

FIRST AMENDMENT TO DECLARATION  
OF  
DUNWOODY RIDGE, A CONDOMINIUM

RECORDED  
JUL 17 11 41 AM '85

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
- Plat (for this amendment):  
Condominium Plat Book 5, page 156
- Plans (for this amendment):  
Condominium Floor Plans File No. 169

FIRST AMENDMENT TO DECLARATION OF  
DUNWOODY RIDGE, A CONDOMINIUM

THIS AMENDMENT is made as of July 12, 1985, 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, D.Kalb County, Georgia, records. The Plat and Plans accompanying the Declaration are recorded as set forth on the first page of this amendment. The Declaration, in Section 3.7, provided to the Declarant the option to expand the Condominium as set forth in said Section 3.7. Declarant desires to 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 Declaration. 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 twelve (12) 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 3, 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.

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.

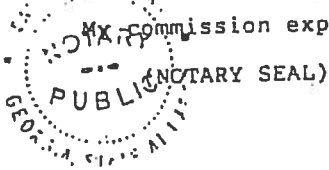
IN WITNESS WHEREOF, this amendment has been executed under seal as of the day and year first above written.

Signed, sealed and delivered on July 15, 1985, in the presence of:

Pam Quebler  
Witness

Sam F. Hatcher  
Notary Public

My Commission expires: 1-21-89



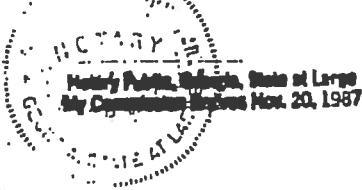
Signed, sealed and delivered on July 15, 1985, in the presence of:

Julia B. Davis  
Witness

Sam F. Hatcher  
Notary Public

My commission expires:

(NOTARY SEAL)



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

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

By: [Signature] (SEAL)  
Allred H. Cole, Sr.  
General Partner

MORTGAGEE:  
THE CITIZENS AND SOUTHERN  
NATIONAL BANK

By: [Signature]  
Name:  
Title: Asst. Vice President

Attest: \_\_\_\_\_  
Name:  
Title:

(BANK SEAL)

EXHIBIT A

DESCRIPTION OF PROPERTY  
SUBMITTED BY THIS AMENDMENT

ALL THAT TRACT OF LAND lying in Land Lots 343 and 354, 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 84 degrees 12 minutes 50 seconds West 228.00 feet to a point; run thence North 84 degrees 12 minutes 50 seconds West 322.00 feet to an iron pin found on the southeast right-of-way line of Peachford Road (60-foot right-of-way); thence generally northeast along the southeast right-of-way of Peachford Road the following courses and distances: North 54 degrees 25 minutes 48 seconds East 97.84 feet to a point; thence along a line which forms the arc of a curve, said arc lying northwest of a chord (having a radius of 11,429.20 feet and a chord bearing of North 55 degrees 06 minutes 48 seconds East and a chord distance of 272.67 feet) an arc distance of 272.68 feet to a point; North 55 degrees 47 minutes 43 seconds East 198.66 feet to a point; thence along a line which forms the arc of a curve, said arc lying southeast of a chord (having a radius of 603.69 feet and a chord bearing North 40 degrees 26 minutes 48 seconds East and a chord distance of 319.61 feet) an arc distance of 323.47 feet to a point; North 25 degrees 05 minutes 48 seconds East 20.35 feet to a point; thence along a line which forms the arc of a curve, said arc lying southeast of a chord (having a radius of 1,462.69 feet and a chord bearing North 18 degrees 57 minutes 48 seconds East and a chord distance of 312.57 feet) an arc distance of 313.15 feet to the TRUE POINT OF BEGINNING; FROM SAID TRUE POINT OF BEGINNING AS THUS ESTABLISHED, run thence North 12 degrees 49 minutes 49 seconds East along the east right-of-way line of Peachford Road 165.74 feet to a point; thence following the east right-of-way line of Peachford Road along a line which forms the arc of a curve, said arc lying northwest of a chord (having a radius of 607.27 feet and a chord bearing North 16 degrees 22 minutes 11 seconds East a chord distance of 74.98 feet) an arc distance of 75.03 feet to an iron pin found; thence South 75 degrees 18

minutes 34 seconds East 49.61 feet to a point; thence along a line which forms the arc of a curve, said arc lying northeast of a chord (having a radius of 173.62 feet and a chord bearing South 42 degrees 48 minutes 34 seconds East and a chord distance of 186.58 feet) an arc distance of 196.97 feet to a point; thence South 10 degrees 18 minutes 34 seconds East 142.00 feet to a point; thence along a line which forms the arc of a curve, said arc lying southwest of a chord (having a radius of 190.99 feet and a chord bearing South 29 degrees 03 minutes 34 seconds East and a chord distance of 122.38 feet) an arc distance of 125.00 feet to a point; thence South 47 degrees 48 minutes 34 seconds East 50.00 feet to a point; thence South 89 degrees 33 minutes 40 seconds West 227.92 feet to a point; thence North 17 degrees 46 minutes 22 seconds East 22.00 feet to a point; thence North 58 degrees 44 minutes 55 seconds West 90.00 feet to a point; thence North 23 degrees 26 minutes 19 seconds West 142.00 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 July 8, 1985.

EXHIBIT B

DESCRIPTION OF SUBMITTED PROPERTY

The submitted property consists of (1) the property described in Exhibit A to this Amendment and (2) the property described in Exhibit A to the Declaration of Dunwoody Ridge, A Condominium recorded in Deed Book 5104, page 104, DeKalb County, Georgia 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 Identifying Number</u>	<u>Identifying Num- ber of Underground Parking Spaces of Spaces Assigned</u>	<u>Common Elements, Vote and Common Expenses</u>
<u>Building 1</u>		
4460	No Underground Parking	Equal Share Per Unit
4462	"	"
4454	"	"
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	"	"



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	"

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.