

PREPARED BY & MAIL TO: C. Thomas Biggs, Attorney at Law,  
Post Office Box 376, Durham, N.C. 27702.

NORTH CAROLINA

DURHAM COUNTY

BOOK 1181 PAGE 195

THIRD 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 THIRD AMENDMENT OF DECLARATION OF UNIT OWNERSHIP made this 23rd  
day of October, 1984, 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 308, 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 308, Durham  
County Registry; and

WHEREAS, Declarant and Owners, did by that Second Amendment of  
Declaration of Unit Ownership, dated July 29, 1983, recorded in Real Estate  
Book 1124 at Page 61, 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 308, 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, and as amended in Real Estate Book 1124 at  
Page 61, Durham County Registry, does hereby amend said Declaration as

follows:

RTP DEED  
BK. 1484  
pg. 468-477  
10-13-88

Assign  
BK. 1484  
pg. 462-467  
10-13-88

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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.

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, and as amended by Second Amendment of Declaration of Unit Ownership dated July 29, 1983, recorded in Book 1124 at Page 61, all of Durham County Registry, shall remain in full force and effect.

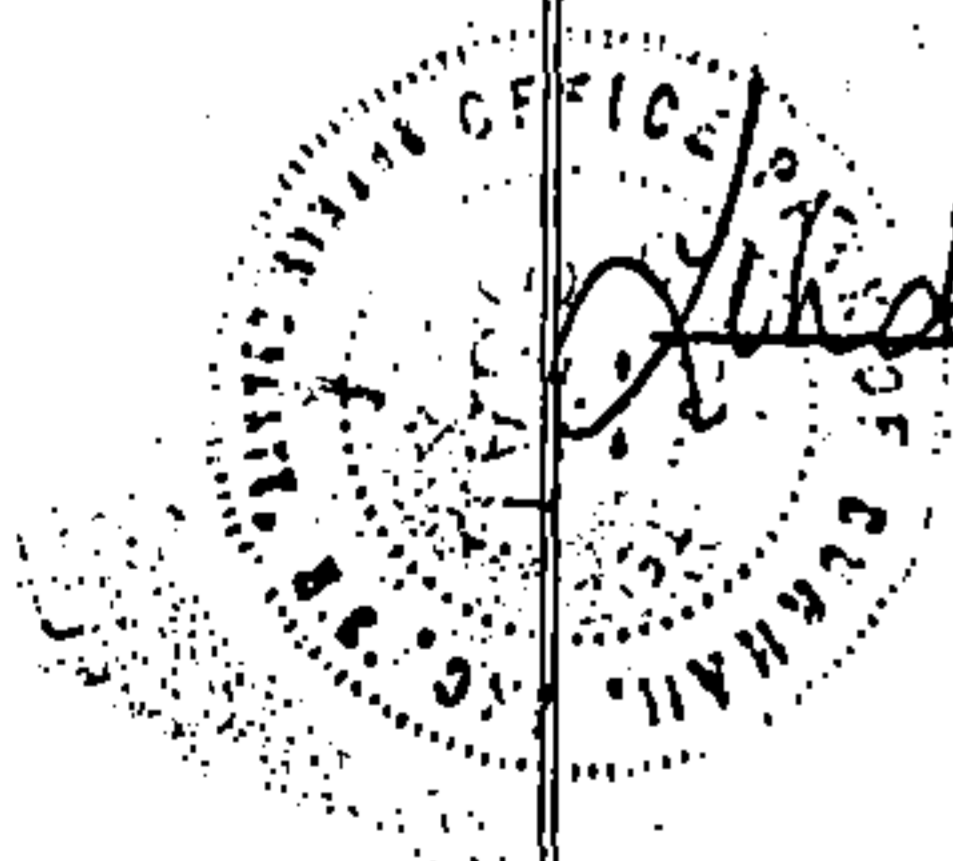
IN WITNESS WHEREOF, EXECUTIVE PARK DEVELOPERS, a North Carolina Limited Partnership, by OFFICE PARK OF DURHAM, INC., its General Partner, has caused this instrument to be duly executed as of the day and year first above written.

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

ATTEST:

  
Secretary

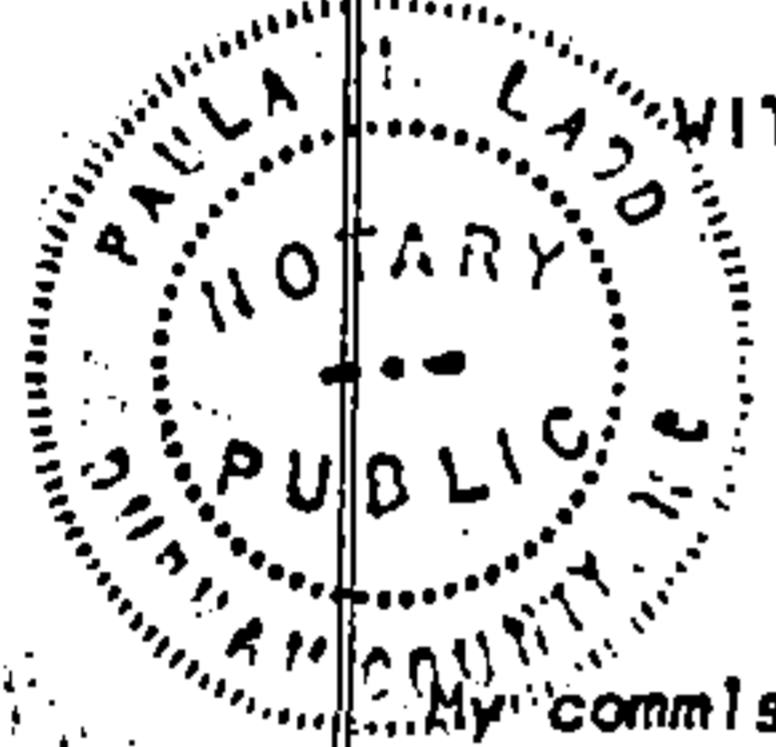
BY:   
President



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

NORTH CAROLINA  
DURHAM COUNTY

I, Paula M. Ladd, 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 23rd day of October, 1984.

Paula M. Ladd  
Notary Public

My commission expires:  
May 30, 1989

State of North Carolina - Durham County  
The foregoing certificate(s) of Paula M. Ladd  
A Notary (Notaries) Public of the Designated Governments  
units is (are) certified to be correct.  
This the 23rd day of Oct A.D. 19 84  
Ruth C. Garrett Ruth C. Garrett  
Register of Deeds By: Assistant, Deputy  
Register of Deeds

FILED  
BOOK 1181 PAGE 195-200  
OCT 23 11 55 AM '84  
RUTH C. GARRETT  
REGISTER OF DEEDS  
DURHAM COUNTY, N.C.

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 on the west side of North Carolina Highway #55, said stake being the southernmost corner of Tract 3 of the Property of Executive Park Developers that intersects the west side of North Carolina Highway #55, as shown in Plat Book 101 at Page 12, Durham County Registry, and running thence with the west side of said North Carolina Highway #55, South 19° 1' West 70 feet to a stake, the northeast corner of Tract 3 as shown on plat of Property of Executive Park Developers, A North Carolina Limited Partnership and Kenan Oil Company, in Plat Book 105 at Page 196, Durham County Registry; thence North 78° 51' 23" West 141.33 feet to a stake; thence South 19° 1' West 1.04 feet to a stake in the east line of Executive Park Developers in Plat Book 101 at Page 12, Durham County Registry; thence South 8° 5' 23" East 69.01 feet to a stake, a corner of Tract 3 of Executive Park Developers, as shown in Plat Book 101 at Page 12, Durham County Registry in the north line of the Maddocks Property; thence with the north line of said Maddocks Property North 83° 29' 30" West 159.22 feet to a stake, the southeast corner of Tract 2 of the Property of Executive Park Developers in Plat Book 101 at Page 12, Durham County Registry; thence with the east line of said Tract 2, North 5° 14' 9" East 445.11 feet to a stake; thence South 84° 30' 53" East 108 feet to a stake, the southwest corner of the Property of Central Carolina Bank as shown on said plat; thence South 84° 47' East 147.66 feet to a stake; thence South 19° 1' West 221.7 feet to a stake; thence South 19° 1' East 116.33 feet to a stake; thence South 86° 3' 55" East 144.99 feet to a stake, the point and place of BEGINNING, and being the greater portion of Tract 3 of Executive Park Developers as per plat and survey in Plat Book 101 at Page 12, Durham County Registry and also being that property shown as Kenan Oil Company and Tract 2, Kenan Oil Company on plat of Properties of Executive Park Developers and Kenan Oil Company, as surveyed by Credle Engineering Company dated January 6, 1984, now on file in the Office of the Register of Deeds of Durham County in Plat Book 105 at Page 196, to which plats reference is hereby made for a more particular description of same.

EXHIBIT "B"Executive Office Park Amendment of Declaration

The project consists of four (4) one-story buildings without basements numbering eighteen (18) units. The buildings are 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: 410, 420, 430, 510, 520, 530, 540, 550, 560, 570, 610, 620, 630, 640, 650, 710, 720, and 730. 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 3 at Page 62, 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, as amended in Condo Drawer 2 at Page 206, Durham County Registry, and as amended in Condo Drawer 2 at Page 216, Durham County Registry, is hereby amended to reflect the addition of those units and those plans as set forth in Condo Drawer 3 at Page 62, 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, and as shown in Exhibit "D" of Second Amendment of Declaration of Unit Ownership for Executive Office Park as shown in Book 1124 at Page 61, 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 100:**

Unit 110 - one-thirty-ninth (1/39)  
 Unit 120 - one-thirty-ninth (1/39)  
 Unit 130 - one-thirty-ninth (1/39)  
 Unit 140 - one-thirty-ninth (1/39)  
 Unit 150 - one-thirty-ninth (1/39)

**Building Number 200:**

Unit 210 - one-thirty-ninth (1/39)  
 Unit 220 - one-thirty-ninth (1/39)  
 Unit 230 - one-thirty-ninth (1/39)  
 Unit 240 - one-thirty-ninth (1/39)  
 Unit 250 - one-thirty-ninth (1/39)

**Building Number One:**

Unit 10 - one-thirty-ninth (1/39)  
 Unit 20 - one-thirty-ninth (1/39)  
 Unit 30 - one-thirty-ninth (1/39)  
 Unit 40 - one-thirty-ninth (1/39)  
 Unit 50 - one-thirty-ninth (1/39)

**Building Number 300:**

Unit 310 - one-thirty-ninth (1/39)  
 Unit 320 - one-thirty-ninth (1/39)  
 Unit 330 - one-thirty-ninth (1/39)  
 Unit 340 - one-thirty-ninth (1/39)  
 Unit 350 - one-thirty-ninth (1/39)  
 Unit 360 - one-thirty-ninth (1/39)

EXHIBIT "C" - Page 2

Executive Office Park Amendment of Declaration

Building Number 400:

- Unit 410 - one-thirty-ninth (1/39)
- Unit 420 - one-thirty-ninth (1/39)
- Unit 430 - one-thirty-ninth (1/39)

Building Number 500:

- Unit 510 - one-thirty-ninth (1/39)
- Unit 520 - one-thirty-ninth (1/39)
- Unit 530 - one-thirty-ninth (1/39)
- Unit 540 - one-thirty-ninth (1/39)
- Unit 550 - one-thirty-ninth (1/39)
- Unit 560 - one-thirty-ninth (1/39)
- Unit 570 - one-thirty-ninth (1/39)

Building Number 600:

- Unit 610 - one-thirty-ninth (1/39)
- Unit 620 - one-thirty-ninth (1/39)
- Unit 630 - one-thirty-ninth (1/39)
- Unit 640 - one-thirty-ninth (1/39)
- Unit 650 - one-thirty-ninth (1/39)

Building Number 700:

- Unit 710 - one-thirty-ninth (1/39)
- Unit 720 - one-thirty-ninth (1/39)
- Unit 730 - one-thirty-ninth (1/39)