

WAKE COUNTY, NC 499
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
03/19/2003 AT 13:50:35

BOOK:009982 PAGE:00413 - 00419

**FIRST AMENDMENT TO
DECLARATION OF CONDOMINIUM FOR
KELTON SQUARE CONDOMINIUMS
(Wake County Register of Deeds Condominium File No. 224)**

Prepared by and after recording hold for:
THOMAS A. EARLS, ATTORNEY (1)

NORTH CAROLINA
WAKE COUNTY

THIS AMENDMENT TO DECLARATION, made this 19th day of MARCH, 2003, by R.B. REAL, LLC, a North Carolina limited liability company, and TERIS CONSTRUCTION GROUP, LLC, a North Carolina limited liability company, hereinafter jointly defined as "Declarant", acting pursuant to the provisions of Chapter 47C of the North Carolina General Statutes, as amended (North Carolina Condominium Act).

WHEREAS, Declarant R.B. Real, LLC, by Declaration of Condominium for Kelton Square Condominiums (the "Declaration") recorded on September 3, 1999, in the Office of the Register of Deeds of Wake County, North Carolina in Book 8409, Page 1598, and re-recorded on September 24, 1999 in the Office of the Register of Deeds of Wake County, North Carolina in Book 8421, Page 1044, Page 530 of said office (mapping for which Condominium being filed in Condominium File No. 224 in said office); and

WHEREAS, as reserved and authorized by Section 5 of the Declaration, entitled "Declaration Development Rights Reserved", and Section 28.03 of the Declaration,

entitled "Amendments Permitted Other Than By Action Under Section 28.01 and Section 28.02", Paragraph (C), Declarant desires to amend the Declaration as hereinafter set forth so as to (A) assign an identifying number to each new Unit created; (B) reallocate the allocated interests among the Units; and (C) describe all Common Elements and Limited Common Elements thereby created;

WEHREAS, Declarant R.B. Real, LLC assigned its development rights to create two (2) additional Units to Declarant Teris Construction Group, LLC, by Partial Assignment of Declarant's Development Rights - Kelton Square Condominium, by instrument recorded in Book 9982, Page 408, Wake County Registry.

NOW, THEREFORE, the Declaration hereby declares that the Declaration be and is hereby amended as follows:

(A) Two (2) new Units are hereby created, and are located as shown on map in Condominium File No. 224, entitled "Kelton Square Condominiums, Town of Morrisville, Wake County, N.C.", prepared by Withers & Ravenel, Engineering & Surveying, dated 10/14/02. The identifying numbers to such Units shall be 1001 and 1003.

(B) Attached hereto and by this reference made a part hereof is an Amendment to Exhibit "C" to the Declaration, said Amendment consisting of two (2) pages setting forth the Unit Numbers and the Allocated Interest in Common Elements for each Unit. Exhibit "C" of the Declaration is hereby amended by adding the attached two (2) pages. Any reference in the Declaration to Exhibit "C" shall be deemed to refer to Exhibit "C" as hereby amended.

(C) With the creation of the two (2) new Units, additional "Limited Common Elements" and the Condominium Units to which they are reserved are described as follows: Any hallways, stairwells, elevators and elevator shafts, lobbies, underground parking facilities, as well as all improvements thereon and all utility systems (including but not limited to telephone, electricity, water, heating and air conditioning) and security systems (including but not limited to alarm systems, and fire and sprinkler systems) serving them are Limited Common Elements allotted to the Units which they serve, which are all of the Units saving and excepting the two (2) new Units created hereby.

IN WITNESS WHEREOF, Declarant has executed this instrument the day and year first above written.

R.B.REAL, LLC

By: *Robert M. Abee*
Robert M. Abee, Manager

TERIS CONSTRUCTION GROUP, LLC

By: *Rick Wharton*
Rick Wharton, Member/Manager

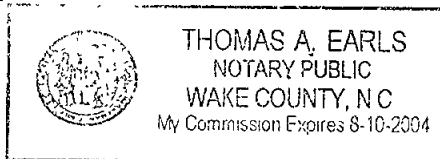
STATE OF NORTH CAROLINA
COUNTY OF WAKE

I, the undersigned, a Notary Public in and for the County and State aforesaid, hereby certify that Robert M. Abee did personally appear before me this day and acknowledged that he is the Manager of R.B. Real, LLC, a North Carolina limited liability company, Declarant herein, and that by authority duly given and as the act of said company, the foregoing instrument was signed by him on behalf of said company, and acknowledged said writing to be the act and deed of said company.

Witness my hand and official stamp or seal, this 19 day of MARCH, 2003.

Thomas A. Earls
Notary Public

My Commission Expires: _____



STATE OF NORTH CAROLINA
COUNTY OF WAKE

I, the undersigned, a Notary Public in and for the County and State aforesaid, hereby certify that Rick Wharton personally appeared before me this day and acknowledged that he is a Member/Manager of Teris Construction Group, LLC, a North Carolina limited liability company, and that by authority duly given and as the act of said company, the foregoing instrument was signed in its name by him as its Member/Manager.

Witness my hand and official stamp or seal, this 19 day of MARCH, 2003.



Notary Public

My commission expires:

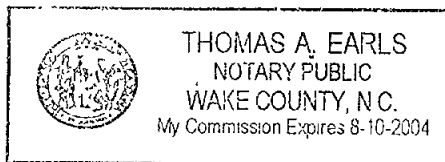


EXHIBIT "C"
TO THAT DECLARATION OF
KELTON SQUARE CONDOMINIUMS

<u>UNIT NUMBER</u>	<u>ALLOCATED INTEREST IN COMMON ELEMENTS</u>
1001	7.749796%
1003	8.437064%
1011	3.530062%
1012	3.479598%
1013	3.479598%
1014	3.479598%
1021	3.530062%
1022	3.479598%
1023	3.479598%
1024	3.479598%
1031	3.530062%
1032	3.479598%
1033	3.479598%
1034	3.479598%
1211	3.479598%
1212	3.479598%
1213	3.479598%
1214	3.530062%
1221	3.479598%
1222	3.479598%
1223	3.479598%
1224	3.530062%

1231	3.479598%
1232	3.479598%
1233	3.479598%
1234	3.530062%

Laura M Riddick
Register of Deeds
Wake County, NC



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**Yellow probate sheet is a vital part of your recorded document.
Please retain with original document and submit for rerecording.**



**Wake County Register of Deeds
Laura M. Riddick
Register of Deeds**

North Carolina - Wake County

The foregoing certificate 5 of Thomas A Earls

_____ 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.

Laura M. Riddick, Register of Deeds

By: Shelia Chestnut
Assistant/Deputy Register of Deeds

This Customer Group
_____ # of Time Stamps Needed

This Document ✓
_____ New Time Stamp
7 # of Pages