

SECOND AMENDMENT TO DECLARATION  
OF  
DUNWOODY RIDGE, A CONDOMINIUM

FILED & RECORDED  
OFFICE OF THE CLERK

MAY 19 11 04 AM '66

WHITFIELD COUNTY  
CLERK OF SUPERIOR COURT

EXHIBITS:

- A - Property Added by This Amendment
- B - Submitted Property
- C - Schedule of Condominium Unit Information

RECORDING REFERENCES:

- Declaration (original): Deed Book 5104, Page 104
- Plat (original): Plat Book 5, Page 118
- Plans (original): Condominium Floor Plans Cabinet 169
- First Amendment: Deed Book 5254, page 263
- Plat (for first amendment):  
Condominium Plat Book 5, page 156
- Plans (for first amendment):  
Condominium Floor Plans File No. 169
- Plat (for this amendment):  
Condominium Plat Book 6, page 4A
- Plans (for this amendment):  
Condominium Floor Plans File No. 169

21020

**SECOND AMENDMENT TO DECLARATION OF  
DUNWOODY RIDGE, A CONDOMINIUM**

THIS AMENDMENT is made as of May \_\_\_\_\_, 1986, by DUNWOODY RIDGE DEV. CO., LTD., a Georgia limited partnership, (the "Declarant") and is joined in by THE CITIZENS AND SOUTHERN NATIONAL BANK as the holder of the deed to secure debt encumbering the property added hereby ("Mortgagee") pursuant to Section 44-3-89 of the Act.

**STATEMENT OF BACKGROUND INFORMATION**

The Declaration of Dunwoody Ridge, A Condominium, is dated November 26, 1984, and is recorded in Deed Book 5104, page 104, DeKalb County, Georgia, records. The Plat and Plans accompanying the Declaration are recorded as set forth on the first page of this amendment. The First Amendment To Declaration of Dunwoody Ridge, A Condominium ("First Amendment"), is dated July 12, 1985 and is recorded in Deed Book 5254, page 263, aforesaid records. The Plat and Plans accompanying the First Amendment are recorded as set forth on the first page of this amendment. The Declaration, in Section 3.7, provides to the Declarant the option to expand the Condominium as set forth in said Section 3.7. Declarant desires to further expand the Condominium pursuant to Section 3.7 of the Declaration as hereinafter set forth.

**STATEMENT OF AMENDMENT**

The Declaration is hereby amended as follows:

1. Addition of Property. The portion of the Additional Property described in Exhibit A, attached hereto and incorporated herein by this reference, is hereby added to the Condominium and submitted to the Declaration and the Act. It is the intent of Declarant to add to the Condominium by this amendment only a portion of the Additional Property, so that other Additional Property remains which may be added later. The Submitted Property (including both the property added hereby and the property previously submitted) is described in Exhibit B, attached hereto and incorporated herein by this reference.
2. Unit Information. The Schedule of Unit Information attached hereto as Exhibit C and incorporated herein by this reference is hereby substituted for the schedule attached as Exhibit C to the First Amendment. This Schedule of Unit Information attached hereto as Exhibit C sets forth for each Unit its Identifying Number, undivided interest in the Common Elements, number of Votes in the association, share of liability for Common Expenses, and assigned parking spaces, if any.

3. Plat and Plans. The Plat and Plans required by the Act to be filed in connection with the expansion of the Condominium are recorded as set forth on the first page of this amendment.

4. Effect. The Declaration and other Condominium Instruments, as hereby amended, shall remain in full force and effect with respect to the Submitted Property described in Exhibit B hereto. In particular, but without limitation, the property added hereby shall contain twenty (20) Units owned by Declarant having boundaries and Limited Common Elements as shown on the Plat and Plans and as provided in the Condominium Instruments and in the Act, with the balance of the property added hereby being Common Elements. Building 4 and Building 5, which are added by this amendment, do have underground parking as anticipated in the Declaration. The spaces are shown and numbered in the Plans and assigned on Exhibit C as Limited Common Elements.

5. Definitions. The terms defined in the Declaration shall, when used herein, have the meaning given to them in the Declaration, except and to the extent that any term is changed by this amendment.

6. Author. This amendment was prepared by Sam F. Hatcher of Alston & Bird, 1200 C&S National Bank Building, 35 Broad Street, N.W., Atlanta, Georgia 30335.

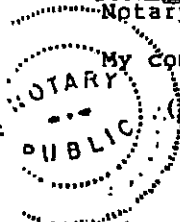
7. Joinder by Mortgagee. As required by Section 44-3-89 of the Act, the undersigned Mortgagee hereby joins in the execution of this amendment in its capacity as Mortgagee and not as Declarant.

8. Counterpart Execution. This amendment may be executed in any number of counterparts, each of which shall be deemed an original. When each signatory has executed at least one counterpart hereof, it shall have the same effect as if all signatories had executed the same counterpart.

IN WITNESS WHEREOF, this amendment has been executed under seal as of the day and year first above written.

Signed, sealed and delivered on May 14, 1986, in the presence of:

[Signature]  
Witness  
James R. Treadwell  
Notary Public

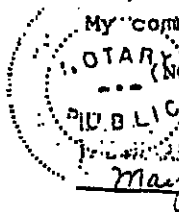


My commission expires:

(NOTARY SEAL)  
MY COMMISSION EXPIRES APRIL 24, 1988

Signed, sealed and delivered on May 16, 1986, in the presence of:

[Signature]  
Witness  
Ruth F. Murphy  
Notary Public



My commission expires:

(NOTARY SEAL) Notary Public, Georgia, State at Large  
My Commission Expires Apr. 4, 1988

EXECUTION BY

Notary Public:  
May 16, 1986

DECLARANT:  
DUNWOODY RIDGE DEV. CO., LTD.,  
a Georgia limited partnership

By: [Signature] (SEAL)  
James R. Treadwell  
General Partner  
By: [Signature] (SEAL)  
Alfred S. Cole, Sr.  
General Partner

MORTGAGEE:  
THE CITIZENS AND SOUTHERN  
NATIONAL BANK

By: [Signature]  
Name: S. Marlene Crotts  
Title: Vice President  
Attest: [Signature]  
Name: J. Tony Lott  
Title: Vice President  
(BANK SEAL)

EXHIBIT A

DESCRIPTION OF PROPERTY  
SUBMITTED BY THIS AMENDMENT

ALL THAT TRACT OF LAND lying in Land Lot 343 18th District,  
DeKalb County, Georgia, being described as follows:

TO FIND THE TRUE POINT OF BEGINNING, commence at an iron pin set on the west right-of-way line of North Peachtree Road (70-foot right-of-way), which point is located 1,068.20 feet northeast as measured along the west right-of-way line of North Peachtree Road, from the north right-of-way line of Interstate Highway Number 285; run thence North 84 degrees 12 minutes 50 seconds West 890.23 feet to a point; run thence North 40 degrees 17 minutes 10 seconds East 277.00 feet to a point; run thence North 51 degrees 17 minutes 10 seconds East 160.38 feet to the TRUE POINT OF BEGINNING; FROM SAID TRUE POINT OF BEGINNING AS THUS ESTABLISHED, run thence North 38 degrees 42 minutes 50 seconds West 142.96 feet to a point; run thence North 35 degrees 12 minutes 49 seconds East 108.00 feet to a point; run thence North 23 degrees 56 minutes 25 seconds East 128.00 feet to a point; run thence North 17 degrees 46 minutes 22 seconds East 116.50 feet to a point; run thence North 89 degrees 32 minutes 42 seconds East 227.71 feet to a point; run thence along a line which forms the arc of a curve, said arc lying northeast of a chord (having a radius of 110.94 feet and a chord bearing of South 40 degrees 39 minutes 07 seconds East and a chord distance of 27.65 feet) an arc distance of 27.72 feet to an iron pin found; run thence South 35 degrees 20 minutes 54 seconds West 188.49 feet to a point; run thence South 29 degrees 32 minutes 10 seconds West 204.00 feet to a point; run thence South 51 degrees 17 minutes 10 seconds West 123.62 feet to the True Point of Beginning; said tract shown on survey entitled "As-Built Survey of Dunwoody Ridge - A Condominium" prepared by Farley E. Wolford, Georgia R.L.S. No. 1989, dated November 26, 1984, revised April 30, 1986.

EXHIBIT B

DESCRIPTION OF SUBMITTED PROPERTY

The submitted property consists of (1) the property described in Exhibit A to this Amendment (2) the property described in Exhibit A to the First Amendment To Declaration of Dunwoody Ridge, A Condominium recorded in Deed Book 5254, page 263, DeKalb County, Georgia records and (3) the property described in Exhibit A to the Declaration of Dunwoody Ridge, A Condominium recorded in Deed Book 5104, page 104, aforesaid records, which descriptions are incorporated herein by this reference.

TOGETHER WITH AND SUBJECT TO the rights contained in that certain Cross Easement Agreement For Certain Common Facilities dated November 26, 1984, recorded in Deed Book 5126, page 668, aforesaid records.

BOOK 5474 PAGE 111

EXHIBIT C

SCHEDULE OF UNIT INFORMATION  
(Revised for This Amendment)

This exhibit sets forth for each Condominium Unit its Identifying Number, undivided interest in the Common Elements, Vote in the Association, share of liability for Common Expenses, and assigned parking spaces, if any.

Each Condominium Unit has an equal share of undivided interest in the Common Elements, Vote in the Association, and liability for Common Expenses.

<u>Unit Identifying Number</u>	<u>Identifying Number of Underground Parking Spaces Assigned</u>	<u>Common Elements, Vote and Common Expenses</u>
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Building 1

	No Underground Parking	Equal Share Per Unit
4460	"	"
4462	"	"
4464	"	"
4466	"	"
4468	"	"
4470	"	"
4472	"	"
4474	"	"
4476	"	"
4478	"	"
4480	"	"
4482	"	"

Building 2

	No Underground Parking	Equal Share Per Unit
4484	"	"
4486	"	"
4488	"	"
4490	"	"
4492	"	"
4494	"	"
4496	"	"
4498	"	"
4502	"	"
4504	"	"
4506	"	"
4508	"	"

Building 3

4525	1 & 2	Equal Share Per Unit
4527	3 & 4	"
4529	7 & 8	"
4531	5 & 6	"
4533	10 & 13	"
4535	9 & 14	"
4537	12 & 15	"
4539	11 & 16	"
4541	19 & 20	"
4543	17 & 18	"
4545	21 & 22	"
4547	23 & 24	"

Building 4

4509	1 & 2	"
4511	3 & 4	"
4513	5 & 6	"
4515	7 & 8	"
4517	9 & 10	"
4519	11 & 12	"
4521	13 & 14	"
4523	15 & 16	"

Building 5

4485	1 & 2	Equal Share Per Unit
4487	3 & 4	"
4489	5 & 6	"
4491	7 & 8	"
4493	9 & 11	"
4495	10 & 12	"
4497	13 & 15	"
4499	14 & 16	"
4501	17 & 18	"
4503	19 & 20	"
4505	21 & 22	"
4507	23 & 24	"

For information, the Identifying Number for each Condominium Unit is the same as its street number on Pine Ridge Circle. The Building numbers are for information only and are not a part of the Identifying Numbers of The Condominium Units.