

PREPARED BY AND MAIL TO: C. THOMAS BIGGS, Attorney at Law
Post Office Box 376
Durham, North Carolina 27702

NORTH CAROLINA

BOOK 1123 PAGE 766

DURHAM COUNTY

AMENDMENT OF DECLARATION OF UNIT OWNERSHIP UNDER
THE PROVISIONS OF CHAPTER 47A OF THE GENERAL STATUTES OF
NORTH CAROLINA, AND OF COVENANTS, CONDITIONS AND RESTRICTIONS

THIS AMENDMENT OF DECLARATION OF UNIT OWNERSHIP made this 25th day of March, 1983, by EXECUTIVE PARK DEVELOPERS, a North Carolina Limited Partnership, hereinafter referred to as "Declarant", and JOHN S. HILL and wife, IRMGARD S. HILL and WILLIAM A. DOWNEY and wife, TERESA DOWNEY, hereinafter referred to as "Owners";

W I T N E S S E T H:

WHEREAS, Declarant did by that Declaration of Unit Ownership dated November 9, 1982, recorded in Real Estate Book 1097 at Page 311, Durham County Registry, subject certain property referred to therein to the provisions of Chapter 47A of the General Statutes of North Carolina and to certain conditions and restrictions as set forth in said document; and

WHEREAS, Declarant and Owners, representing more than sixty-six and two-thirds percent (66-2/3%) of the undivided interest of all unit owners in the common elements as set forth in said Declaration, at a special meeting of the members of Executive Office Park of Durham Association, Inc. duly called pursuant to the Bylaws of said Association and held on the 18th day of March, 1983, did cast their affirmative votes to amend said Declaration pursuant to Article XXII. a. to add additional property to that previously subjected to the Declaration of Unit Ownership and to increase the total number of units that might be subjected to this Declaration.

NOW, THEREFORE, Declarant and Owners, pursuant to Article XXII. a. of that Declaration recorded in Real Estate Book 1097 at Page 308, do hereby amend said Declaration as follows:

1. The description of the land on which the buildings and improvements are, or are to be located, is amended to include that property set forth in Exhibit "A" of this Amendment.

2. The description of the building erected by the Declarant on the land described in Exhibit "A" of this Amendment is set forth in Exhibit "B", which states the number of stories and basements, the number of units, and the principal construction materials of each condominium structure.

Assign.
BK. 4484
Pg. 462-467
10-13-88

ASSIGN
BK 11664
Pg 25
7-10-91

3. Said multi-unit condominium structures are more particularly described in the plans of said building, a copy of which is annexed hereto as Exhibit "C".

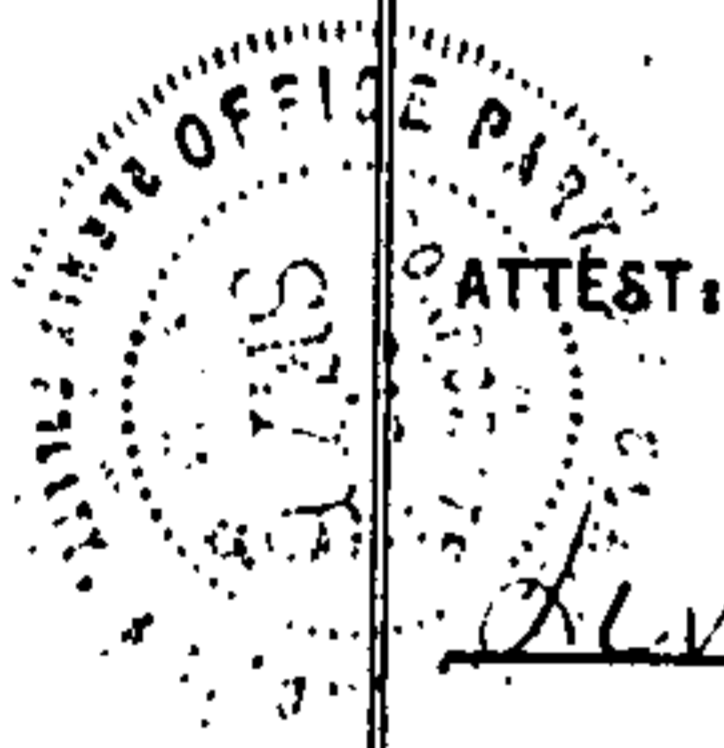
4. Article XXII, b. is hereby amended to increase the maximum number of units which might be subjected to this Declaration from thirty-four (34) to thirty-nine (39) total units.

5. With the addition of those units as set forth herein, each unit owner's percentage interest in the common areas and facilities is amended to reflect that percentage as shown in Exhibit "D" attached hereto.

Except as herein amended and revised, said Declaration of Unit Ownership dated November 9, 1982, recorded in Book 1097 at Page 308, Durham County Registry, shall remain in full force and effect.

IN WITNESS WHEREOF, EXECUTIVE PARK DEVELOPERS, a North Carolina Limited Partnership, and JOHN S. HILL and wife, IRMGARD S. HILL and WILLIAM A. DOWNEY and wife, TERESA DOWNEY have caused this instrument to be duly executed as of the day and year first above written.

EXECUTIVE PARK DEVELOPERS
BY OFFICE PARK OF DURHAM, INC.,
GENERAL PARTNER



Kendra J. Allen
Secretary

BY: Charles S. Allen, Jr.
President

John S. Hill (SEAL)
JOHN S. HILL

Irmgard S. Hill (SEAL)
IRMGARD S. HILL

William A. Downey (SEAL)
WILLIAM A. DOWNEY

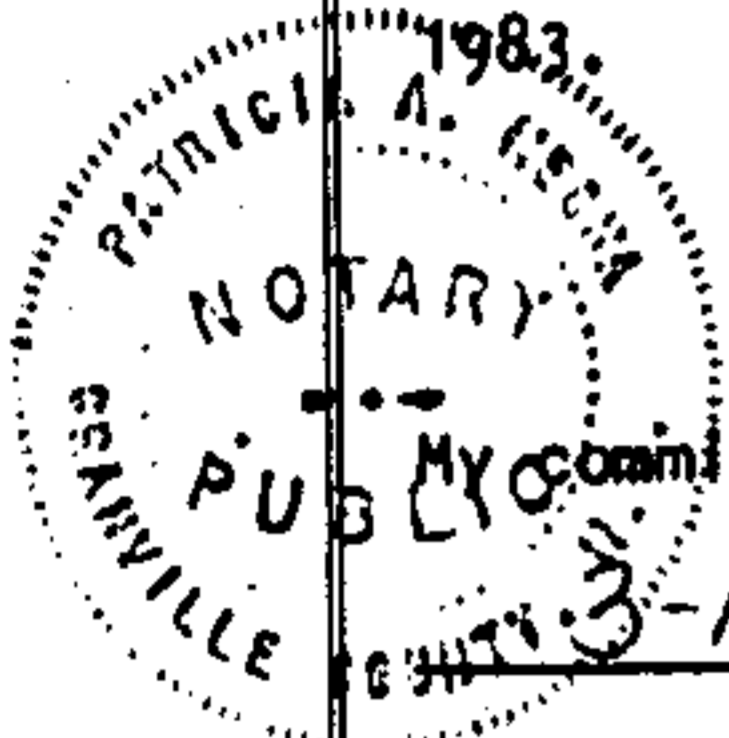
Teresa W. Downey (SEAL)
TERESA DOWNEY

NORTH CAROLINA

DURHAM COUNTY

I, Patricia A. Megna, a Notary Public, do hereby certify that LINDA J. ALLEN personally appeared before me this day and acknowledged that she is Secretary of Executive Office Park of Durham, Inc., a corporation, General Partner of Executive Park Developers, a North Carolina Limited Partnership, and that, by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal, and attested by herself as its Secretary.

WITNESS my hand and notarial seal, this 30th day of March, 1983.



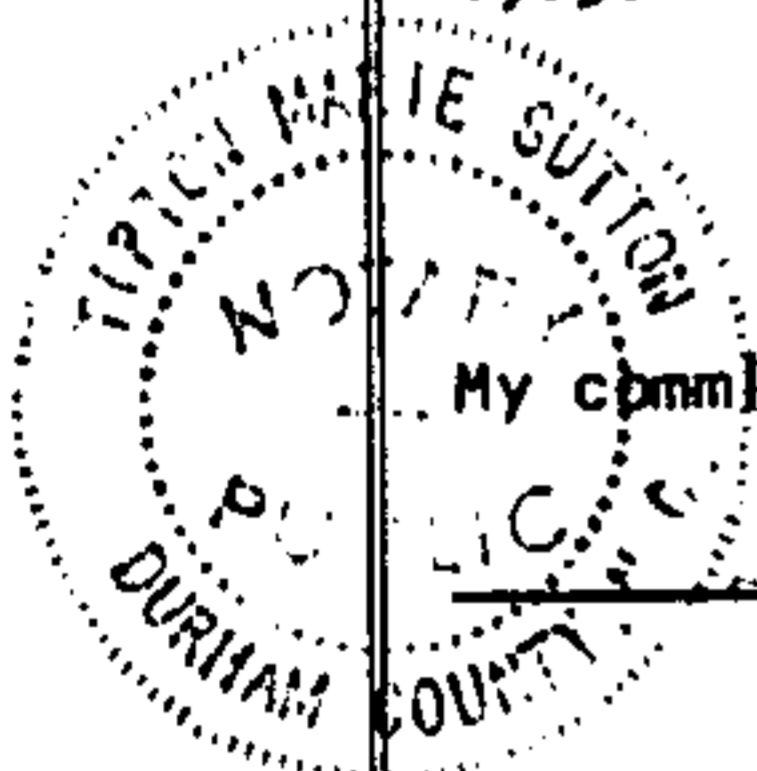
Patricia A. Megna
Notary Public

NORTH CAROLINA

DURHAM COUNTY

I, Lester Marie Sutton, a Notary Public, do hereby certify that JOHN S. HILL and wife, IRMGARD S. HILL each personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal, this 30th day of March, 1983.



Lester Marie Sutton
Notary Public

NORTH CAROLINA

DURHAM COUNTY

I, Patricia A. Megna, a Notary Public, do hereby certify that WILLIAM A. DOWNEY and wife, TERESA DOWNEY each personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal, this 30th day of March, 1983.



Patricia A. Megna
Notary Public

STUBBS, COLE, BREGLOVE,
PRENTIS & POE
ATTORNEYS AT LAW
122 EAST PARRISH STREET
DURHAM, N. C.

FILED
BOOK 1123 PAGE 766-770

JUL 28 3 57 PM '83

RUTH C. GARRETT
REGISTER OF DEEDS
DURHAM COUNTY, N.C.

State of North Carolina - Durham County
The foregoing certificate(s) of Patricia A. Megna
Lester Marie Sutton
A Notary (Notaries) Public of the Legislated Government
is (are) certified to be correct.
This the 28th day of July, A.D. 1983
Ruth C. Garrett Lester Marie Sutton
Register of Deeds By: Dr. Assistant County
Register of Deeds

EXHIBIT "A"

Executive Office Park Amendment of Declaration

BEGINNING at an iron stake in the southern right-of-way line of Highway No. 54, the northwestern corner of Lot #3 as shown on Plat Book 63 at Page 28, Durham County Registry, and running thence along and with the southern right-of-way line of North Carolina Highway No. 54 South 84° 48' 20" East 180 feet to a stake; thence South 5° 11' 40" West 60 feet to a stake; thence South 8° 50' 30" East 61.85 feet to a stake; thence South 5° 11' 40" West 80 feet to a stake; thence North 84° 48' 20" West 195 feet to a stake in the east line of the Research Triangle Investors Property; thence with the east line of said property North 5° 11' 40" East 200 feet to a stake, the point and place of BEGINNING and being Tract 1 of the Property of Executive Park Developers, a North Carolina Limited Partnership, as per plat and survey thereof now on file in the Office of the Register of Deeds of Durham County in Plat Book 101 at Page 12, to which plat reference is hereby made for a more particular description of same.

EXHIBIT "C"

Executive Office Park Amendment of Declaration

The plans of those units as shown in Executive Office Park as referenced by Condo Drawer 2 at Page 181, Durham County Registry, is hereby amended to reflect the addition of those units and those plans as set forth in Condo Drawer 2 at Page 206, Durham County Registry, to which Condo Drawers reference is hereby made for a more particular description of same.

EXHIBIT "B"

Executive Office Park Amendment of Declaration

The project consists of one (1) one-story building without basement numbering five (5) units. The building is principally constructed of concrete slab supporting wood framework faced by exterior horizontal and vertical wood siding and interior sheetrock walls with a roof of asphalt shingles on wood trusses.

The units are consecutively numbered as follows: 10, 20, 30, 40 and 50. Each unit consists of approximately 1,050 square feet and the units are subdivided into the number of rooms as shown on the plans filed with the Durham County Register of Deeds in Condo Drawer 2 at Page 206, referenced by Exhibit "C" to the Executive Office Park Condominium Declaration Amendment. All units have direct access to walkways leading to adjacent parking areas.

EXHIBIT "D"

Executive Office Park Amendment of Declaration

The common areas and facilities consist of all parts of the properties described in Exhibits "A" and "B" other than the individual dwelling units therein described in Exhibit "C", being attic space as shown as limited common areas and walkways, parking lots and landscape grass, shrubbery and trees. All areas of the described property not within any unit shall be common areas; and all portions of any building or other improvement not included within a unit shall be a common facility which may or may not be a limited common area as set forth in the Executive Office Park Declaration or Amendment of Declaration. The common facilities shall include all installations, items and equipments for utility service to more than one unit, and shall also include tangible personal property required for the maintenance and operation of the condominium even though owned by the Association. The project does have limited common areas as set forth in the Executive Office Park Declaration.

Prior to the amendment herein, each unit had an undivided interest in the common areas and facilities as set forth in Exhibit "D" of Declaration of Unit Ownership for Executive Office Park as shown in Book 1097 at Page 308, Durham County Registry.

Effective as of this Amendment, each unit shall have an undivided interest in the common areas and facilities as follows:

Building Number 110:

- Unit 110 - one-fifteenth (1/15)
- Unit 120 - one-fifteenth (1/15)
- Unit 130 - one-fifteenth (1/15)
- Unit 140 - one-fifteenth (1/15)
- Unit 150 - one-fifteenth (1/15)

Building Number 210:

- Unit 210 - one-fifteenth (1/15)
- Unit 220 - one-fifteenth (1/15)
- Unit 230 - one-fifteenth (1/15)
- Unit 240 - one-fifteenth (1/15)
- Unit 250 - one-fifteenth (1/15)

Building Number One:

- Unit 10 - one-fifteenth (1/15)
- Unit 20 - one-fifteenth (1/15)
- Unit 30 - one-fifteenth (1/15)
- Unit 40 - one-fifteenth (1/15)
- Unit 50 - one-fifteenth (1/15)