

Prepared by: Neal to
Book - Maples & Taylor 8/15/88

BOOK 3652 PAGE 027

FOURTH AMENDMENT TO DECLARATION OF

IVY COMMONS CONDOMINIUM

CONDOMINIUM FILE NO. 82

PRESENTED
FOR
RECORD

88 OCT -4 PM 2:45

RECORDED
INDEXED
WAKE COUNTY

This Amendment to Declaration, made on the 5th day of August, 1988, by BARROW-SAFRIT, INC., a North Carolina corporation, hereinafter referred to as the "Declarant";

W I T N E S S E T H :

THAT WHEREAS, Ivy Commons, a North Carolina general partnership executed and caused to be recorded in the Wake County Registry in Book 3484, Page 974, an instrument entitled "Declaration of Ivy Commons Condominium", as amended by instruments recorded in Book 3654, Page 384, Book 3923, Page 232 and Book 4340, Page 434, of the Wake County Registry, all documents herein collectively referred to as the "Declaration";

WHEREAS, by deeds recorded in Book 3674, Page 101 and Book 3674, Page 106, both of the Wake County Registry the rights of Declarant under the Declaration were transferred from Ivy Commons partnership, to Barrow-Safrit, Inc.; and

WHEREAS, N.C.G.S. 47A-15 provides that the Declaration should be amended to provide for a verified statement of a registered architect that the plans of the Condominium fully depict the layout, ceiling and floor elevations, unit numbers and dimensions of the units as built.

WHEREAS, Section 31 of the Declaration provides that the Declarant, so long as it controls the Board, may amend this

Declaration without the consent of the owners in order to attach an architect's statement that the buildings located on the property have been constructed in conformance with the Architectural Plans.

NOW, THEREFORE, Declarant hereby amends the declaration as follows:

3. Definitions (a) "Architectural Plans", is amended to include a fourth copy of the "staking plan". This copy of the staking plan shall be filed simultaneously with this Amendment in Condominium File No. 82 of the Wake County Registry. Said staking plan contains a certificate by architect John E. Rice certifying that Buildings 1, 2 and 3 as shown on said staking plan have been built in conformance with the Architectural Plans. Said staking plan also includes "tie lines" showing the physical location of Buildings 1, 2 and 3.

Except as herein amended, the Declaration remains in full force and effect.

IN TESTIMONY WHEREOF, the Declarant has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

081 352 1029

BARROW-SAFRIT, INC.

By: Rosemarie Barrow
President

ATTEST: (SEAL)
R. W. Safrit
(Assistant) Secretary

NORTH CAROLINA

WAKE COUNTY

I, the undersigned, a Notary Public in and for the said State and County, do hereby certify that R. W. Safrit personally appeared before me this day and acknowledged that he is _____ Secretary of BARROW-SAFRIT, INC., a corporation, and that by authority duly given 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.

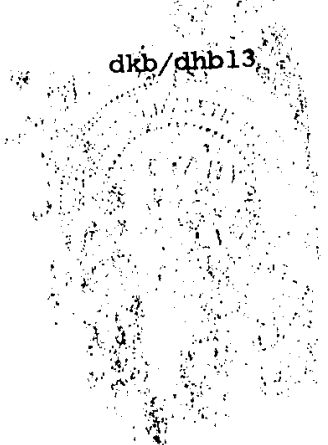
WITNESS my hand and notarial seal this the 5th day of August, 1988.

Sarah Elizabeth Hales
Notary Public

My Commission Expires:

10-26-91

dkb/dhb13



NORTH CAROLINA -- WAKE COUNTY

The foregoing certificate _____ of _____

Sarah Elizabeth Hales

_____, Notar(y)(ies) Public, 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

KENNETH C. WILKINS, Register of Deeds

By: Danna H. Boone
Asst./Deputy Register of Deeds