section 3.7, reserved to the Declarant the option to expand the Condominium as set forth in such Section 3.7. Declarant desires to expand the Condominium pursuant to Section 3.7 of the Declaration as hereinafter set forth.

STATEMENT OF AMENDMENT

The Declaration is hereby amended as follows:

1. Addition of Property. The portion of the Additional Property described in Exhibit A, attached hereto and incorporated herein by this reference, is hereby added to the Condominium and submitted to the Declaration and the Unit Ownership Act. It is the intent of Declarant to add to the Condominium by this Amendment a portion of the Additional Property described in the Declaration. The Submitted Property (including both the property added hereby and the property previously submitted) is described in Exhibit B, attached hereto and incorporated herein by this reference.
2. Unit Information. The Schedule of Unit Information attached hereto as Exhibit C and incorporated herein by this reference is hereby substituted for the Schedule of Unit Information attached as Exhibit C to the Amendment recorded in Deed Book 3451, Page 855, Wake County Registry. This revised Schedule of Unit Information attached hereto as Exhibit C sets forth for each Unit its identifying number, undivided interest in the Common Areas and Facilities, weight of Votes in the Association, and share of liability for Common Expenses.
3. Plat and Plans. The Plat and Plans filed in connection with the expansion of the Condominium are recorded as set forth on the first page of this Amendment. The Plans applicable to this expansion of the Condominium are filed in Condominium File No. 65, Pages 3 through 8; and, Pages 12 and 13. The Plans are certified or recertified, as the case may be, pursuant to the Certification of Plans attached hereto as Exhibit D and the Plat, Plans and Certification of Plans are incorporated herein by this reference.

4. Effect. The Declaration and other Condominium Instruments, as hereby amended, shall remain in full force and effect with respect to the Submitted Property described in Exhibit B hereto. In particular, but without limitation, the property added hereby shall contain eight (8) Units owned by Declarant having boundaries and Limited Common Areas and Facilities as shown on the Plat and Plans and as provided in the Condominium Instruments, with the balance of the property added hereby being Common Areas and Facilities.

5. Definitions. The terms defined in the Declaration shall, when used herein, have the meaning given to them in the Declaration, except and to the extent that such term is changed by this Amendment.

6. Subordination and Joinder by Mortgagee. The undersigned Mortgagee and Trustee hereby join in the execution of this Amendment in their capacity as Mortgagee and Trustee for the sole purpose of consenting to this Amendment and subordinating the lien of their Mortgage recorded in Book 3174, Page 406, Wake County Registry, as modified by Modification Agreements recorded in Book 3438, Page 704; and, Book 3532, Page 214, Wake County Registry, to this Amendment and not as Declarant. Henry V. Cunningham, Jr. was substituted as Trustee by virtue of that certain Substitution of Trustee recorded in Book 3426, Page 881, Wake County Registry.

IN WITNESS WHEREOF, this Amendment has been executed under seal as of the day and year first above written.

CALIBRE AUTUMN CHASE, LTD., a Georgia
limited partnership

By: Steve M. Simpson (SEAL)
Steve M. Simpson, general partner

By: CALIBRE PROPERTIES, INC., a Georgia
corporation, general partner

By: Steve M. Simpson
Steve M. Simpson, Assistant Vice
President

(CORPORATE SEAL)

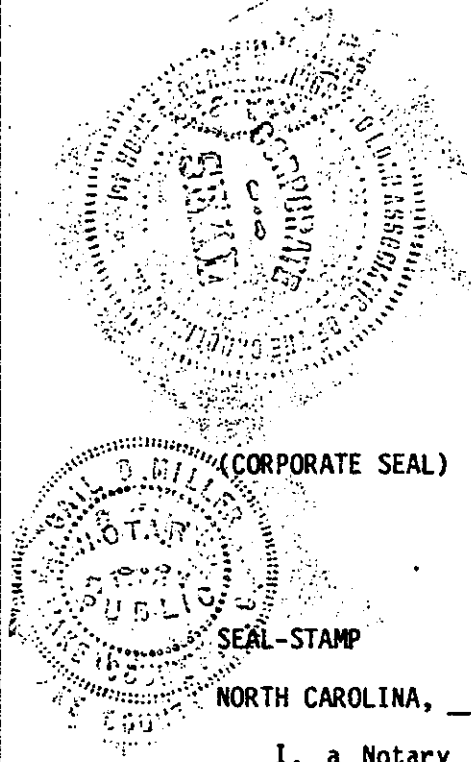
Attest: William W. Bunch III
William W. Bunch, III, Assistant Secretary

Henry V. Cunningham (SEAL)
Henry V. Cunningham, Trustee
MORTGAGEE

1ST HOME FEDERAL SAVINGS AND LOAN ASSOCIATION OF THE CAROLINAS, F.A. (formerly 1st Home Federal Savings and Loan Association of Greensboro)

By: [Signature]
V.P.

Attest: Janet M. Murray
Asst. Sec.

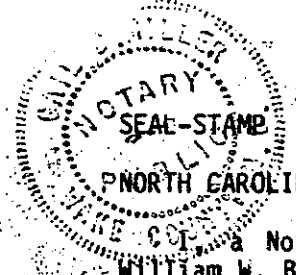


NORTH CAROLINA, Wake County.

I, a Notary Public of the County and State aforesaid, certify that Steve M. Simpson, general partner of Calibre Autumn Chase, Ltd., a Georgia limited partnership, personally appeared before me this day and acknowledged the execution of the foregoing instrument, Witness my hand and official stamp or seal, this 14th day of August, 1985.

David D. Miller
NOTARY PUBLIC

My commission expires: 7/15/90

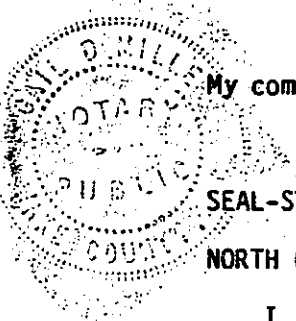


NORTH CAROLINA, Wake County.

I, a Notary Public of the County and State aforesaid, certify that William W. Bunch, III, personally came before me this day and acknowledged that he is Assistant Secretary of Calibre Properties, Inc., a Georgia corporation, which executed the foregoing instrument as general partner of Calibre Autumn Chase, Ltd., a Georgia limited partnership, and that by authority duly given and as the act of the corporation as general partner, the foregoing instrument was signed in its name by its Assistant Vice President, sealed with its corporate seal and attested by him as its Assistant Secretary. Witness my hand and official stamp or seal, this 14th day of August, 1985.

Gail D. Miller
NOTARY PUBLIC

My commission expires: 7/15/90



NORTH CAROLINA, Wake County.

I, a Notary Public of the County and State aforesaid, certify that Henry V. Cunningham, Jr., Trustee, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 14 day of August, 1985.

Gail D. Miller
NOTARY PUBLIC

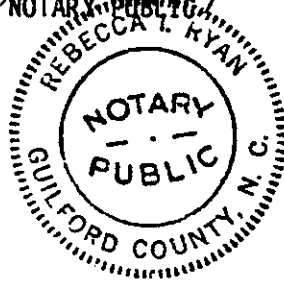
My commission expires: 7/15/90

STATE OF NORTH CAROLINA
COUNTY OF GUILFORD

I, Rebecca L. Ryan, a Notary Public of the County and State aforesaid, certify that Janet M. Murray personally came before me this day and acknowledged that she is Assistant Secretary of 1ST HOME FEDERAL SAVINGS AND LOAN ASSOCIATION OF THE CAROLINAS, F.A., Beneficiary, a United States corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Vice President, sealed with its corporate seal and attested by its Assistant Secretary.

Witness my hand and official seal, this 16 day of August, 1985.

Rebecca L. Ryan
NOTARY PUBLIC



My Commission Expires:

Nov. 6, 1989

NORTH CAROLINA - WAKE COUNTY

The foregoing certificate of Paul D. Miller
Rebecca L. Ryan

Notar(y)(ies) Public is (are) certified to be correct. This instrument and this certificate are duly registered at the date and time and in the book and page shown on the first page hereof.

KENNETH C. WILKINS, Register of Deeds

By Joyce B. Johnson
Asst. / Deputy Register of Deeds

EXHIBIT A
TO
AMENDMENT TO DECLARATION OF CONDOMINIUM
PROPERTY ADDED BY THIS AMENDMENT

All that certain lot or parcel of land located in Leesville Township, Wake County, North Carolina, more particularly described as follows:

BEGINNING at a point which is the same as the northeastern corner of Phase Two, Autumn Chase, as shown on plat of survey recorded in Condominium File 65, Page 11, Wake County Registry, running thence South $89^{\circ} 11' 51''$ East 270.72 feet to a point; running thence South $00^{\circ} 39' 41''$ West 337.95 feet to a point; running thence North $62^{\circ} 50' 46''$ West 80.00 feet to a point; running thence North $32^{\circ} 39' 21''$ West 362.51 feet to a point, the point and place of BEGINNING, and being all of Phase Three, Autumn Chase, as shown on plat of survey recorded in Condominium File 65, Page 14, Wake County Registry.

EXHIBIT B
TO
AMENDMENT TO DECLARATION OF CONDOMINIUM
SUBMITTED PROPERTY

All that certain lot or parcel of land located in Leesville Township, Wake County, North Carolina, more particularly described as follows:

BEGINNING at a point located at the intersection of the centerlines of Ray Road and Leesville Road, running thence with the centerline of Leesville Road, North $13^{\circ} 55' 33''$ West 123.72 feet to a point; running thence North $31^{\circ} 14' 17''$ West 289.02 feet to a point; leaving the centerline of Leesville Road and running thence North $03^{\circ} 06' 33''$ East 858.72 feet to a point; running thence in an easterly direction along the arc of a curve to the left with a radius of 1,090.00 feet, an arc distance of 309.34 feet to a point; running thence South $89^{\circ} 11' 51''$ East 533.33 feet to a point; running thence South $00^{\circ} 39' 41''$ West 337.95 feet to a point; running thence North $62^{\circ} 50' 46''$ West 80.00 feet to a point; running thence South $11^{\circ} 58' 42''$ West 287.76 feet to a point; running thence South $68^{\circ} 40' 56''$ West 88.02 feet to a point; running thence South $29^{\circ} 10' 41''$ West 225.63 feet to a point; running thence South $12^{\circ} 04' 58''$ East 243.97 feet to a point in the centerline of Ray Road; running thence South $70^{\circ} 27' 47''$ West 171.22 feet to a point; running thence along the arc of a curve running in a clockwise direction with a radius of 1195.58 feet, a distance of 262.35 feet to a point; running thence South $83^{\circ} 02' 03''$ West 12.89 feet to a point, the point and place of BEGINNING, and being all of Phases One, Two and Three, Autumn Chase, as shown on that certain plat of survey recorded in Condominium File 65, Pages 1, 11 and 14, Wake County Registry.

EXHIBIT C
TO
AMENDMENT TO DECLARATION OF CONDOMINIUM
SCHEDULE OF UNIT INFORMATION

BOOK 3559 PAGE 55

This exhibit sets forth for each Condominium Unit its Identifying Number, Size, and undivided interest in the Common Areas and Facilities, weight of the Vote in the Association, and share of liability for Common Expenses.

Unit Identifying Number	Size	PHASE ONE	
		Unit Type	Percentage of Common Areas and Facilities, Vote and Common Expenses
101	1171 sq. ft.	B	1.007
102	1079	B	0.928
103	1079	B	0.928
104	1171	B	1.007
105	1513	C	1.301
106	1591	C	1.368
107	1591	C	1.368
108	1513	C	1.301
109	1171	B	1.007
110	1079	B	0.928
111	1079	B	0.928
112	1171	B	1.007
201	1282	D	1.102
202	1282	D	1.102
203	1282	D	1.102
204	1282	D	1.102
205	1282	D	1.102
206	1282	D	1.102
301	1282	D	1.102
302	1282	D	1.102
303	1282	D	1.102
304	1282	D	1.102
305	1282	D	1.102
306	1282	D	1.102
401	1294	A with loft	1.113
402	938	A	0.807
403	938	A	0.807
404	1294	A with loft	1.113
405	1513	C	1.301
406	1591	C	1.368
407	1591	C	1.368
408	1513	C	1.301
409	1294	A with loft	1.113
410	938	A	0.807
411	938	A	0.807
412	1294	A with loft	1.113

For information, the Identifying Number of each Condominium Unit set forth above in Phase One is the same as its street number on Oak Hollow Court and Units 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111 and 112 are located in Building 1; Units 201, 202, 203, 204, 205 and 206 are located in Building 2; Units 301, 302, 303, 304, 305 and 306 are located in Building 3; and, Units 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411 and 412 are located in Building 4.

EXHIBIT C
(CONTINUED)
PHASE TWO

BOOK 3559 PAGE 56

<u>Unit Identifying Number</u>	<u>Size</u>	<u>Unit Type</u>	<u>Percentage of Common Areas and Facilities, Vote and Common Expenses</u>
701	1171 sq. ft.	B	1.007
702	1079	B	1.928
703	1079	B	1.928
704	1171	B	1.007
705	1513	C	1.301
706	1591	C	1.368
707	1591	C	1.368
708	1513	C	1.301
709	1171	B	1.007
710	1079	B	0.928
711	1079	B	0.928
712	1171	B	1.007
101	1294	A with loft	1.113
102	938	A	0.807
103	938	A	0.807
104	1294	A with loft	1.113
105	1513	C	1.301
106	1591	C	1.368
107	1591	C	1.368
108	1513	C	1.301
109	1294	A with loft	1.113
110	938	A	0.807
111	938	A	0.807
112	1294	A with loft	1.113
301	1282	D	1.102
302	1282	D	1.102
303	1282	D	1.102
304	1282	D	1.102
305	1282	D	1.102
306	1282	D	1.102
307	1282	D	1.102
308	1282	D	1.102
201	1513	C	1.301
202	1591	C	1.368
203	1591	C	1.368
204	1513	C	1.301
205	1513	C	1.301
206	1591	C	1.368
207	1591	C	1.368
208	1513	C	1.301
401	1282	D	1.102
402	1282	D	1.102
403	1282	D	1.102
404	1282	D	1.102

EXHIBIT C
(CONTINUED)

BOOK 3559 PAGE 57

For information, the Identifying Number of each Condominium Unit set forth above in Phase Two is the same as its street number on Broad Leaf Circle and Units 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711 and 712 are located in Building 7; Units 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111 and 112 are located in Building 10; Units 301, 302, 303, 304, 305, 306, 307 and 308 are located in Building 11; Units 201, 202, 203, 204, 205, 206, 207 and 208 are located in Building 12; and, Units 401, 402, 403 and 404 are located in Building 13.

PHASE THREE

<u>Unit Identifying Number</u>	<u>Size</u>	<u>Unit Type</u>	<u>Percentage of Common Areas and Facilities, Vote and Common Expenses</u>
501	1513 sq. ft.	C	1.301
502	1591	C	1.368
503	1591	C	1.368
504	1513	C	1.301
505	1513	C	1.301
506	1591	C	1.368
507	1591	C	1.368
508	1513	C	<u>1.301</u>

99.992 = 100.00%
rounded

For information, the Identifying Number of each Condominium Unit set forth above in Phase Three is the same as its street number on Broad Leaf Circle and all of the Units are located in Building 9.

EXHIBIT D
TO
AMENDMENT TO DECLARATION OF CONDOMINIUM
CERTIFICATION OF PLANS

BOOK 3559 PAGE 58

COMES NOW the undersigned registered architect, pursuant to the North Carolina Unit Ownership Act as set forth in N.C.G.S. §47A-15, who first being duly sworn, makes the following verification from his personal knowledge, information and belief:

(1) The foregoing Plans for Autumn Chase, A Condominium, filed of record in Condominium File No. 65, Pages 3 through 8; and, Pages 12 and 13, Wake County Registry, truly and accurately represent the Plans for the buildings located on the portion of the Submitted Property added by this Amendment to the Declaration, as filed with and approved by the City of Raleigh and all other governmental subdivisions having jurisdiction over the issuance of permits for the construction of such buildings.

(2) Such Plans fully and accurately depict the layout, location, ceiling and floor elevation and dimensions of the Units, as built, located on such portion of the Submitted Property.

(3) The unit type and number for each Unit are set forth on the Schedule of Unit Information which is attached and recorded with this Amendment to the Declaration as Exhibit C.

(4) The Plans satisfy all the requirements of the North Carolina Unit Ownership Act.

This the 27 day of August, 1985.

Victor L. Barr

Name: Executive Vice President
THE MARTIN ORGANIZATION
Registered Architect No. 4402



SEAL-STAMP

~~PENNSYLVANIA~~
~~NORTH CAROLINA~~, Alleghenia County.

I, a Notary Public of the County and State aforesaid, certify that Victor L. Bore, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 27 day of August, 1985.

Keith E. Heller
NOTARY PUBLIC

My commission expires: 12-30-85

KEITH E. HELLER
Notary Public, Phila., Phila. Co.
My Commission Expires Dec. 30, 1985

