

DUBAAL

Prepared by and return to:

William P. Aycock II  
Schell Bray Aycock Abel & Livingston P.L.L.C.  
P. O. Box 21847, Greensboro, N.C. 27420

SIDE NO 157474 BK 4715 PG 1049

NORTH CAROLINA  
GUILFORD COUNTY

AMENDMENT TO DECLARATION  
OF CONDOMINIUM FOR  
INDIGO AT THE LAKE CONDOMINIUM  
ADDING PHASE 5, SECTION ONE

10  
9

HDS Builders, Inc., a North Carolina corporation with a place of business in Guilford County, North Carolina, hereinafter referred to as "HDS," created and established a Condominium known as "Indigo at the Lake Condominium" (the "Condominium"), by the recordation of a Declaration of Condominium in Book 4408, Page 1718 of the Guilford County Registry (the "Declaration"), and added additional real estate to the Condominium by the recordation of an Amendment to Declaration of Condominium recorded in Book 4450, Page 1755 (the "Phase 2 Amendment") and an Amendment to Declaration of Condominium recorded in Book 4546, Page 0237, both in said Registry (the "Phase 3 Amendment").

Article V(F) of the Declaration provides that in the event a party other than HDS owns any undeveloped portion of the property described in Exhibit "C" of the Declaration and wishes to add such property to the Condominium and to create thereon additional Units, Common Elements and Limited Common Elements, such party shall be entitled to do so and shall, upon recordation of an Amendment to the Declaration adding such additional real property to the Condominium, succeed to all rights of Declarant under the Declaration, the Articles and Bylaws.

D. Stone Builders, Inc., a North Carolina corporation with a place of business in Guilford County, North Carolina, is the owner of a portion of the property described in Exhibit "C" of the Declaration and wishes to add such property to the Condominium and to succeed to all rights of Declarant under the Declaration, the Articles and the Bylaws.

Pursuant to Article V(F) of the Declaration, D. Stone Builders, Inc. shall hereafter be referred to as "Declarant" and shall, upon the recording of this Amendment to Declaration, succeed to all rights of Declarant under the Declaration, Articles and Bylaws. Upon such recordation, the rights of HDS as Declarant shall terminate, except such rights as to which HDS is entitled by virtue of its ownership of any Unit.

Pursuant to the provisions of Article V(A) and V(F) of the Declaration, Declarant hereby adds additional real estate to the Condominium, and creates upon such additional real estate additional Condominium Units, Common Elements and Limited Common Elements which shall be a part of the Condominium. The additional real estate is located within the land described in Exhibit "C" attached to the Declaration.

640100

North Carolina - Guilford County  
The certificate (s) of \_\_\_\_\_

Noelle B. Breitenstein  
Elizabeth G. Williams

A Notary (Notaries) Public is (are) certified to be correct. This instrument and this certificate are duly registered at the date and time shown herein.

KATHERINE LEE PAYNE, REGISTER OF DEEDS  
James Schultz

157474

RECORDED  
KATHERINE LEE PAYNE  
REGISTER OF DEEDS  
GUILFORD COUNTY, NC

BOOK: 4715  
PAGE(S): 1049 TO 1058

07/14/1998 11:51:01

1 MISC DOCUMENTS  
9 MISC DOC ADDN PGS

157474 \$6.00  
\$18.00

1 PROBATE FEE

\$2.00

Annexed hereto and expressly made a part hereof as Exhibit "A," consisting of two (2) pages, is a survey of the land and graphic dispositions and plans of the additional real estate, Units, Common Elements and Limited Common Elements which are hereby added to and incorporated into the Condominium as Phase 5, Section One, on which property there has been constructed one (1) building on two levels, containing two (2) Condominium Units and their supporting facilities including garages containing four (4) parking spaces, areas designated for four (4) outdoor parking spaces and other appurtenant improvements. The building is of frame construction with brick veneer exterior and vinyl siding and trim. Certain portions of the Common Elements in Phase 5, Section One, of the Condominium are reserved for the use of a particular Condominium Unit to the exclusion of other Units and are designated as "Limited Common Elements." Limited Common Elements and the Condominium Units to which they are reserved are as follows:

The wooden deck and steps ("Deck") to the rear of Unit 31 is allocated exclusively for the use of such Unit.

The concrete patio and surrounding area ("Patio") to the rear of Unit 30 is allocated exclusively for the use of such Unit.

The steps, stoops and covered porches to the front of Units 30 and 31 are allocated exclusively to the respective Unit which provides direct access thereto.

The Phase 5 Condominium Plan is recorded in Condominium Plat Book 006, Pages 035 and 036 of the Guilford County Public Registry.

Declarant does hereby submit the above described property and improvements to condominium ownership under the provisions of Chapter 47C of the General Statutes of North Carolina (North Carolina Condominium Act), and hereby declares the same to be part of the Condominium.

With the addition to the Condominium of the real estate, Condominium Units, Common Elements and Limited Common Elements shown on Exhibit "A" attached hereto, the Allocated Interest in the Common Elements appurtenant to all Units in the Condominium have changed, and shall be as set forth in Exhibit "B," which is attached hereto and incorporated herein by reference.

Listed below is the recording data for all easements and licenses which have been recorded subsequent to those listed in Article VII of the Declaration, as updated by the Phase 2 Amendment and Phase 3 Amendment, and which now affect the Condominium or which now affect any property which may become a part of the Condominium by virtue of the exercise of the Development Rights set out in Article V of the Declaration:

001050

1. Easements for ingress, regress and egress reserved by LSOF Partners X, L.P. in deed to D. Stone Builders, Inc., recorded in Book 4603, Page 1053 of the Guilford County Registry;
2. Easements granted in a Deed of Trust from D. Stone Builders, Inc. to TIM, Inc., Trustee, and NationsBank, National Association, recorded in Book 4603, Page 1056 of the Guilford County Registry; and
3. Easements shown on the Phase 5 Condominium Plan.

Except as specifically amended by the Phase 2 Amendment, the Phase 3 Amendment and as specifically amended herein, the Declaration of Condominium for Indigo at the Lake Condominium shall remain in full force and effect.

[Signatures on Next Page]

001051

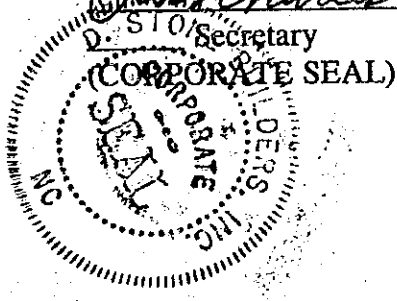
IN WITNESS WHEREOF, D. Stone Builders, Inc. has caused these presents to be duly executed in its name and its corporate seal hereunto affixed, all as of the 27 day of May, 1998.

D. STONE BUILDERS, INC.

ATTEST:

John Charles Upchurch  
Secretary

By: [Signature]  
President



001052

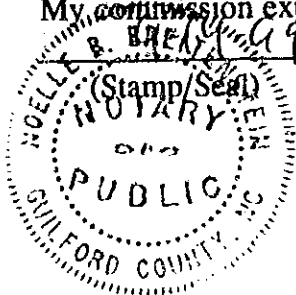
NORTH CAROLINA  
Guilford COUNTY

I, Noelle B. Brittenstein, a Notary Public of the County and State aforesaid, certify that John Charles Upchurch personally appeared before me this day and acknowledged that he is the \_\_\_\_\_ Secretary of D. STONE BUILDERS, INC., a North Carolina corporation, 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 himself as its \_\_\_\_\_ Secretary.

Witness my hand and official stamp or seal, this 27<sup>th</sup> day of May, 1998.

Noelle B. Brittenstein  
Notary Public

My commission expires:



9-14-99

LSOF Partners X, L.P., a Texas limited partnership and successor to Cornwallis Development Co., through execution by its Attorney-In-Fact, evidences its consent to the recording of this Amendment to Declaration of Condominium, pursuant to the provisions of Paragraph 1(A) of a Warranty Deed from LSOF Partners X, L.P. to D. Stone Builders, Inc., which Warranty Deed is recorded in Book 4603, Page 1053 of the Guilford County Registry.

LSOF Partners X, L.P.,  
a Texas limited partnership (SEAL)

By: LAKE JEANETTE DEVELOPMENT  
COMPANY, a Texas corporation,  
Attorney-In-Fact

ATTEST:

Conrad D. Hicks  
Asst. Secretary  
(CORPORATE SEAL)

By: [Signature]  
President

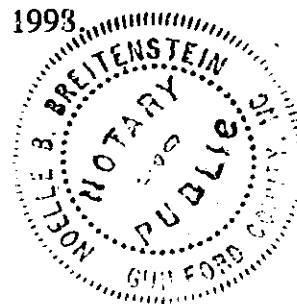
STATE OF North Carolina  
COUNTY OF Guilford

I, Noelle B. Breitenstein, a Notary Public, do hereby certify that Conrad D. Hicks personally appeared before me this day and acknowledged that he/she is the Asst Secretary of LAKE JEANETTE DEVELOPMENT COMPANY, a Texas corporation qualified to do business in North Carolina, that the seal affixed to the foregoing instrument in writing is the corporate seal of the corporation, that said writing was signed by its President, attested to and sealed by him/her as its Asst. Secretary on behalf of LSOF PARTNERS X, L.P., a Texas limited partnership, by its authority duly given, and that said writing is the act and deed of said corporation as Attorney-In-Fact for LSOF PARTNERS X, L.P., and that its authority to execute and acknowledge said instrument is contained in an instrument duly executed, acknowledged and recorded in the Office of the Register of Deeds of Guilford County, North Carolina, on May 8, 1997, in Book 4536, Page 1117; that this instrument was executed under and by virtue of the authority given by said instrument granting it power of attorney; that the said Attorney-In-Fact acknowledged the due execution of the foregoing and annexed instrument for the purposes therein expressed for and in behalf of said LSOF PARTNERS X, L.P., and that said writing is the act and deed of said limited partnership and said corporation as its Attorney-In-Fact.

WITNESS my hand and official seal this the 27<sup>th</sup> day of May, 1993.

Noelle B. Breitenstein  
Notary Public

My commission expires:  
9-14-99



001053

Nationsbank, National Association, as holder of a promissory note secured by a deed of trust on the property described in this Amendment to Declaration of Condominium, said deed of trust being recorded in Book 4603, Page 1056, Guilford County Registry, and TIM, Inc., as Trustee under said deed of trust, join in the execution hereof for the purpose of subjecting the aforesaid deed of trust to the terms and provisions of the Declaration of Condominium.

Nationsbank, National Association

By: Charles E. Zippert  
Vice President

ATTEST:

Michael C. Davis  
Asst. Secretary

(CORPORATE SEAL)



TIM, INC., TRUSTEE

By: Charles E. Zippert  
Vice President



ATTEST:

Michael C. Davis  
Asst. Secretary

(CORPORATE SEAL)

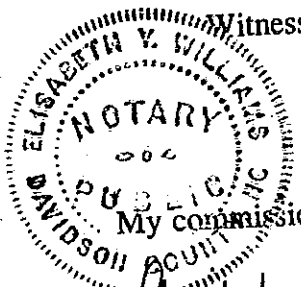
001054

NORTH CAROLINA

Guilford COUNTY

I, Elisabeth Y. Williams, a Notary Public, do hereby certify that Michelle C. Davis personally appeared before me this day and acknowledged that he/she is the ASST. Secretary of Nationsbank, National Association and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its VICE President, sealed with its corporate seal, and attested by himself/herself as its ASST Secretary.

Witness my hand and official stamp or seal, this 3rd day of June, 1998.



My commission expires:

April 1, 2003  
(Stamp/Seal)

Elisabeth Y. Williams  
Notary Public

001055

NORTH CAROLINA

Guilford COUNTY

I, Elisabeth Y. Williams, a Notary Public, do hereby certify that Michelle C. Davis personally appeared before me this day and acknowledged that he/she is the ASST. Secretary of TIM, Inc. and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its VICE President, sealed with its corporate seal, and attested by himself/herself as its ASST. Secretary

Witness my hand and official stamp or seal, this 3rd day of June, 1998.



My commission expires:

April 1, 2003  
(Stamp/Seal)

Elisabeth Y. Williams  
Notary Public

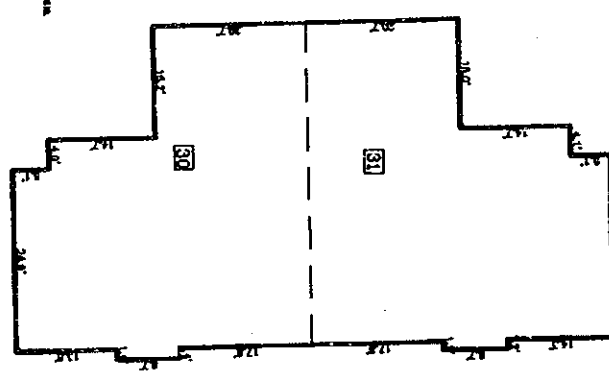


001056

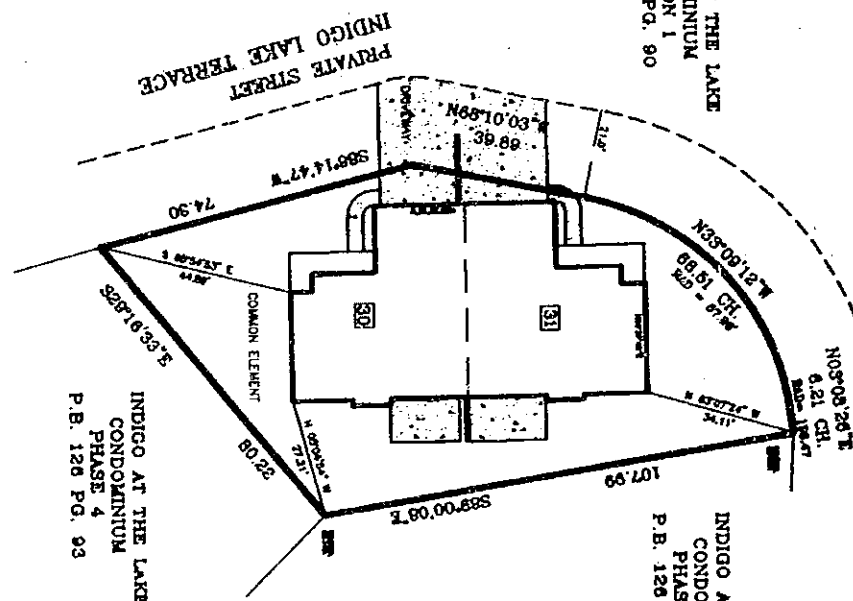
THE STATE OF NORTH CAROLINA  
COUNTY OF GAITHERSBURG  
I, \_\_\_\_\_, Clerk of the Superior Court of the County of Gaithersburg, do hereby certify that the foregoing is a true and correct copy of the original as filed in my office on this \_\_\_\_\_ day of \_\_\_\_\_, 2000.



STATE OF NORTH CAROLINA  
COUNTY OF GAITHERSBURG  
I, \_\_\_\_\_, Clerk of the Superior Court of the County of Gaithersburg, do hereby certify that the foregoing is a true and correct copy of the original as filed in my office on this \_\_\_\_\_ day of \_\_\_\_\_, 2000.



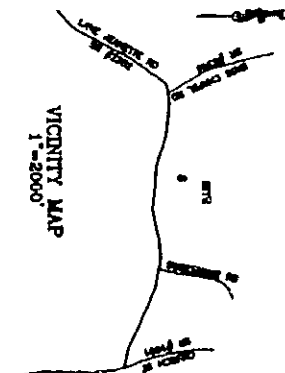
INDIGO AT THE LAKE  
CONDOMINIUM  
SECTION 1  
P.B. 06 PG. 90



INDIGO AT THE LAKE  
CONDOMINIUM  
PHASE 13  
P.B. 126 PG. 93

INDIGO AT THE LAKE  
CONDOMINIUM  
PHASE 4  
P.B. 126 PG. 93

THE STATE OF NORTH CAROLINA  
COUNTY OF GAITHERSBURG  
I, \_\_\_\_\_, Clerk of the Superior Court of the County of Gaithersburg, do hereby certify that the foregoing is a true and correct copy of the original as filed in my office on this \_\_\_\_\_ day of \_\_\_\_\_, 2000.



VICINITY MAP  
1"=2000'

1. THIS IS A SURVEY OF THE LAND OF THE STATE OF NORTH CAROLINA, COUNTY OF GAITHERSBURG, AND IS SUBJECT TO ALL RECORDS, DEEDS, EASEMENTS, AND ENCUMBRANCES OF RECORD IN THE PUBLIC RECORDS OF THE COUNTY OF GAITHERSBURG, NORTH CAROLINA.



FINAL PLAT  
INDIGO AT THE LAKE CONDOMINIUM  
SECTION 1  
MAP 1  
SHEET 1

D. STONE BUILDERS, INC.  
P.O. BOX 8444  
GREENSBORO, NC 27404  
(336) 286-4343  
TOWNSHIPS, INCORPORATED  
COUNTY OF GAITHERSBURG  
SCALE: 1"=200'

Fleming Engineering, Inc.  
3008-C Blue Ridge Avenue, Greensboro, NC 27402  
Phone: (336) 733-1111

THIS MAP IS NOT A CERTIFIED SURVEY AND NO RELIANCE MAY BE PLACED IN ITS ACCURACY.

001056 PART BOOK 026 sheet 035



001057

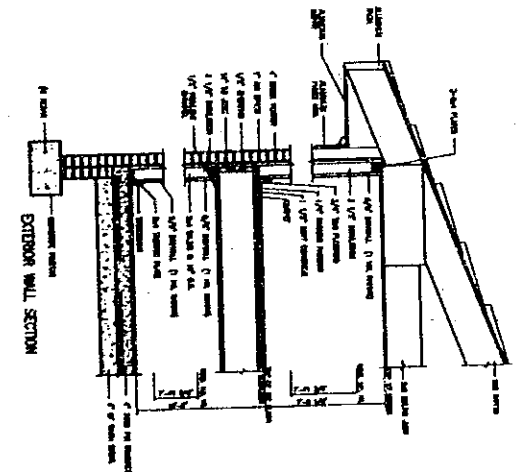
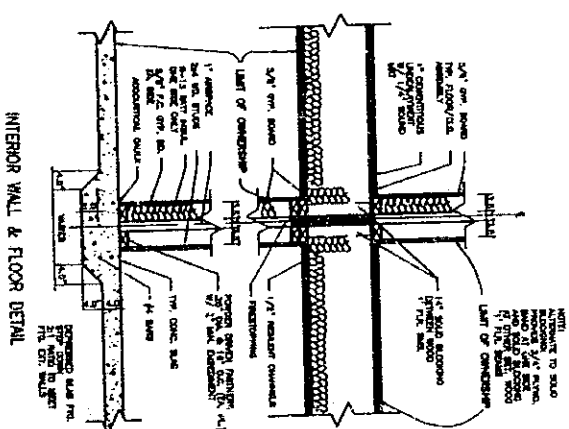
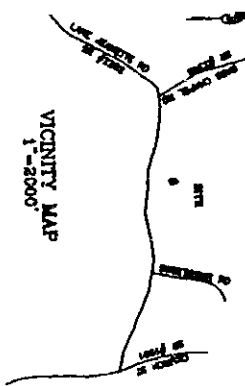
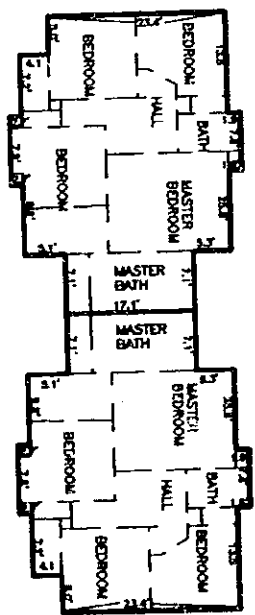
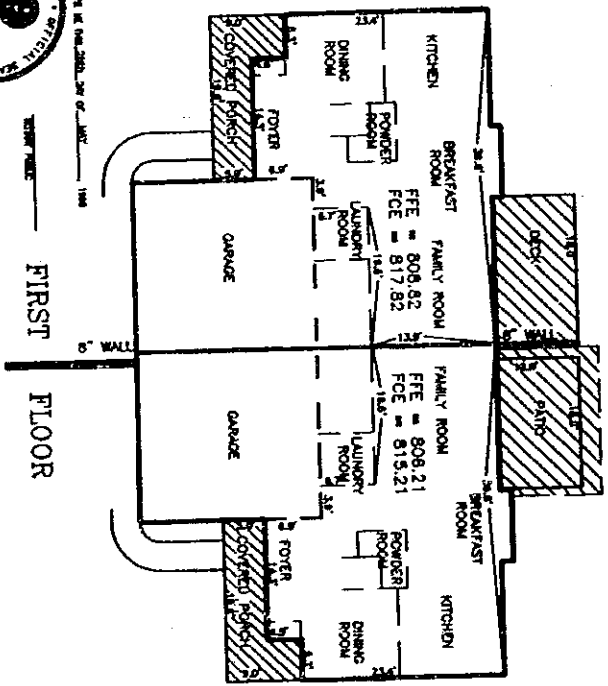
PLAT BOOK 006 PAGE 036

THIS MAP IS NOT A CERTIFIED SURVEY AND NO RELIANCE MAY BE PLACED IN ITS ACCURACY.

THESE PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF THE BUILDING ARE THE PROPERTY OF THE ARCHITECT AND SHALL BE KEPT IN HIS OFFICE. NO PART OF THESE PLANS OR SPECIFICATIONS SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

SECTION 1. GENERAL NOTES:  
 1. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND SPECIFICATIONS.  
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS.  
 3. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE ARCHITECT.

SECTION 2. FINISHES:  
 1. WALLS: INTERIOR - 1/2" PLASTER OVER GYP. BOARD; EXTERIOR - 1/2" PLASTER OVER CMU.  
 2. FLOORS: INTERIOR - 1/2" GYP. BOARD OVER CONCRETE; EXTERIOR - 4" CONCRETE ON GRADE.  
 3. CEILING: INTERIOR - 1/2" GYP. BOARD; EXTERIOR - 1/2" PLASTER OVER CMU.



**FINAL PLAT**  
**INDICATED THE LANE CONDUIT**  
 SHEET 5 OF 5  
 SECTION 1  
 PLAT 5  
 MAP 1  
 SHEET 2

QUINN COOPER  
 NORTH CAROLINA  
 DATE: 09-18-08

**Planning Engineering, Inc.**  
 1404C New Business Center, Greensboro, NC 27409  
 Phone: 336-833-1111

Indigo at the Lake Condominium  
Amendment to Declaration of Condominium  
Exhibit "B"  
Phases 1, 2, 3 and 5, Section One

<u>Unit Number</u>	<u>Allocated Interest in Common Elements</u>
1	2.9240%
2	2.9240%
3	3.5088%
4	2.9240%
5	2.9240%
6	3.5088%
7	3.3624%
8	3.5088%
9	2.9240%
10	2.9240%
11	3.5088%
12	2.9240%
13	2.9240%
14	3.5088%
15	2.9240%
16	2.9240%
17	3.5088%
18	2.9240%
19	3.5088%
20	3.3624%
21	3.5088%
22	2.9240%
23	2.9240%
24	3.5088%
25	2.9240%
26	3.3624%
27	3.5088%
28	3.3624%
29	3.5088%
30	3.5088%
31	<u>3.5088%</u> 100.0000%

001058