

WAKE COUNTY, NC 71
CHARLES P. GILLIAM
REGISTER OF DEEDS
PRESENTED & RECORDED ON
02/12/2019 15:13:39

BOOK:017358 PAGE:01902 - 01910

PREPARED BY AND HOLD FOR: W. THURSTON DEBNAM, JR.
SMITH DEBNAM (Box 182)

NORTH CAROLINA
WAKE COUNTY

THIRD AMENDMENT TO
DECLARATION FOR
SOUTH FOREST SERVICE
CENTER CONDOMINIUMS
PURSUANT TO CHAPTER 47C OF THE
NORTH CAROLINA CONDOMINIUM ACT

GRADY, LLC, a North Carolina limited liability company with its principal place of business located in Wake Forest, North Carolina (hereinafter referred to as "the Original Declarant"), SOUTH FOREST SERVICE CENTER CONDOMINIUM ASSOCIATION, INC., a North Carolina non-profit corporation (hereinafter referred to as "the Condominium Association"), TOY STORAGE, LLC, a North Carolina limited liability company hereinafter referred to "New Units Owner") do hereby make declare and establish this Third Amendment to Declaration of Condominium for South Forest Service Center Condominiums, a nonresidential condominium development.

WITNESSETH:

WHEREAS, the Declarant has previously filed a Declaration for South Forest Service Center Condominiums pursuant to Chapter 47C of the North Carolina Condominium Act, said plan being filed in Condominium File No. 288 A-1 through A-5 in the office of the Register of Deeds, Wake County, North Carolina and said Declaration being filed in Book 9219, Page 1455 in the office of the Register of Deeds, Wake County, North Carolina (hereinafter referred to as "the Declaration"); and

WHEREAS, the Declarant had previously filed a First Amendment to Declaration of Condominium in Book 11781, Page 682, Wake County Registry (hereinafter referred to as "the First Amendment"); and

WHEREAS, the Declarant had previously filed a subsequent Amendment to the Declaration in Book 14318, Page 2647, Wake County Registry. (See CM 2001, 288A6) (hereinafter referred to as "the Second Amendment"); and

WHEREAS, the New Units Owner has erected certain improvements upon the original Unit 5103 and Unit 5105 which shall become Limited Common Elements as described and defined in the Second Amendment.

WHEREAS, the Declarant and the New Units Owner wish to amend the Declaration as provided herein; and

WHEREAS, pursuant to the provisions contained in Article 10 and Article 11 of the Declaration, the Declarant and the New Units Owner desire to create additional units which will result in a modification of the Percentage Undivided Interest in Common Expenses and Votes in the Association.

NOW, THEREFORE, pursuant to the provisions of Article 10 and Article 11 of the Declaration, the Declarant and the New Units Owner hereby amend the Declaration, the First Amendment and the Second Amendment as follows:

1. Common Expenses. The following paragraph is added to Article 1, Paragraph 1.6.

With regard to Units 5103-A through Unit 5103-I and Units 5105-D through Unit 5105-M, the term "Common Expense" shall include the cost of maintaining, repairing or replacing any building or structure erected thereon which are Limited Common Elements. Provided, however that any and all assessments levied against Units 5103-A through Unit 5103-I and Units 5105-D through Unit 5105-M shall NOT include any portion of the cost of said maintenance, repair or replacement of other structures located within the condominium.

2. Creation of Additional Units. The Declarant and the New Units Owner hereby create additional Units which shall be designated as Units 5103-A through Unit 5103-I and Units 5105-D through Unit 5105-M as depicted upon the map and survey recorded in Condominium File No. 288 in the Wake County Registry.

4. Unit Boundaries for Units 5103-A through Unit 5103-I and Units 5105-D through 5105-M. The unit boundaries of these units shall be defined in accordance with the plans and specifications which are recorded simultaneously with the Declaration.

5. Limited Common Elements. Any fencing, walls or roofs installed within the boundaries of either Units 5103-A through Unit 5103-I or Units 5105-D through 5105-M shall

constitute Limited Common Elements and shall be utilized solely by the Owner of the Unit within which said improvements are located.

FURTHER, pursuant to the provisions of Article 10 and Article 11 of the Declaration, the Declarant hereby amends EXHIBIT B of the Declaration relating to the original Percent Undivided Interest in Common Elements and Votes in Association and Percent of Common Expenses and substitutes in lieu thereof the contents of Revised Exhibit B attached hereto and incorporated herein by reference.

Except as herein amended, said Declaration shall remain in full force and effect.

IN TESTIMONY WHEREOF, the Declarant, the Condominium Association and the New Units Owners have caused this Third Amendment to be executed on this the 11 day of February, 2019.

GRADY, LLC

By: John D. Lyon
John D. Lyon, Member-Manager

SOUTH FOREST SERVICE CENTER
CONDOMINIUM ASSOCIATION, INC.

By: John D. Lyon
President

~~TOY STORAGE, LLC~~

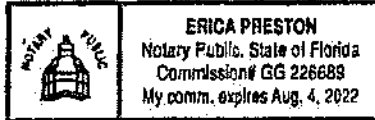
By: _____
Manager

Florida
NORTH CAROLINA
Martin COUNTY

I, Erica Preston, a Notary Public of the County and state aforesaid, certify that John D. Lyon, personally appeared before me this day and acknowledged that he is a Member/Manager of Grady, LLC, a North Carolina Limited Liability Company, and that by authority duly given and as the act of said limited liability company, the foregoing instrument was voluntarily signed in its name by its Member/Manager.

Witness my hand and official stamp or seal this 11 day of February, 2019.

My Commission Expires: 8/4/2022



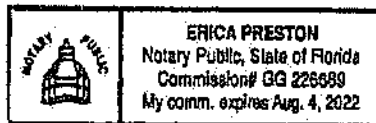
Erica Preston
Notary Public
Erica Preston
Printed Name of Notary Public

Florida
~~NORTH CAROLINA~~
Martin COUNTY

I, Erica Reston, a Notary Public for the state and county aforesaid, certify that John D. Lyon personally came before me this day and acknowledged that he/she is the _____ President of South Forest Service Center Condominium Association, Inc., a North Carolina non-profit corporation, and that he/she, as _____ President, by the authority duly given and as the act of the corporation, the foregoing instrument was voluntarily executed by him/her on behalf of said corporation.

Witness my hand and official stamp or seal this the 11 day of February, 2019.

My Commission Expires: 8/4/2022



Erica Preston
Notary Public
Erica Preston
Printed Name of Notary Public

~~NORTH CAROLINA~~
COUNTY

I, _____, a Notary Public of the County and state aforesaid, certify that _____, personally appeared before me this day and acknowledged that he is a Manager of Toy Storage, LLC, a North Carolina Limited Liability Company, and that by authority duly given and as the act of said limited liability company, the foregoing instrument was voluntarily signed in its name by its Manager.

Witness my hand and official stamp or seal this _____ day of _____, 2019.

My Commission Expires: _____

Notary Public

Printed Name of Notary Public

constitute Limited Common Elements and shall be utilized solely by the Owner of the Unit within which said improvements are located,

FURTHER, pursuant to the provisions of Article 10 and Article 11 of the Declaration, the Declarant hereby amends EXHIBIT B of the Declaration relating to the original Percent Undivided Interest in Common Elements and Votes in Association and Percent of Common Expenses and substitutes in lieu thereof the contents of Revised Exhibit B attached hereto and incorporated herein by reference.

Except as herein amended, said Declaration shall remain in full force and effect.

IN TESTIMONY WHEREOF, the Declarant, the Condominium Association and the New Units Owners have caused this Third Amendment to be executed on this the 10 day of February, 2019.

GRADY, LLC

By: _____

John D. Lyon, Member-Manager

SOUTH FOREST SERVICE CENTER
CONDOMINIUM ASSOCIATION, INC.

By: _____

President

TOY STORAGE, LLC

By: _____

Manager

State of Colorado
NORTH CAROLINA
Gunnison COUNTY

I, Tiffany O'Connell, a Notary Public of the County and state aforesaid, certify that F Allen Massey, personally appeared before me this day and acknowledged that he is a Member/Manager of Grady, LLC, a North Carolina Limited Liability Company, and that by authority duly given and as the act of said limited liability company, the foregoing instrument was voluntarily signed in its name by its Member/Manager.

Witness my hand and official stamp or seal this 8th day of February, 2019.

My Commission Expires: 8/20/21

TIFFANY O'CONNELL
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID #20054032495
My Commission Expires August 20, 2021

NORTH CAROLINA
_____ COUNTY

Tiffany O'Connell
Notary Public
Printed Name of Notary Public

I, _____, a Notary Public for the state and county aforesaid, certify that _____ personally came before me this day and acknowledged that he/she is the _____ President of South Forest Service Center Condominium Association, Inc., a North Carolina non-profit corporation, and that he/she, as _____ President, by the authority duly given and as the act of the corporation, the foregoing instrument was voluntarily executed by him/her on behalf of said corporation.

Witness my hand and official stamp or seal this the _____ day of _____, 2019.

My Commission Expires: _____

Notary Public

Printed Name of Notary Public

NORTH CAROLINA
_____ COUNTY

I, _____, a Notary Public of the County and state aforesaid, certify that _____ personally appeared before me this day and acknowledged that he is a Manager of Toy Storage, LLC, a North Carolina Limited Liability Company, and that by authority duly given and as the act of said limited liability company, the foregoing instrument was voluntarily signed in its name by its Manager.

Witness my hand and official stamp or seal this _____ day of _____, 2019.

My Commission Expires: _____

Notary Public

Printed Name of Notary Public

EXHIBIT B (continued)
to Declaration of
South Forest Service Center Condominiums

Percent Undivided Interest in Common Elements
Votes in Association and Percent of Common Expenses

Building Three	Unit Designation	Square Footage	Percentage Interest	Votes in Association
	5103-A	2,450	.091	13
	5103-B	2,450	.075	13
	5103-C	2,000	.075	13
	5103-D	2,000	.075	13
	5103-E	2,000	.075	13
	5103-F	2,000	.075	13
	5103-G	2,000	.075	13
	5103-H	2,000	.091	13
	5103-I	10,000	.372	64

* NEXT AMENDMENT CORRECTS THIS