

North Carolina - Guilford County

The certificate (s) of _____

177003 ^D

Janet E. Roth
Kay T. Johnson

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

Katherine Lee Payne
Assistant/Deputy Register of Deeds

RECORDED
KATHERINE LEE PAYNE
REGISTER OF DEEDS
GUILFORD COUNTY, NC

BOOK: 4743
PAGE(S): 1474 TO 1483

09/14/1998 10:46:28

1 MISC DOCUMENTS 177003 \$6.00
9 MISC DOC ADDN PGS \$18.00
1 PROBATE FEE \$2.00

Pick Up/SBAA&L

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

NORTH CAROLINA
GUILFORD COUNTY

AMENDMENT TO DECLARATION
OF CONDOMINIUM FOR
INDIGO AT THE LAKE CONDOMINIUM
ADDING PHASE 15, SECTION ONE
AND PHASE 17, SECTION ONE

001474

1/9m

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"), an Amendment to Declaration of Condominium recorded in Book 4546, Page 0237 (the "Phase 3 Amendment") and an Amendment to Declaration of Condominium recorded in Book 4715, Page 1049 (the "Phase 5 Amendment"), all in said Registry (collectively, the "Prior Amendments").

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, upon recording of the Phase 5 Amendment, succeeded to all rights of HDS as Declarant under the Declaration, Articles and Bylaws. Also, upon such recordation, the rights of HDS as Declarant terminated, except such rights as to which HDS is entitled by virtue of its ownership of any Unit. Pursuant to Article V(F) of the Declaration, D. Stone Builders, Inc. shall hereinafter be referred to as "Declarant."

D. Stone Builders, Inc. 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 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.

Annexed hereto and expressly made a part hereof as Exhibit "A," consisting of two (2) pages, is a survey of the land and graphic descriptions 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 15 and Phase 17, 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 15 and Phase 17, 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 52 are allocated exclusively for the use of such Unit.

The wooden deck and steps ("Deck") to the rear of Unit 53 are allocated exclusively for the use of such Unit.

The storage areas which are accessible through certain Units and/or which are located over certain garages which are a part of Units are allocated exclusively for the use of such Unit. A storage area is a Limited Common Element appurtenant to a Unit, as shown on Exhibit A, Sheet 2, with the Unit number designated thereon; provided, however, that any pull-down stairs which provide access to a storage area shall be a part of the Unit to which the storage area is reserved.

The steps, stoops and covered porches to the front of Units 52 and 53 are allocated exclusively to the respective Unit which provides direct access thereto.

The Phase 15 and Phase 17 Condominium Plan is recorded in Condominium Plat Book 006 Pages 040 and 041 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

001475

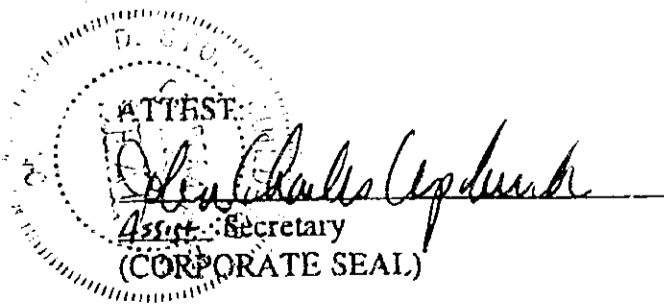
Interest in the Common Elements appurtenant to all Units in the Condominium have changed, and shall be as set forth in Exhibit "B," which is attached hereto and incorporated herein by reference.

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 Prior Amendments, 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:

1. Easements for ingress, regress and egress reserved by LSOF Partners X, L.P. in deed to D. Stone Builders, Inc., recorded in Book 4677, Page 1323 of the Guilford County Registry;
2. Easements for ingress, regress and egress reserved by LSOF Partners X, L.P. in deed to D. Stone Builders, Inc., recorded in Book 4732, Page 526 of the Guilford County Registry;
3. Easements granted in a Deed of Trust from D. Stone Builders, Inc. to TIM, Inc., Trustee, and NationsBank, National Association, recorded in Book 4677, Page 1326 of the Guilford County Registry; and
3. Easements shown on the Phase 15 and Phase 17 Condominium Plan.

Except as specifically amended by the Prior Amendments and as specifically amended herein, the Declaration of Condominium for Indigo at the Lake Condominium shall remain in full force and effect.

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 11th day of September, 1998.



D. STONE BUILDERS, INC.

By: *[Signature]*

President

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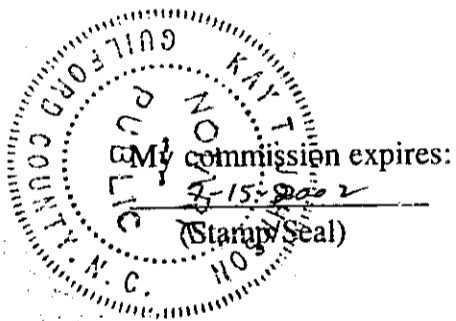
NORTH CAROLINA

Guilford COUNTY

I, Kay J. Johnson, 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 Assistant 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 John Charles Upchurch as its Assistant Secretary.

Witness my hand and official stamp or seal, this 11 day of September, 1998.

Kay J. Johnson
Notary Public



001477

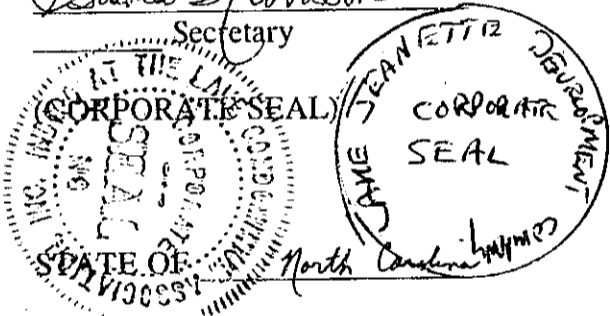
LSOF Partners X, L.P., a Texas limited partnership and successor to Cornwallis Development Co., through execution by its Attorney-In-Fact, evidences its consent to the recording of this Amendment to Declaration of Condominium, pursuant to the provisions of Paragraph 1(A) of two Warranty Deeds from LSOF Partners X, L.P. to D. Stone Builders, Inc., which Warranty Deed are recorded in Book 4677, Page 1323 and Book 4732, Page 523 of the Guilford County Registry.

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

ATTEST:

Shirley Harrison
Secretary

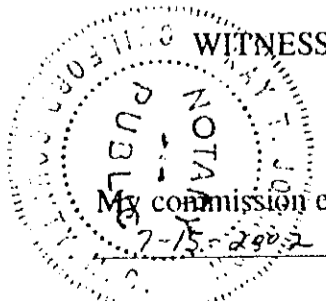
By: LAKE JEANETTE DEVELOPMENT
COMPANY, a Texas corporation,
Attorney-In-Fact



By: [Signature]
President

COUNTY OF Guilford

I, Kay J. Johnson, a Notary Public, do hereby certify that Shirley Harrison personally appeared before me this day and acknowledged that he/she is the 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 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 11 day of September, 1998.

Kay J. Johnson
Notary Public

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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 4677, Page 1326, 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.

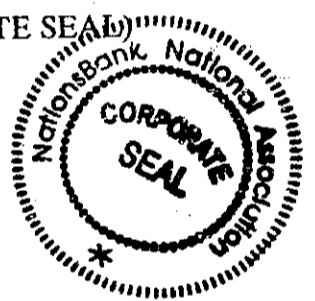
NationsBank, National Association

By: Charles E. Sizemore
Vice President

ATTEST:

Michelle C. Davis
ASA, Secretary

(CORPORATE SEAL)



TIM, INC., TRUSTEE

By: Charles E. Sizemore
Vice President

001479



Michelle C. Davis
ASA, Secretary

(CORPORATE SEAL)

NORTH CAROLINA

Guilford COUNTY

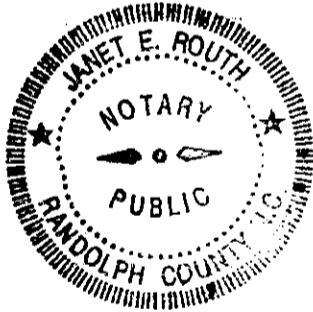
I, JANET E. ROUTH, a Notary Public, do hereby certify that Michelle C. Davis personally appeared before me this day and acknowledged that he/she is the Asst. Secretary of NationsBank, National Association and that by authority duly given and as the act of the corporation, the foregoing instrument was 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 11th day of September, 1998.

Janet E. Routh
Notary Public

My commission expires:

6-5-2001
(Stamp/Seal)



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NORTH CAROLINA

Guilford COUNTY

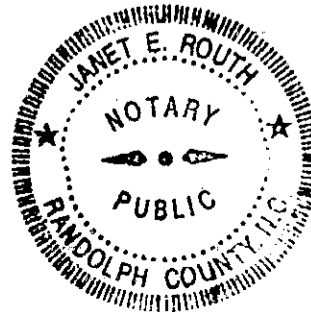
I, JANET E. ROUTH, a Notary Public, do hereby certify that Michelle C. Davis personally appeared before me this day and acknowledged that he/she is the Asst. Secretary of TIM, Inc. and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its 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 11th day of September, 1998.

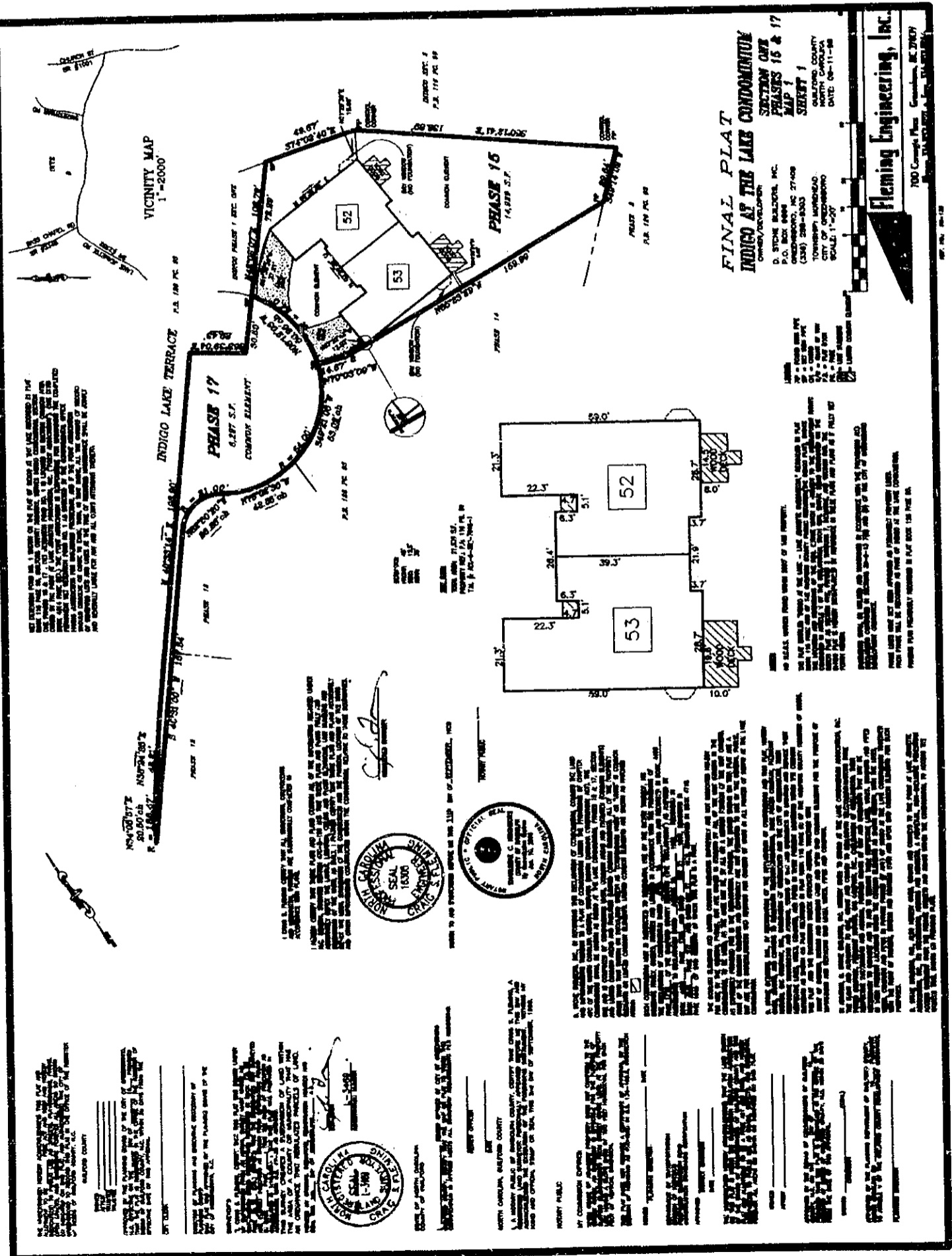
Janet E. Routh
Notary Public

My commission expires:

6-5-2001
(Stamp/Seal)



CONDOMINIUM PLAT BOOK 006 PAGE 040

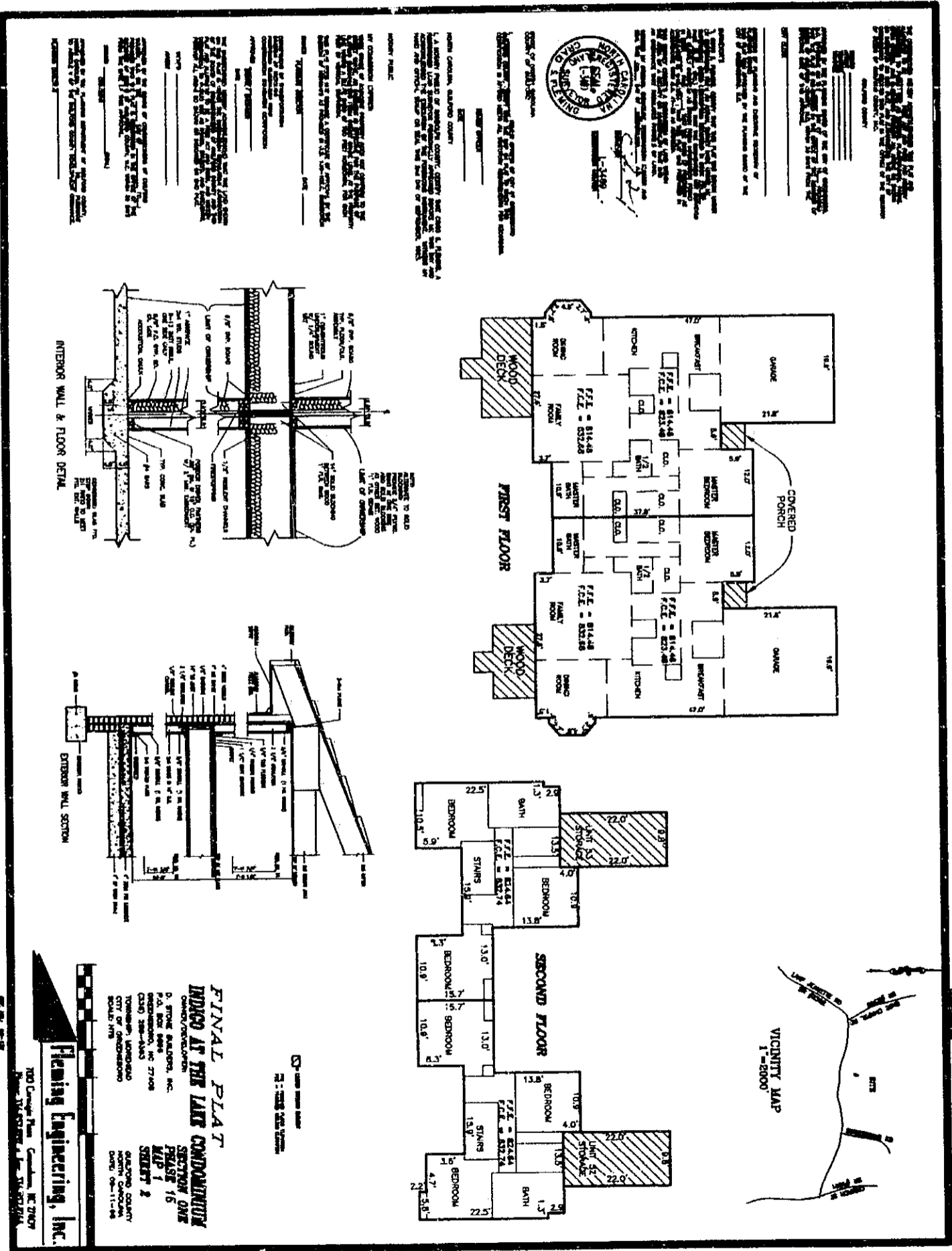


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THIS MAP IS NOT A CERTIFIED SURVEY AND NO RELIANCE MAY BE PLACED IN ITS ACCURACY.

001482

001 and 041



Indigo at the Lake Condominium
Amendment to Declaration of Condominium
Exhibit "B"
Phases 1, 2, 3, 5 and 15, Section One

<u>Unit Number</u>	<u>Allocated Interest in Common Elements</u>
1	2.73230%
2	2.73230%
3	3.27864%
4	2.73230%
5	2.73230%
6	3.27864%
7	3.14205%
8	3.27864%
9	2.73230%
10	2.73230%
11	3.27864%
12	2.73230%
13	2.73230%
14	3.27864%
15	2.73230%
16	2.73230%
17	3.27864%
18	2.73230%
19	3.27864%
20	3.14205%
21	3.27864%
22	2.73230%
23	2.73230%
24	3.27864%
25	2.73230%
26	3.14205%
27	3.27864%
28	3.14205%
29	3.27864%
30	3.27864%
31	3.27864%
52	3.27864%
53	3.27864%
	100.00000%

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