

*Pls Schell Gray  
B. Ren*

NORTH CAROLINA  
GUILFORD COUNTY

AMENDMENT TO DECLARATION  
OF CONDOMINIUM FOR INDIGO AT  
THE LAKE CONDOMINIUM  
ADDING PHASE 8

SIDE NO 553517 BK 5457 PG 0425

1 MISC DOCUMENTS  
9 MISC DOC ADDN PGS

553517

\$12.00  
\$27.00

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 (the "Phase 3 Amendment").

1 PROBATE FEE

\$2.00

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 an Amendment to Declaration of Condominium recorded in Book 4715, Page 1049 of the Guilford County Registry (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."

Subsequent to the recordation of the Phase 5 Amendment, Declarant added additional real estate to the Condominium by the recordation in the Guilford County Registry of an Amendment to Declaration of Condominium recorded in Book 4743, Page 1474 (the "Phase 15 and Phase 17 Amendment"), an Amendment to Declaration of Condominium recorded in Book 4787, Page 426 (the "Phase 12 Amendment"), an Amendment to Declaration of Condominium recorded in Book 4819, Page 836 (the "Phase 14 Amendment"), an Amendment to Declaration of Condominium recorded in Book 4875, Page 1929 (the "Phase 10 Amendment"), an Amendment to Declaration of Condominium recorded in Book 4882, Page 880 (the "Phase 4 Amendment"), an Amendment to Declaration of Condominium recorded in Book 4901, Page 1144 (the "Phase 16 Amendment"), and an Amendment to Declaration of Condominium recorded in Book 5130, Page 1427 (the "Phase 6, Section One Amendment"). The Phase 2

RECORDED - 553517 \*  
KATHERINE LEE PAYNE  
REGISTER OF DEEDS  
GUILFORD COUNTY, NC  
BOOK: 5457  
PAGE(S): 0425 TO 0435  
03/07/2002 10:47:11

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A

Amendment, Phase 3 Amendment, Phase 5 Amendment, Phase 15 and Phase 17 Amendment, Phase 12 Amendment, Phase 14 Amendment, Phase 10 Amendment, Phase 4 Amendment, Phase 16 Amendment, and Phase 6, Section One Amendment shall be referred to collectively herein as the "Prior Amendments."

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.

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 8, on which property there has been constructed one (1) building, on two (2) 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 8 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 wood deck to the rear of Units 38 and 39 are allocated exclusively to the respective Unit which provides direct access thereto.

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 38 and 39 are allocated exclusively to the respective Unit which provides direct access thereto.

The Phase 8 Condominium Plan is recorded in Condominium Plat Book 007, Pages 100 and 101 of the Guilford County Public Registry.

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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 Exhibits "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 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 5245, Page 1497, of the Guilford County Registry;
2. Easements shown on the Phase 8 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 22<sup>ND</sup> day of FEBRUARY, 2002.

D. STONE BUILDERS, INC.

By: \_\_\_\_\_

President

*Dwight D. Stone*

000427

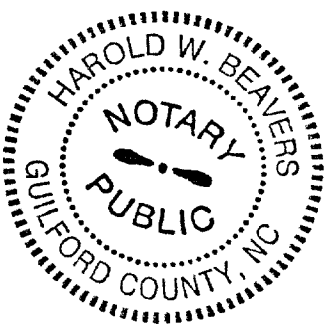
STATE OF NORTH CAROLINA  
COUNTY OF GUILFORD

I, HAROLD W. BEAVERS, a Notary Public, do hereby certify that Dwight D. Stone personally appeared before me this day and acknowledged that he is the President of D. STONE BUILDERS, INC., a corporation, and that by authority duly given, and as the act of the corporation, the foregoing instrument was signed in its name by him as its President for and on behalf of the corporation.

WITNESS my hand and official seal this the 22<sup>ND</sup> day of FEBRUARY, 2002.

[Signature]  
Notary Public

My Commission Expires:  
6/17/04



000428

Newco Land, Inc., a North Carolina corporation and successor to Cornwallis Development Co., evidences its consent to the recording of this Amendment to Declaration of Condominium, pursuant to the provisions of Paragraph 1(C) of the Warranty Deed from LSOF Partners X, L.P. to D. Stone Builders, Inc., which Warranty Deed is recorded in Book 5245, Page 1497, of the Guilford County Registry.

NEWCO LAND, INC.

By: \_\_\_\_\_  
\_\_\_\_\_ President

*[Handwritten Signature]*  
*Dwight D. Stone*

STATE OF NORTH CAROLINA

COUNTY OF GUILFORD

I, HAROLD W. BEAVERS, a Notary Public, do hereby certify that Dwight D. Stone personally appeared before me this day and acknowledged that he is President of Newco Land, 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 him as its President for and on behalf of the corporation.

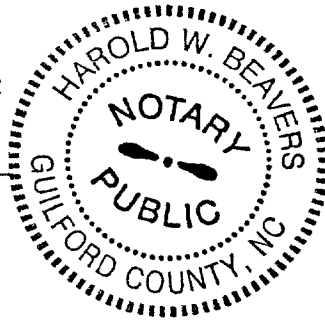
WITNESS my hand and official seal this the 22ND day of FEBRUARY, 2002.

*[Handwritten Signature]*

Notary Public

My Commission Expires:

6/17/04



000429

Wachovia Bank, N.A., as holder of certain promissory notes secured by deeds of trust on the property described in this Amendment to Declaration of Condominium, said deeds of trust being recorded in Book 5245, Page 1501, and Book 5245, Page 1511, Guilford County Registry, and New Salem, Inc., as Trustee under said deeds of trust, join in the execution hereof for the purpose of subjecting the aforesaid deeds of trust to the terms and provisions of the Declaration of Condominium.

WACHOVIA BANK, N.A.

By: David F. Sandlin III  
VICE President

David F. Sandlin III

NEW SALEM, INC., Trustee

By: Churchill P. Brown II  
VICE President

Churchill P. Brown II

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STATE OF NORTH CAROLINA

COUNTY OF Duflord

I, Ruth M. Burnell, a Notary Public, do hereby certify that David F. Sadler III personally appeared before me this day and acknowledged that he/she is vice President of Wachovia Bank, N.A., a banking corporation, 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 for and on behalf of the corporation.

WITNESS my hand and official seal this the 22 day of February, 2002.

Ruth M. Burnell  
Notary Public

**RUTH M. BURNELL**  
**NOTARY PUBLIC**  
**ROCKINGHAM COUNTY, NC**  
My Commission Expires \_\_\_\_\_

My Commission Expires:  
2/15/03

000431

STATE OF NORTH CAROLINA

COUNTY OF Duflord

I, Ruth M. Burnell, a Notary Public, do hereby certify that Chuachill P. Brown personally appeared before me this day and acknowledged that he/she is vice President of New Salem, Inc., a corporation, Trustee, 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 for and on behalf of the corporation.

WITNESS my hand and official seal this the 22 day of February, 2002.

Ruth M. Burnell  
Notary Public

**RUTH M. BURNELL**  
**NOTARY PUBLIC**  
**ROCKINGHAM COUNTY, NC**  
My Commission Expires \_\_\_\_\_

My Commission Expires:  
2/15/2003

Indigo at the Lake Condominium  
Amendment to Declaration of Condominium  
Exhibit "B"

Phases 1, 2, 3, 5, 15, 17, 12, 14, 10, 16, 4, 6 , Section One, and 8

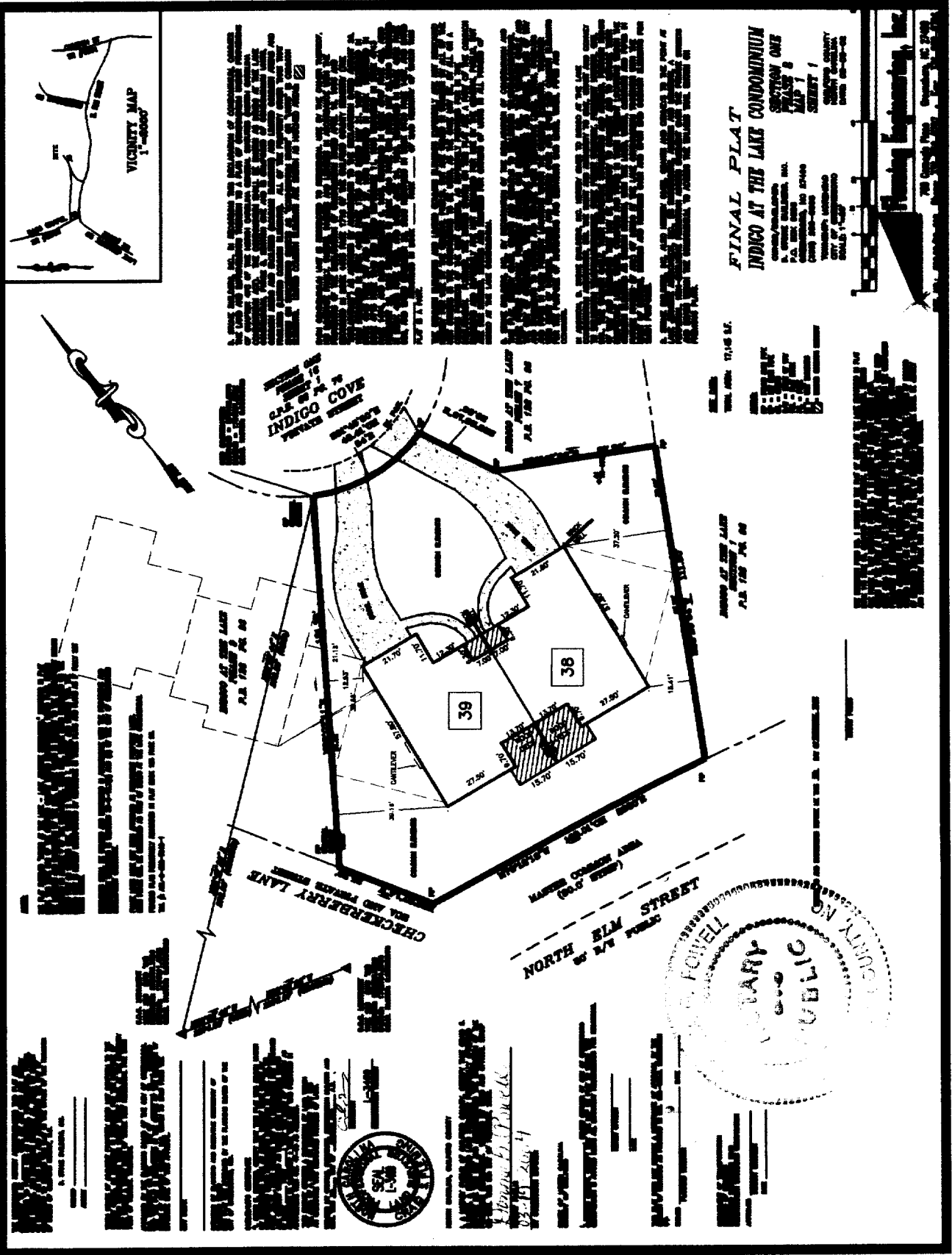
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<u>Unit Number</u>	<u>Allocated Interest In Common Elements</u>
1	1.960793
2	1.960793
3	2.352932
4	1.960793
5	1.960793
6	2.352932
7	2.254931
8	2.352932
9	1.960793
10	1.960793
11	2.352932
12	1.960793
13	1.960793
14	2.352932
15	1.960793
16	1.960793
17	2.352932
18	1.960793
19	2.352932
20	2.254931
21	2.352932
22	1.960793
23	1.960793
24	2.352932
25	1.960793
26	2.254931
27	2.352932
28	2.254931
29	2.352932
30	2.352932
31	2.352932
32	2.352932
33	2.352932
34	2.352932
35	2.352932
38	2.352932
39	2.352932
42	2.352932
43	2.352932
46	2.352932
47	2.352932
50	2.352932
51	2.352932
52	2.352932
53	<u>2.352932</u>

100.000%



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THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENTAL AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS. THE ORIGINAL PLAT OF WHICH THIS MAP IS A REDUCED COPY HAS BEEN REVIEWED BY THE CITY OF GREENSBORO PLANNING DEPARTMENT AND IS BEING RECORDED SIMULTANEOUSLY WITH THE AMENDMENT TO DECLARATION TO WHICH THIS MAP IS ATTACHED.





KATHERINE LEE PAYNE, REGISTER OF DEEDS  
GUILFORD COUNTY  
201 SOUTH EUGENE STREET  
GREENSBORO, NC 27402

000435

\* \* \* \* \*

State of North Carolina, County of Guilford

The foregoing certificate of Harold W Beavers  
Ruth M Burnell

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

By: Amber J Allen  
Deputy - Assistant Register of Deeds

\* \* \* \* \*

**THIS CERTIFICATION SHEET MUST REMAIN WITH THE DOCUMENT**

03/29/00