



FOR REGISTRATION REGISTER OF DEEDS
Willie L. Covington
DURHAM COUNTY, NC
2005 OCT 26 09:46:25 AM
BK: 4996 PG: 843-846 FEE: \$20.00

INSTRUMENT # 2005050748

Prepared by and return to: W. Russell Congleton, Esq.
5925 Farrington Road, Suite 200
Chapel Hill, NC 27517

NORTH CAROLINA
DURHAM COUNTY

**DECLARATION OF AMENDMENT
OF THE AMENDED AND RESTATED
DECLARATION OF CAROLINA POINTE I CONDOMINIUM**

THIS DECLARATION OF AMENDMENT is made this 25 day of October, 2005 by C.A.I. Group III, LLC, the Declarant.

WITNESSETH

WHEREAS, the Amended and Restated Declaration of Carolina Pointe I Condominium (the "Declaration") was recorded January 10, 2005 in Book 4667 at Page 623, Durham County Registry and further amended by a Declaration of Amendment recorded March 14, 2005 in Book 4727 at Page 943, Durham County Registry; and

WHEREAS, Article 5 of the Declaration reserves development rights to the Declarant; and

WHEREAS, four units units, Units 101, 104, 106 and Unit 202 which occupy 12.2%, 8.9%, 10.8% and 23.8% of the Condominium, respectively, have been sold and Declarant is the owner of the remaining 44.3% of the Condominium; and

WHEREAS, the Declarant desires to create three new Units which will be known as Unit 103, which will be comprised of 2,716.0 square feet of space, being approximately 12.5% (2,716.0 square feet out of 21,809.5 total square footage) of the total Condominium space; Units 105, which will be comprised of 1,834.4 square feet, being approximately 8.4% (1,834.4 square feet out of 21,809.5 total square footage) of the total Condominium space; and Unit 201, which will be comprised of 5,111.6 square feet of space, being approximately 23.4% (5,111.6 square feet out of 21,809.5 total square footage) of the total Condominium space; and

WHEREAS, the Amended and Restated Declaration of Condominium requires that an amendment to the said Declaration be filed to amend Exhibit B, Table of Interests, when a change is made to the boundaries of the units;

NOW, THEREFORE, C.A.I. Group III, LLC declares as follows:

- 1. That Unit 103 is hereby created in the Carolina Pointe I Condominium having 2,716.0 square feet of space and comprising 12.5% of the Condominium; and
- 2. That Unit 105 is hereby created in the Carolina Pointe I Condominium having 1,834.4 square feet of space and comprising 8.4% of the Condominium; and
- 3. That Unit 201 is hereby created in the Carolina Pointe I Condominium having 5,111.6 square feet of space and comprising 23.4% of the Condominium; and
- 2. That Exhibit B, Table of Interests, to the Declaration of Carolina Pointe I Condominium is hereby amended as set out in the attached Exhibit A, which is incorporated herein by this reference.

IN WITNESS WHEREOF, the undersigned Member-Manager of Declarant has hereunto set his hand this ___ day of October, 2005.

C.A.I. Group III, LLC

By: [Signature] (SEAL)
Louis P. Gonzalez, Member-Manager

NORTH CAROLINA
COUNTY OF DURHAM

I, Sandra L Elum, a Notary Public for said County and State, do hereby certify that Louis P. Gonzalez being a Member-Manager of C.A.I. Group III, LLC, did personally appear before me this day and acknowledge the due execution of the foregoing instrument on behalf of the C.A.I. Group III, LLC.

WITNESS my hand and official seal this the 25 day of October, 2005.

Sandra L Elum
Notary Public
My Commission Expires: 05/06/07

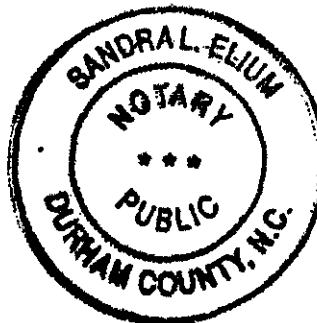
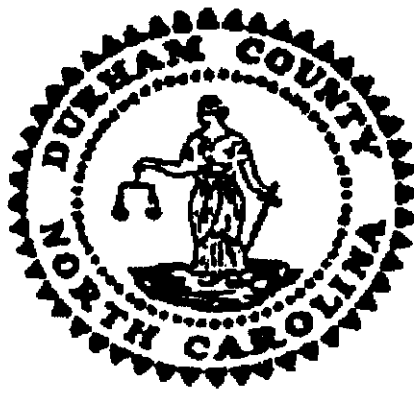


EXHIBIT A
To
Declaration of Amendment
of the Amended and Restated
Declaration of Carolina Pointe I Condominium

TABLE OF INTERESTS

Unit No.	Square Feet of Condo Space	Percentage Share of Common Elements	Percentage Share of Common Expenses	Number of Votes in the Affairs of the Association
First Floor				
101	2659.9	12.2%	12.2%	12
103	2716.0	12.5%	12.5%	13
104	1939.3	8.9%	8.9%	9
105	1834.4	8.4%	8.4%	8
106	2355.1	10.8%	10.8%	11
Second Floor				
201	5111.6	23.4%	23.4%	23
202	5193.2	23.8%	23.8%	24
TOTALS	21,809.5	100%	100%	100



WILLIE L. COVINGTON
REGISTER OF DEEDS, DURHAM COUNTY
DURHAM COUNTY COURTHOUSE
200 E. MAIN STREET
DURHAM, NC 27701

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