

PREPARED BY & MAIL TO: C. Thomas Biggs, Attorney at Law,
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BOOK 1124 PAGE 61

ASSIGN.
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NORTH CAROLINA

DURHAM COUNTY

SECOND 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 SECOND AMENDMENT OF DECLARATION OF UNIT OWNERSHIP made this 29th day of July, 1983, by EXECUTIVE PARK DEVELOPERS, a North Carolina Limited Partnership, hereinafter referred to as "Declarant";

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, did by that Amendment of Declaration of Unit Ownership, dated March 25, 1983, recorded in Real Estate Book 1123 at Page 766, Durham County Registry, subject certain property referred to therein to the provisions of that Declaration of Unit Ownership dated November 9, 1982, recorded in Real Estate Book 1097 at Page 311, Durham County Registry; and

WHEREAS, Declarant, pursuant to paragraph 22 B of said Declaration does intend to subject additional property to that previously subjected to the Declaration of Unit Ownership, as amended.

NOW, THEREFORE, Declarant, pursuant to paragraph 22 B of that Declaration, recorded in Real Estate Book 1097 at Page 308, as amended in Real Estate Book 1123 at Page 766, Durham County Registry, does 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.

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

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

4. 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, as amended by Amendment of Declaration of Unit Ownership, dated March 25, 1983, recorded in Real Estate Book 1123 at Page 766, all of Durham County Registry, shall remain in full force and effect.

IN WITNESS WHEREOF, EXECUTIVE PARK DEVELOPERS, a North Carolina Limited Partnership, by OFFICE PARK OF DURHAM, INC., its General Partner, has 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

ATTEST:

Linda J. Allen
Secretary

BY: Charles S. Allen, Jr.
President

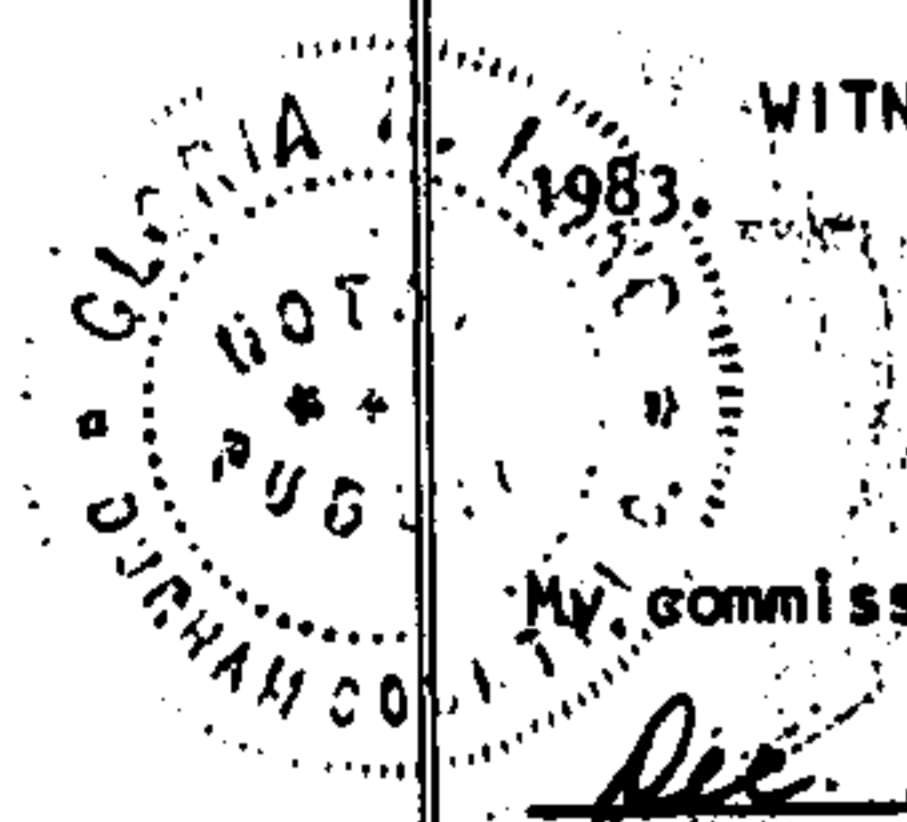


NORTH CAROLINA
DURHAM COUNTY

I, Blair R. Land, a Notary Public, do hereby certify that LINDA J. ALLEN personally appeared before me this day and acknowledged that she is Secretary of 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 29th day of July, 1983.

Blair R. Land
Notary Public



My commission expires:

Dec. 12, 1985

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

State of North Carolina - Durham County
The foregoing certificate(s) of Blair R. Land

A Notary (Notaries) Public of the Designated Government units is (are) certified to be correct.

This the 29 day of July A.D. 1983

Ruth G. Garrett Ernest H. Webb
Register of Deeds By Assistant, Deputy Register of Deeds

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

EXHIBIT "A"

Executive Office Park Amendment of Declaration

BEGINNING at a stake in the north line of the Maddocks Property, said stake being the southwest corner of Lot 3 of the Property of Executive Park Developers, as per plat and survey in Plat Book 101 at Page 12, Durham County Registry, and running thence with the north line of said Maddocks Property North 83° 29' 30" West 230.62 feet to a stake in the east line of Research Triangle Investors Property, thence with the east line of said Research Triangle Investors Property North 5° 11' 40" East 129.2 feet to a point, thence South 84° 48' 20" East 230.65 feet to a point in the west line of Lot 3 of the Executive Park Developers Property, thence with the west line of said Lot 3 South 5° 14' 9" West 134.48 feet to a stake, the point and place of BEGINNING, containing 0.7 acres, more or less, and being the southern portion of Tract 2 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 "B"

Executive Office Park Amendment of Declaration

The project consists of one (1) one-story building without basement numbering six (6) 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: 310, 320, 330, 340, 350 and 360. 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 216, 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 "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, and as amended in Condo Drawer 2 at Page 206, 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 216, Durham County Registry, to which Condo Drawers reference is hereby made for a more particular description of same.

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, and as shown in Exhibit "D" of Amendment of Declaration of Unit Ownership for Executive Office Park as shown in Book 1123 at Page 766, 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-twentyfirst (1/21)
 Unit 120 - one-twentyfirst (1/21)
 Unit 130 - one-twentyfirst (1/21)
 Unit 140 - one-twentyfirst (1/21)
 Unit 150 - one-twentyfirst (1/21)

Building Number 210:

Unit 210 - one-twentyfirst (1/21)
 Unit 220 - one-twentyfirst (1/21)
 Unit 230 - one-twentyfirst (1/21)
 Unit 240 - one-twentyfirst (1/21)
 Unit 250 - one-twentyfirst (1/21)

Building Number One:

Unit 10 - one-twentyfirst (1/21)
 Unit 20 - one-twentyfirst (1/21)
 Unit 30 - one-twentyfirst (1/21)
 Unit 40 - one-twentyfirst (1/21)
 Unit 50 - one-twentyfirst (1/21)

Building Number 300:

Unit 310 - one-twentyfirst (1/21)
 Unit 320 - one-twentyfirst (1/21)
 Unit 330 - one-twentyfirst (1/21)
 Unit 340 - one-twentyfirst (1/21)
 Unit 350 - one-twentyfirst (1/21)
 Unit 360 - one-twentyfirst (1/21)