

THIRD AMENDMENT TO DECLARATION  
OF  
DUNWOODY RIDGE, A CONDOMINIUM

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
- Second Amendment: Deed Book 5474, page 106
- Plat (for second amendment):  
Condominium Plat Book 6, page 46
- Plans (for second amendment):  
Condominium Floor Plans File No. 169
- Plat (for this amendment):  
Condominium Plat Book 6, page 68
- Plans (for this amendment):  
Condominium Floor Plans File No. 169

THIRD AMENDMENT TO DECLARATION OF  
DUNWOODY RIDGE, A CONDOMINIUM

THIS THIRD AMENDMENT is made as of October 30, 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 cover 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 cover page of this amendment. The Second Amendment to Declaration of Dunwoody Ridge, A Condominium ("Second Amendment"), is recorded in Deed Book 5474, page 106, aforesaid records. The Plat and Plans accompanying the Second Amendment are recorded as set forth on the cover 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. This amendment adds the last portion of the Additional Property to be added to the Condominium; no other portion remains to be added. 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 Second Amendment. The 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 cover 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-four (24) 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 6, which is added by this amendment, does 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. Building 7, the other Building added by this amendment, does not have underground parking.

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 Randall D. Borud of Alston & Bird, 100 Galleria Parkway, Suite 1200, Atlanta, Georgia 30339.

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.

DECLARANT:

Signed, sealed and delivered on 10/31 1986, in the presence of:

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

[Signature]  
Witness

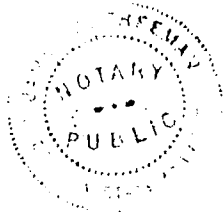
By: [Signature] (SEAL)  
James R. Treadwell  
General Partner

[Signature]  
Notary Public

By: [Signature] (SEAL)  
Alfred J. Cole, Sr.  
General Partner

My commission expires: 1-10-88

(NOTARY SEAL)



Signed, sealed and delivered  
on October 31, 1986, in the  
presence of:

Michelle B. White  
Witness

Ruth F. Murphy  
Notary Public

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

EXECUTION BY  
NOTARY PUBLIC  
October 31, 1986

MORTGAGEE:

THE CITIZENS AND SOUTHERN  
NATIONAL BANK

By: [Signature]  
Name: J. Tony Lott  
Title: Vice President

Attest: [Signature]  
Name: Arthur C. Chase, Jr.  
Title: Assistant Vice President

(BANK SEAL)

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EXHIBIT A

DESCRIPTION OF PROPERTY SUBMITTED  
BY THIS AMENDMENT

All that tract or parcel of land lying and being in Land Lots 343 and 344 of the 18th District, DeKalb County, Georgia, being more particularly described as follows:

TO FIND THE TRUE POINT OF BEGINNING, commence at an iron pin found on the western right-of-way line of North Peachtree Road (70 foot right-of-way) 1,068.2 feet northeasterly along said right-of-way line from its intersection with the existing northern right-of-way line of Interstate Highway 285; run thence north 84° 12' 50" west 890.23 feet to the TRUE POINT OF BEGINNING; FROM SAID TRUE POINT OF BEGINNING AS THUS ESTABLISHED, run north 40° 17' 10" east 277.00 feet to a point; run thence north 51° 17' 10" east 160.38 feet to a point; run thence north 38° 42' 50" west 142.96 feet to a point; run thence south 47° 49' 19" west 596.00 feet to a point; run thence south 84° 12' 50" east 228.00 feet to the TRUE POINT OF BEGINNING; said metes and bounds, courses and distances being more particularly shown on that certain As-Built Survey of Dunwoody Ridge - A Condominium, prepared by Farley E. Wolford, R.L.S. 1989, dated November 26, 1984, last revised October 27, 1986, designated "Submitted Property" and containing 1.77 acres according to said survey.

5635-701

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 Second Amendment to Declaration of Dunwoody Ridge, A Condominium, recorded in Deed Book 5474, page 106, DeKalb County, Georgia records, (3) the property described in Exhibit A to the First Amendment To Declaration of Dunwoody Ridge, A Condominium, recorded in Deed Book 5254, page 263, aforesaid records, and (4) 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.

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<br/>Identifying<br/>Number</u> | <u>Identifying Num-<br/>ber of Underground<br/>Parking Spaces of<br/>Spaces Assigned</u> | <u>Common Elements, Vote<br/>and Common Expenses</u> |
|--|--|--|
| <u>Building 1</u>                      |  |  |
| 4460                                   | No Underground Parking   | Equal Share Per Unit                                 |
| 4462                                   | "  | "  |
| 4464                                   | "  | "  |
| 4466                                   | "  | "  |
| 4468                                   | "  | "  |
| 4470                                   | "  | "  |
| 4472                                   | "  | "  |
| 4474                                   | "  | "  |
| 4476                                   | "  | "  |
| 4478                                   | "  | "  |
| 4480                                   | "  | "  |
| 4482                                   | "  | "  |
| <u>Building 2</u>                      |  |  |
| 4484                                   | No Underground Parking   | Equal Share Per Unit                                 |
| 4486                                   | "  | "  |
| 4488                                   | "  | "  |
| 4490                                   | "  | "  |
| 4492                                   | "  | "  |
| 4494                                   | "  | "  |
| 4496                                   | "  | "  |
| 4498                                   | "  | "  |
| 4502                                   | "  | "  |
| 4504                                   | "  | "  |
| 4506                                   | "  | "  |
| 4508                                   | "  | "  |

5635 702



Building 3

|      |         | Equal Share Per Unit |
|------|---------|----------------------|
| 4525 | 1 & 2   | "                    |
| 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

|      |         | Equal Share Per Unit |
|------|---------|----------------------|
| 4485 | 1 & 2   | "                    |
| 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 | "                    |

Building 6

|      |         | Equal Share Per Unit |
|------|---------|----------------------|
| 4461 | 1 & 2   | "                    |
| 4463 | 3 & 4   | "                    |
| 4465 | 5 & 6   | "                    |
| 4467 | 7 & 8   | "                    |
| 4469 | 11 & 12 | "                    |
| 4471 | 9 & 10  | "                    |
| 4473 | 15 & 16 | "                    |
| 4475 | 13 & 14 | "                    |
| 4477 | 17 & 18 | "                    |
| 4479 | 19 & 20 | "                    |
| 4481 | 21 & 22 | "                    |
| 4483 | 23 & 24 | "                    |

Building 7

|      | No Underground Parking | Equal Share Per Unit |
|------|------------------------|----------------------|
| 4437 | "                      | "                    |
| 4439 | "                      | "                    |
| 4441 | "                      | "                    |
| 4443 | "                      | "                    |
| 4445 | "                      | "                    |
| 4447 | "                      | "                    |
| 4449 | "                      | "                    |
| 4451 | "                      | "                    |
| 4453 | "                      | "                    |
| 4457 | "                      | "                    |
| 4455 | "                      | "                    |
| 4459 | "                      | "                    |

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.