

BOOK 3335 PAGE 156

AMENDMENT TO DECLARATION
OF CONDOMINIUM FOR
AUTUMN CHASE, A CONDOMINIUM

PRESENTED
FOR
REGISTRATION

JAN 8 9 40 AM '86

KENNETH H. WILKINS
REGISTERED DEEDS
WAKE COUNTY, NC

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 amendments prior to this one):
Deed Book 3359, Page 254 (Declaration); Deed Book 3451, Page 855 (First
Amendment); Deed Book 3559, Page 47 (Second Amendment); and, Deed
Book 3591, Page 191 (Third Amendment).

Plat (original and amendments prior to this one):
Condominium File No. 65, Page 1 (Phase One); Page 11 (Phase Two);
Page 14 (Phase Three); and, Page 15 (Phase Four)

Plans (original and amendments 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, Three, Four and Five)

Plat (for this amendment):
Condominium File No. 65, Page 16

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 November 25, 1985, by Calibre Autumn Chase, Ltd., a Georgia limited partnership, whose sole general partners are Steve M. Simpson, a natural person, and Calibre Properties, Inc., a Georgia corporation, 900 Ridgefield Drive, Suite 150, 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 3591, Page 191, 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.

BOOK 3635 PAGE 158

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 twelve (12) 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

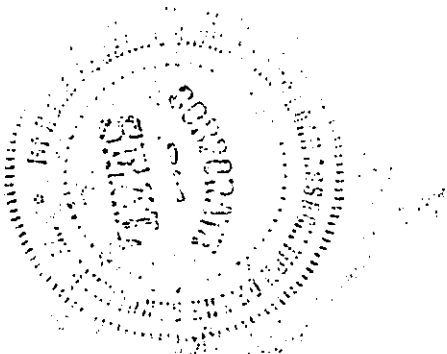
Henry V. Cunningham Jr. (SEAL)
Henry V. Cunningham Jr., Trustee

MORTGAGEE

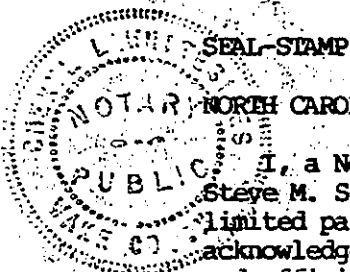
1ST HOME FEDERAL SAVINGS AND LOAN ASSOCIATION OF THE CAROLINAS, F.A. (formerly 1st Home Federal Savings and Loan Association of Greensboro)

By: Ch. Salup

Attest: Janet M. Murray
Asst. Sec.



(CORPORATE SEAL)



NOTARY PUBLIC, 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 8 day of November, 1955.

Cheryl L. Whitesides
NOTARY PUBLIC

My commission expires: 1/25/89

SEAL-STAMP

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 25th day of November, 1985.

Harold M. Francis
NOTARY PUBLIC

My commission expires: 5/1/90

SEAL-STAMP

NORTH CAROLINA, GUILFORD 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 15th day of November, 1985.

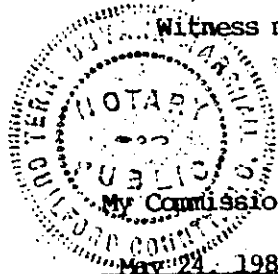
Peggy L. Hinkle
NOTARY PUBLIC

My commission expires: 6/7/87

STATE OF NORTH CAROLINA
COUNTY OF GUILFORD

I, Terri DuVann Marshall, 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 cor-
poration, and that by authority duly given and as the act of the cor-
poration, 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 21st day of November, 1985.



Terri DuVann Marshall
NOTARY PUBLIC

NORTH CAROLINA - WAKE COUNTY

The foregoing certificate is of Charles L. Whitesides,
Deane M. Farnsworth Piggie, & Hankley,
Terri DuVann Marshall

Notary(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 James L. Johnson
Deputy Register of Deeds

BOOK 3635 PAGE 162

EXHIBIT A
TO
AMENDMENT TO DECLARATION OF CONDOMINIUM
ADDITIONAL 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 which is the same as the southeastern corner of Phase Four, Autumn Chase, as shown in Condominium File No. 65, Page 15, Wake County Registry, running thence from such point of BEGINNING, South $00^{\circ} 39' 41''$ West 334.58 feet to a point; running thence South $70^{\circ} 31' 26''$ West 84.68 feet to a point; running thence North $32^{\circ} 47' 28''$ West 182.04 feet to a point; running thence North $12^{\circ} 21' 56''$ East 255.27 feet to a point; running thence South $72^{\circ} 45' 52''$ East 133.62 feet to a point, the point and place of BEGINNING, and being all of Phase Five, Autumn Chase, as shown in Condominium File No. 65, Page 16, Wake County Registry.

BOOK 3635 PAGE 163

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 957.13 feet to a point in the centerline of Ray Road; running thence South $70^{\circ} 31' 26''$ West 84.68 feet to a point; running thence North $32^{\circ} 47' 28''$ West 182.04 feet to a point; running thence North $12^{\circ} 21' 56''$ East 255.27 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, Three, Four and Five, Autumn Chase, as shown on those certain plats of survey recorded in Condominium File 65, Pages 1, 11, 14, 15, and 16 Wake County Registry.

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

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	
102	1079	B	0.826
103	1079	B	0.761
104	1171	B	0.761
105	1513	B	0.826
106	1591	C	1.067
107	1591	C	1.122
108	1513	C	1.122
109	1171	C	1.067
110	1079	B	0.826
111	1079	B	0.761
112	1171	B	0.761
201	1282	B	0.761
202	1282	D	0.826
203	1282	D	0.904
204	1282	D	0.904
205	1282	D	0.904
206	1282	D	0.904
301	1282	D	0.904
302	1282	D	0.904
303	1282	D	0.904
304	1282	D	0.904
305	1282	D	0.904
306	1282	D	0.904
401	1294	D	0.904
402	938	A with loft	0.914
403	938	A	0.663
404	1294	A	0.663
405	1513	A with loft	0.914
406	1591	C	1.067
407	1591	C	1.122
408	1513	C	1.122
409	1294	C	1.067
410	938	A with loft	0.914
411	938	A	0.663
412	1294	A	0.663
		A with loft	0.914

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

<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	0.826
702	1079	B	0.761
703	1079	B	0.761
704	1171	B	0.826
705	1513	C	1.067
706	1591	C	1.122
707	1591	C	1.122
708	1513	C	1.067
709	1171	B	0.826
710	1079	B	0.761
711	1079	B	0.761
712	1171	B	0.826
101	1294	A with loft	0.914
102	938	A	0.663
103	938	A	0.663
104	1294	A with loft	0.914
105	1513	C	1.067
106	1591	C	1.122
107	1591	C	1.122
108	1513	C	1.067
109	1294	A with loft	0.914
110	938	A	0.663
111	938	A	0.663
112	1294	A with loft	0.914
301	1282	D	0.904
302	1282	D	0.904
303	1282	D	0.904
304	1282	D	0.904
305	1282	D	0.904
306	1282	D	0.904
307	1282	D	0.904
308	1282	D	0.904
201	1513	C	1.067
202	1591	C	1.122
203	1591	C	1.122
204	1513	C	1.067
205	1513	C	1.067
206	1591	C	1.122
207	1591	C	1.122
208	1513	C	1.067
401	1282	D	0.904
402	1282	D	0.904
403	1282	D	0.904
404	1282	D	0.904

EXHIBIT C
(CONTINUED)

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	1.067
502	1591	C	1.122
503	1591	C	1.122
504	1513	C	1.067
505	1513	C	1.067
506	1591	C	1.122
507	1591	C	1.122
508	1513	C	1.067

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.

PHASE FOUR

<u>Unit Identifying Number</u>	<u>Size</u>	<u>Unit Type</u>	<u>Percentage of Common Areas and Facilities, Vote and Common Expenses</u>
601	1282 sq. ft.	D	0.904
602	1282	D	0.904
603	1282	D	0.904
604	1282	D	0.904
605	1282	D	0.904
606	1282	D	0.904
607	1282	D	0.904
608	1282	D	0.904

For information, the Identifying Number of each Condominium Unit set forth above in Phase Four is the same as its street number on Broad Leaf Circle and all of the Units are located in Building 8.

EXHIBIT C
(CONTINUED)

PHASE FIVE

<u>Unit Identifying Number</u>	<u>Size</u>	<u>Unit Type</u>	<u>Percentage of Common Areas and Facilities, Vote and Common Expenses</u>
101	1171 sq. ft.	B	0.826
102	1079	B	0.761
103	1079	B	0.761
104	1171	B	0.826
105	1513	C	1.067
106	1591	C	1.122
107	1591	C	1.122
108	1513	C	1.067
109	1171	B	0.826
110	1079	B	0.761
111	1079	B	0.761
112	1171	B	0.826
			99.99 = 100.00*
			rounded

For information, the Identifying Number of each Condominium Unit set forth above in Phase Five is the same as its street number on Autumn Chase Drive and all Units are located in Building 6.

EXHIBIT D
TO
AMENDMENT TO DECLARATION OF CONDOMINIUM

CERTIFICATION OF PLANS

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 26th day of November, 198⁵.



Victor L. Barr, Jr.
Name:

Registered Architect No. 3215

SEAL-STAMP

~~PENNSYLVANIA~~
~~NORTH CAROLINA~~, Philadelphia County.

BOOK 3635 PAGE 169

I, a Notary Public of the County and State aforesaid, certify that
KEITH E. HELLER, personally appeared before me this day and
acknowledged the execution of the foregoing instrument. Witness my hand
and official stamp or seal, this 26 day of NOVEMBER, 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

