

FILED FOR REGISTRATION  
 July 30, 2004 12:35 P.M.  
 DATE TIME  
 AND RECORDED IN BOOK 563 PAGE 530  
 M. BRENT SHOAF, REGISTER OF DEEDS  
 DAVIE COUNTY, NC  
 BY Maulik S. Smith  
 deputy

Drafted by: N. Alan Bennett  
 Mail: N. Alan Bennett, 116 South Cherry St., Kernersville, NC 27284

NORTH CAROLINA  
 DAVIE COUNTY

THIRD AMENDMENT OF DECLARATION  
 OF THE CONDOMINIUMS AT  
 KINDERTON VILLAGE

THIS SECOND AMENDMENT dated this the 25<sup>th</sup> day of May, 2004, is made by MULVANEY HOMES, INC., a North Carolina corporation, Declarant under that certain Declaration of The Condominiums at Kinderton Village recorded in Book 458, Page 168, Davie County Registry ("Condominium") pursuant to the provisions of Chapter 47C of the North Carolina General Statutes entitled "North Carolina Condominium Act" ("Act").

WITNESSETH:

WHEREAS, Declarant created The Condominiums at Kinderton Village by Declaration of The Condominiums at Kinderton Village recorded in Book 458, Page 168, Davie County Registry ("Declaration") and amended the Declaration as follows:

1. First Supplemental Declaration of The Condominiums at Kinderton Village recorded in Book 509, Page 944, Davie County Registry.
2. Second Amemdment of Declaration of the Condominiums at Kinderton Village recorded in Book 534, Page 389, Davie County Registry.

The Declaration and all amendments are collectively referred herein as "Declaration."

WHEREAS, the Declaration provides under Article III, paragraph 3.1, that the Declarant may exercise any development right as defined in Section 47C-2-110 of the Act; and

WHEREAS, the Declaration provides under Article III, paragraph 3.3, that Declarant reserves the right to add the Additional Property identified and described on Exhibit A-1 attached to the Declaration to the Condominium pursuant to Section 47C-2-110 of the Act; and

WHEREAS, Declarant is the owner of the Additional Real Estate identified and described on Exhibit A-1 to the Declaration and desires to add a portion of the Additional Property to the Condominium; and

WHEREAS, Declarant has completed the construction of an additional building containing new units on a portion of the additional property. In order to accomplish the exercise of its special declarant rights to add property and create new units and limited common elements, Declarant, pursuant to the authority set forth in the Declaration is executing this Amendment.

NOW, THEREFORE, the Declarant does hereby amend the Declaration as follows:

1. The Exhibit D attached to the Declaration shall be deleted and replaced with the attached Exhibit A, which describes all the Units, including the Units of The Condominiums at Kinderton Village created out of the Additional Property, and the percentage of undivided interest in the common elements as to all Units.

2. The Condominiums at Kinderton Village are more fully described on the following plats recorded in the Davie County Registry:
  - a. Plat entitled "The Condominiums at Kinderton Village" recorded in Condominium Plat Book 2, Pages 1-2 for Building 11.
  - b. Plat entitled "The Condominiums at Kinderton Village" recorded in Condominium Plat Book 2, Pages 3-4 for Buildings 1 and 15.
  - c. Plat entitled "The Condominiums at Kinderton Village" (aka "The Condominiums at Kinderton Village and Lakeside Crossing") recorded in Condominium Plat Book 2, Pages 5-6 for Building 2.
  - d. Plat entitled "The Condominiums at Kinderton Village" (aka "The Condominiums at Kinderton Village and Lakeside Crossing") recorded in Condominium Plat Book 2, Pages 9-10 for Building 14.
  - e. Plat entitled "The Condominiums at Kinderton Village" (aka "The Condominiums at Kinderton Village and Lakeside Crossing") recorded in Condominium Plat Book 2, Pages 12 + 13 for Building 3.

Said plats are incorporated herein by reference as if set out in full.

IN WITNESS WHEREOF, the Declarant has caused this Amendment to be signed and sealed by its duly authorized officer as its act and deed the day and year first above written.

MULVANEY HOMES, INC.  
a North Carolina corporation

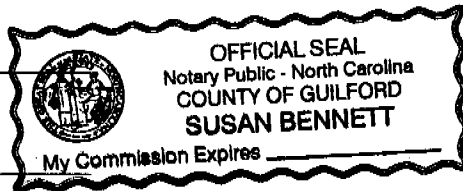
By: *Gary Shamp* (Seal)  
Gary Shamp, President

North Carolina, Forsyth County

I, *Susan Bennett*, a Notary Public of *Guilford* County, North Carolina hereby certify that Gary Shamp personally came before me this day and acknowledged that he is the President of Mulvaney Homes, Inc., a North Carolina corporation, and acknowledged on behalf of the corporation, the due execution of the foregoing instrument.

Witness my hand and notarial seal this the 25<sup>th</sup> day of May, 2004.

*Susan Bennett*  
Notary Public  
My Commission Expires: *8-5-07*



The foregoing certificate(s) of *Susan Bennett, N.P. of Guilford County*

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.

M. Brent Shoaf  
Davie County Register of Deeds

By: *Maude S. Smith*  
Deputy/~~Assistant~~ Register of Deeds

**Exhibit A**  
**Third Amendment of**  
**Declaration of The Condominiums at Kinderton Village**

<b>Building</b>	<b>Unit Number</b>	<b>Heated Square Footage</b> (Based upon Initial Plans and rounded to the nearest whole foot)	<b>Common Element Interest Percentage</b>
1	101	1600	3.4616
1	102	1600	3.4616
1	103	1600	3.4616
1	104	1600	3.4616
2	101	1600	3.4616
2	102	1600	3.4616
2	103	1600	3.4616
2	104	1600	3.4616
3	101	1600	3.4616
3	102	1600	3.4616
3	103	1600	3.4616
3	104	1600	3.4616
11	292-101	861	1.8628
11	292-102	861	1.8628
11	292-201	861	1.8628
11	292-202	970	2.0985
11	292-301	918	1.9860
11	292-302	971	2.1007
11	298-101	861	1.8628
11	298-102	861	1.8628
11	298-201	861	1.8628
11	298-202	970	2.0985
11	298-301	918	1.9860
11	298-302	971	2.1007
11	304-101	861	1.8628
11	304-102	861	1.8628
11	304-201	861	1.8628
11	304-202	970	2.0985
11	304-301	918	1.9860
11	304-302	971	2.1007
14	101	1337	2.8925
14	102	1337	2.8925
14	103	1337	2.8925
14	104	1337	2.8925
15	101	1337	2.8925
15	102	1337	2.8925
15	103	1337	2.8925
15	104	1337	2.8925
	<b>TOTAL</b>	<b>46,222</b>	<b>100%</b>