

MAUPIN, TAYLOR, ELLIS & ADAMS, P.A.
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RALEIGH, NORTH CAROLINA 27619

BOOK 3923 PAGE 232

AMENDMENT TO DECLARATION OF
IVY COMMONS CONDOMINIUM
CONDOMINIUM FILE NO. 82

PRESENTED
FOR
REGISTRATION
JAN 6 5 07 PM '87
KENNETH C. WILKINS
REGISTER OF DEEDS
WAKE COUNTY

This Amendment to Declaration, made on the 5th day of January, 1987, by Barrow-Safrit, Inc., a North Carolina corporation, hereinafter referred to as the "Declarant";

WITNESSETH:

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 instrument recorded in Book 3654, Page 384 of the Wake County Registry, both 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, 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 third 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 4, 5, 7 and

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8 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 4 and 5.

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 offices and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

BARROW-SAFRIT, INC.

By: *Freemore J 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 January, 1987.

Kaye M. Horton
Notary Public

My Commission Expires:

KAYE M. HORTON
NOTARY PUBLIC
JOHNSTON COUNTY, N.C.
MY COMMISSION EXPIRES 7-2-91

bfc/dhb/dhb14

NORTH CAROLINA - WAKE COUNTY

The foregoing certificate of *Kaye M. Horton*

Notary Public is hereby certified to be correct. This instrument and this certificate are duly recorded at the date and time and in the book and page shown on the first page hereof.

KENNETH L. WILKINS, Register of Deeds

P. Anne Ridd