

WAKE COUNTY, NC 28
CHARLES P. GILLIAM
REGISTER OF DEEDS
PRESENTED & RECORDED ON
10/14/2020 09:44:32

BOOK:018127 PAGE:00865 - 00870

Prepared by and hold for: Weatherspoon & Voltz LLP (Box 36)

STATE OF NORTH CAROLINA
COUNTY OF WAKE

FIFTH AMENDMENT TO DECLARATION FOR THE VILLAS AT STATE STREET
(Wake County Register of Deeds Condominium File #: CM 2020, Pages 112-113)

THIS FIFTH AMENDMENT TO DECLARATION FOR THE VILLAS AT STATE STREET (the "Fifth Amendment") is made this 12th day of October, 2020, by GTK INVESTMENTS, LLC, a North Carolina limited liability company ("Declarant").

WITNESSETH:

WHEREAS, Declarant executed that certain Declaration for The Villas at State Street recorded in Book 17092, Page 877, Wake County Registry, as amended by that certain First Amendment to Declaration for The Villas at State Street recorded in Book 17113, Page 1725 of the aforementioned registry, as further amended by that certain Second Amendment to Declaration recorded in Book 17207, Page 1667 of the aforementioned registry, as further amended by that certain Third Amendment to Declaration recorded in Book 17284, Page 1273 of the aforementioned registry, and as amended by that certain Fourth Amendment to Declaration recorded in Book 17515, Page 1843 of the aforementioned registry (collectively, the "Declaration"); and

WHEREAS, pursuant to the Declaration, specifically Article 5, Declarant reserved the right to, among other things, add real estate to the Condominium, create additional Units, Common Elements and Limited Common Elements within the Condominium; and

WHEREAS, Declarant has created an additional four (4) Units on Declarant's additional property lying adjacent to the Property as depicted on the Plats and Plans filed simultaneously with this Fifth Amendment, and Declarant desires to record this Fifth Amendment for the purpose of (i) subjecting such additional Units to the Declaration and (ii) reallocating the Allocated Interests among all of the Units, including those created hereby; and

WHEREAS, pursuant to Section 27.1.3.3 of the Declaration, the Declarant is authorized to amend the Declaration for the purposes stated herein.

NOW, THEREFORE, the Declarant hereby amends the Declaration as follows:

1. That certain real property described in **Exhibit A** attached hereto, being Declarant's additional property lying adjacent to the Property, and the Buildings and improvements constructed thereon, are hereby subjected to the Declaration and all of the restrictions, covenants, easements and obligations set forth therein.

2. **Exhibit C** attached to the Declaration is hereby deleted in its entirety and replaced with **Exhibit C** attached hereto, which sets forth the numerical designation of all of the Units subject to the Declaration, including the Units created hereby, together with each of the Unit's Allocated Interests.

3. Certain Common Elements and Limited Common Elements are created by this Fifth Amendment as shown on the Plats and Plans filed simultaneously with this Fifth Amendment.

4. Except as herein amended, the Declaration and the Plats and Plans are hereby ratified, confirmed and restated and are hereby incorporated by reference as though fully set forth herein.

5. All capitalized terms used herein and not otherwise defined herein shall have the meanings ascribed to them in the Declaration. To the extent of any inconsistency between the Declaration and this Fifth Amendment, the terms of this Fifth Amendment shall control.

(Remainder of page blank. Signature page follows.)

IN WITNESS WHEREOF, Declarant has caused this Fifth Amendment to be executed by the duly authorized Manager as of the day and year first above written.

DECLARANT:

GTK Investments, LLC,
a North Carolina limited liability company

By: [Signature]

Name: Geoffrey Krummel

Title: Manager

State of North Carolina

County of Wake

I certify that the following persons personally appeared before me this day, acknowledging to me that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Geoffrey Krummel.

Date: Oct 12, 2020

[Signature]
Notary Public

Shannon Poplin
Printed Name

[official seal]

My commission expires: March 20, 2022

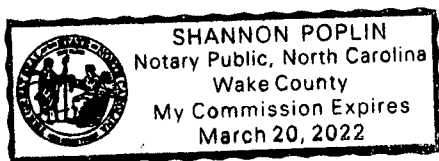


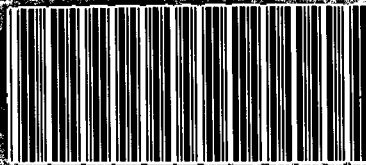
EXHIBIT A – PROPERTY

Being all of Lot 6 as shown on map entitled “Subdivision of Ray M. Baker Property” prepared by John Y. Phelps, Jr. Registered Land Surveyor, and recorded in Book of Maps 1983, Page 498, Wake County Registry. The street address for the real property is **1300 S. State Street, Raleigh, NC 27610.**

EXHIBIT C – ALLOCATED INTERESTS

Building Number	Unit Number	Percentage of Undivided Interest in Common Elements and Percentage of Common Expenses*	Votes in Association
1300	A	3.57143%	1
	B	3.57143%	1
	C	3.57143%	1
	D	3.57143%	1
1304	A	3.57143%	1
	B	3.57143%	1
	C	3.57143%	1
	D	3.57143%	1
1308	A	3.57143%	1
	B	3.57143%	1
	C	3.57143%	1
	D	3.57143%	1
1312	A	3.57143%	1
	B	3.57143%	1
	C	3.57143%	1
	D	3.57143%	1
1316	A	3.57143%	1
	B	3.57143%	1
	C	3.57143%	1
	D	3.57143%	1
1320	A	3.57143%	1
	B	3.57143%	1
	C	3.57143%	1
	D	3.57143%	1
1328	A	3.57143%	1
	B	3.57143%	1
	C	3.57143%	1
	D	3.57143%	1
Totals		100%	28

* The percentage shown reflects the percentage of undivided interest in the Common Elements and the percentage of Common Expenses. To the extent additional Units are added to the Condominium by the Declarant pursuant to the rights granted to Declarant herein, the undivided interest in Common Elements of the applicable units shall be re-allocated in accordance with the terms of the Declaration.



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It is part of the recorded document and must be submitted with the original for re-recording.

Charles P. Gilliam

Register of Deeds

Wake County Justice Center
300 South Salisbury Street, Suite 1700
Raleigh, NC 27601

☐ New Time Stamp

☐ \$25 Non-Standard Fee

☐ Additional Document Fee

☐ Additional Reference Fee

This Customer Group

_____ # of Excessive Entities

_____ # of Time Stamps Needed

This Document

_____ ⁶ # of Pages *JM*