

BEAVERS PIW

NORTH CAROLINA  
GUILFORD COUNTY

AMENDMENT TO DECLARATION  
OF CONDOMINIUM FOR INDIGO AT  
THE LAKE CONDOMINIUM  
ADDING PHASE 9, SECTION ONE

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").

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"), an Amendment to Declaration of Condominium recorded in Book 5130, Page 1427 (the "Phase 6, Section One Amendment"), and an Amendment to

1 MISC DOCUMENTS	582827	\$12.00
9 MISC DOC ADDN PGS		\$27.00
1 PROBATE FEE		\$2.00

RECORDED - 582827  
KATHERINE LEE PAYNE  
REGISTER OF DEEDS  
GUILFORD COUNTY, NC  
BOOK: 5524  
PAGE(S): 0921 TO 0931  
06/03/2002 14:07:24

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Declaration of Condominium recorded in Book 5457, Page 425 (the "Phase 8 Amendment). The Phase 2 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, and Phase 8 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 9, Section One, on which property there has been constructed one (1) building, on two (2) levels, containing one (1) Condominium Unit and its supporting facilities including a garage containing two (2) 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 9, 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 wood deck to the rear of Unit 41 (the "Unit") is allocated exclusively to the Unit.

The storage area which is accessible through the Unit and/or which is located over the garage which is a part of the Unit is 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 the Unit are allocated exclusively to the Unit.

The Phase 9, Section One Condominium Plan is recorded in Condominium Plat Book 007, Pages 131 and 132 of the Guilford County Public Registry.

000922

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 Newco Land, Inc. in deed to D. Stone Builders, Inc. recorded in Book 5445, Page 2025, of the Guilford County Registry;
2. Easements shown on the Phase 9, Section One 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 29<sup>th</sup> day of May, 2002.

D. STONE BUILDERS, INC.

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

President

000923

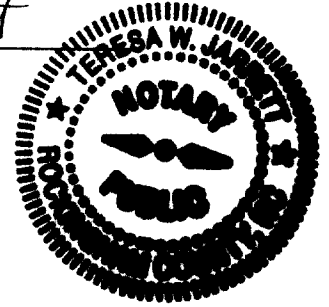
STATE OF North Carolina

COUNTY OF Rockingham

I, Teresa W. Jarrett, 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 29<sup>th</sup> day of May, 2002.

Teresa W Jarrett  
Notary Public



My Commission Expires:

5/24/05

426000

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 Newco Land, Inc. to D. Stone Builders, Inc., which Warranty Deed is recorded in Book 5445, Page 2025, of the Guilford County Registry.

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NEWCO LAND, INC.

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

\_\_\_\_\_  
President

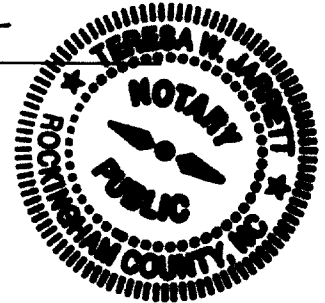
STATE OF NORTH CAROLINA

COUNTY OF GUILFORD

I, Teresa W. Jarrett, 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 29<sup>th</sup> day of May, 2002.

Teresa W. Jarrett  
Notary Public



My Commission Expires:

5/24/05

Branch Banking and Trust Company, as holder of a certain 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 5445, Page 2030, Guilford County Registry, and ~~James V. Daly~~ <sup>C. Louis Moore / Substitute</sup>, 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.

BRANCH BANKING AND TRUST COMPANY

By: *Stanley P. Gunter*  
VICE President  
STANLEY P GUNTER

SUBSTITUTE TRUSTEE:

*C. Louis Moore* (SEAL)  
~~James V. Daly~~, Trustee  
C. LOUIS MOORE, Substitute Trustee

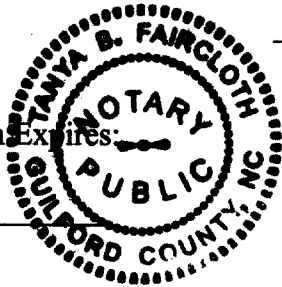
000926

STATE OF NORTH CAROLINA

COUNTY OF GUILFORD

I, THE UNDERSIGNED, a Notary Public, do hereby certify that STANLEY P GUNTER personally appeared before me this day and acknowledged that he/she is VICE President of Branch Banking and Trust Company, 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 30 day of MAY, 2002.



Tanya B. Faircloth  
Notary Public

My Commission Expires:

6-18-02

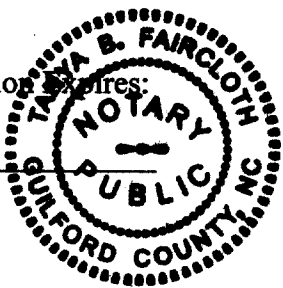
STATE OF NORTH CAROLINA

COUNTY OF GUILFORD

I, THE UDNERSIGNED, a Notary Public, do hereby certify that \* /James V. Dary, Trustee, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

\*C. LOUIS MOORE, Substitute

WITNESS my hand and official seal this the 30 day of MAY, 2002.



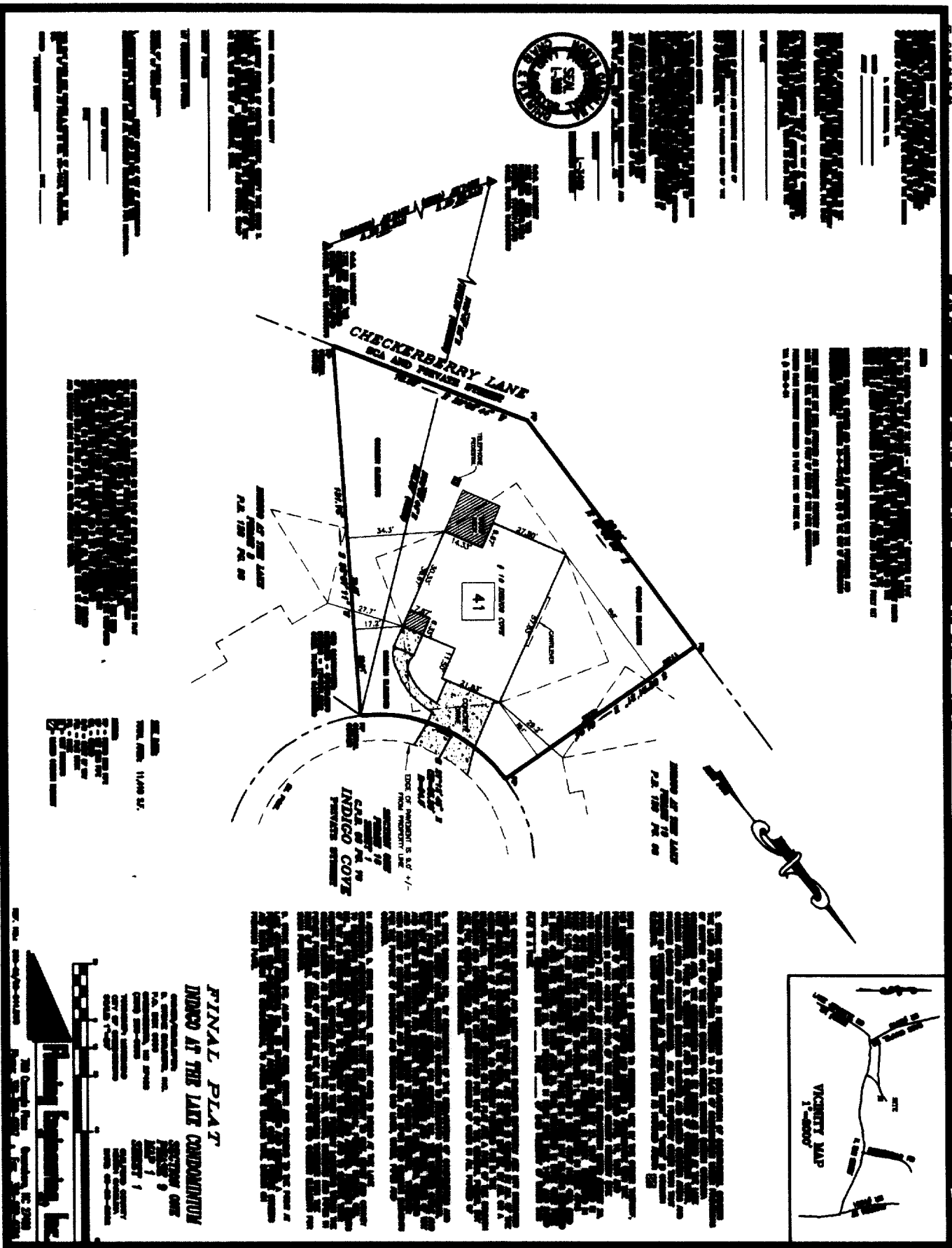
Tanya B. Faircloth  
Notary Public

My Commission Expires:

6-18-02

000927

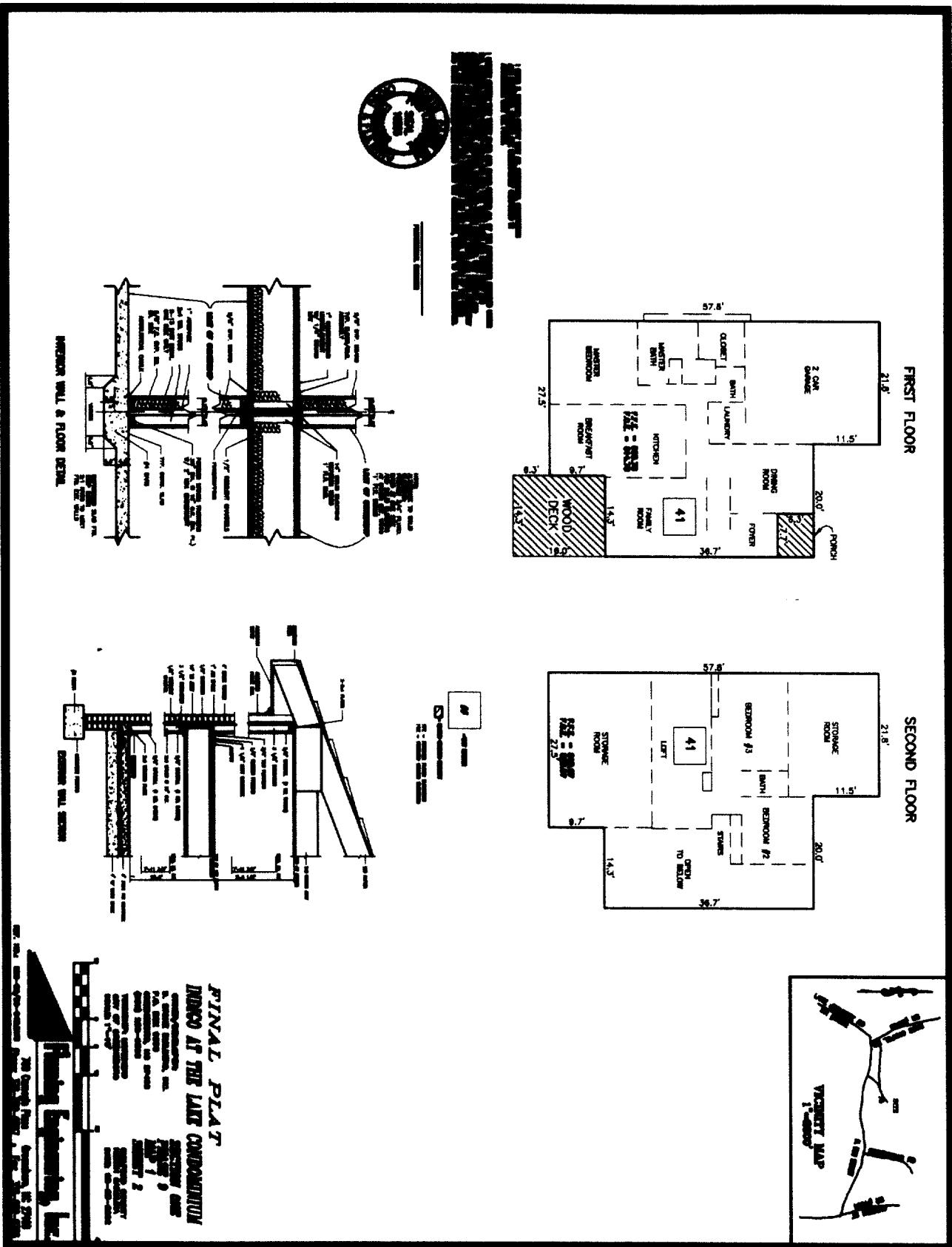
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826000  
THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENTAL AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS. THE ORIGINAL PLAT OF WHICH THIS MAP IS A REDUCED COPY HAS BEEN REVIEWED BY THE CITY OF GREENSBORO PLANNING DEPARTMENT AND IS BEING RECORDED SIMULTANEOUSLY WITH THE AMENDMENT TO WHICH THIS MAP IS ATTACHED.



007-132



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.

**PINAL PLAT**  
**INDICO AT THE LAKE CONDORVILLE**  
 2007-132  
 007-132

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, 8, and 9, Section One

000930

<u>Unit Number</u>	<u>Allocated Interest In Common Elements</u>
1	1.9157
2	1.9157
3	2.2988
4	1.9157
5	1.9157
6	2.2988
7	2.2038
8	2.2988
9	1.9157
10	1.9157
11	2.2988
12	1.9157
13	1.9157
14	2.2988
15	1.9157
16	1.9157
17	2.2988
18	1.9157
19	2.2988
20	2.2038
21	2.2988
22	1.9157
23	1.9157
24	2.2988
25	1.9157
26	2.2038
27	2.2988
28	2.2038
29	2.2988
30	2.2988
31	2.2988
32	2.2988
33	2.2988
34	2.2988
35	2.2988
38	2.2988
39	2.2988
41	2.2988
42	2.2988
43	2.2988
46	2.2988
47	2.2988
50	2.2988
51	2.2988
52	2.2988
53	<u>2.2988</u>

100.000%



000931

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

\* \* \* \* \*

State of North Carolina, County of Guilford

The foregoing certificate of Teresa W Jarrett  
Tanya B Faircloth

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.

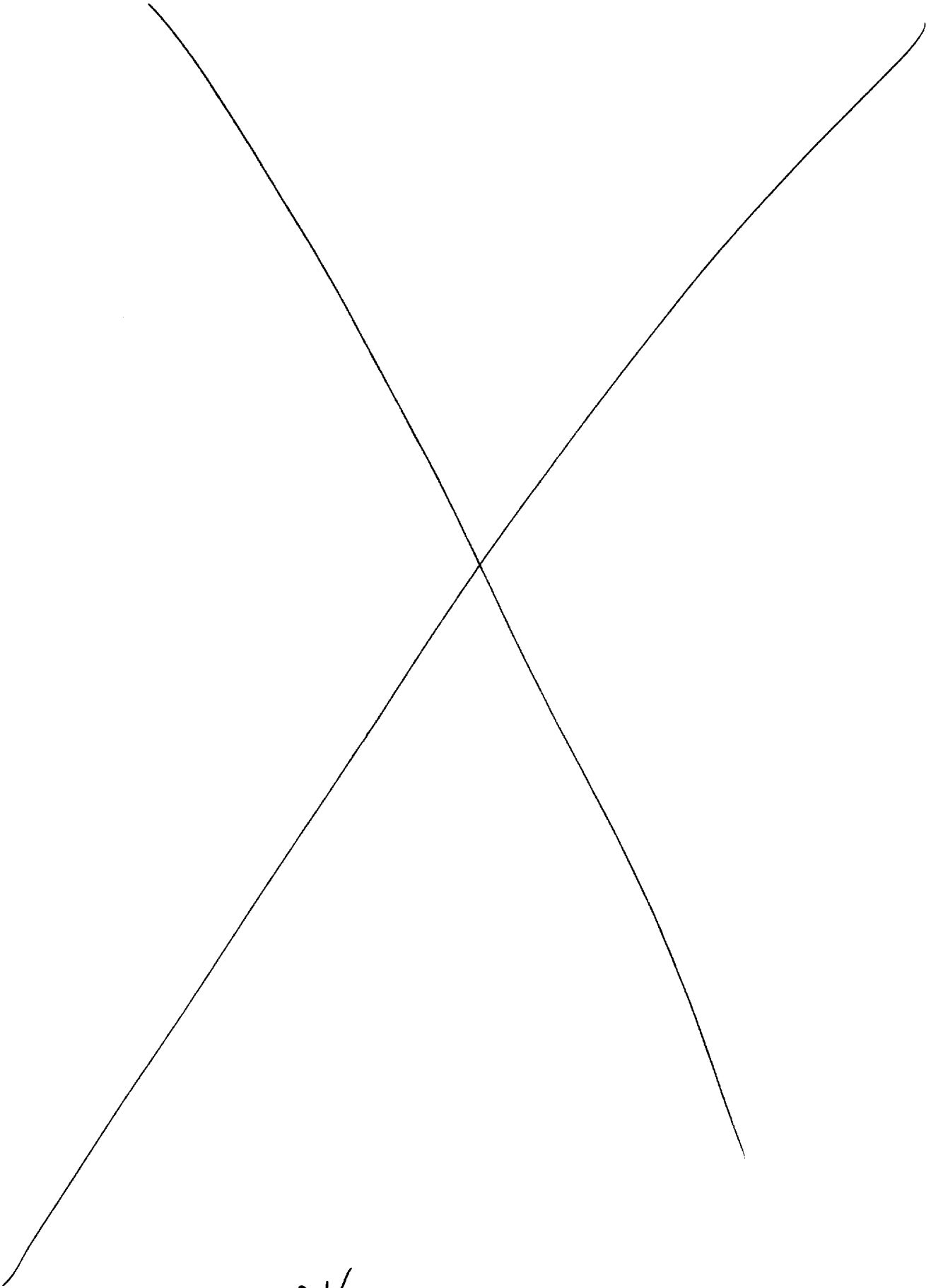
KATHERINE LEE PAYNE, REGISTER OF DEEDS

By: Linda S Reed  
Deputy - Assistant Register of Deeds

\* \* \* \* \*

**Yellow certification sheet is a vital part of your recorded document.  
Please retain with original document and submit when re-recording.**

000932



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Pg- 932