

FIRST AMENDMENT TO
DECLARATION OF INTENTION TO SUBMIT
PROPERTY TO THE PROVISIONS OF CHAPTER 47A
OF THE NORTH CAROLINA GENERAL STATUTES
FOR
1000 WELLINGTON CONDOMINIUM
WAKE COUNTY, RALEIGH, NORTH CAROLINA

This First Amendment to Declaration of Intention to Submit Property to the Provisions of Chapter 47A of The North Carolina General Statutes for 1000 Wellington Condominium, made this 27TH day of April, 1973 by W. T. Wilson & Associates, Inc. (hereinafter individually referred to as "Declarant"), WILLIAM W. WANAMAKER, EZZATOLLAH RASSEKH and wife, MONAVAR RASSEKH, JUDSON H. BAREFOOT and wife, INEZ M. BAREFOOT, REUBEN D. HAMLET, SR. and wife, MABEL B. HAMLET, RONALD WAYNE BORDWELL and wife, PATRICIA P. BORDWELL, NINA K. WEBB, EDWARD D. CASTELLO and wife, EVELYN B. CASTELLO, JOE T. KALKHURST and wife, PENELOPE H. KALKHURST, MILES H. RHYNE and wife, RUBY D. RHYNE, KEITH DEARMOND, IDA C. MASON and MARY L. COLLINGS, KATHARINE P. LIVERMORE, JOE S. FLYTHE and wife, MARCELLE H. FLYTHE, J. J. REARDON and wife, ESTELLA H. REARDON, GERTRUDE M. COX, JOSEPHINE C. BOWEN, ELIZABETH L. KEMBLE and THELMA L. BRUMMETT, HARRY G. LONG and wife, MODENA C. LONG [all (including Declarant) being hereinafter collectively referred to as "Unit Owners"]; and

WHEREAS, Declarant by declaration (the Declaration) filed in the Office of the Register of Deeds of Wake County, North Carolina on August 6, 1971 and recorded in Book 2011, Page 332 of said Registry submitted certain real property to condominium ownership pursuant to the provisions of Chapter 47A of the General Statutes of North Carolina; and

WHEREAS, Unit Owners are the owners of all of the 31 units comprising said condominium together with the undivided interests in the common areas appurtenant thereto; and

WHEREAS, Unit Owners desire to amend the Declaration and the By-Laws forming a part thereof as hereinafter provided, said amendments having been unanimously approved at a meeting of the Unit Owners duly called and held on March 26, 1973.

NOW, THEREFORE, Unit Owners hereby declare and agree as follows:

1. The name of the condominium project is hereby changed from "1000 Wellington Condominium" to "Blenheim Place Condominium" and the words "1000 Wellington Condominium" are hereby stricken in every place they appear in the Declaration and in the By-Laws and plans comprising a part thereof and the words "Blenheim Place Condominium" are substituted in lieu thereof.

2. The following paragraph on Page 8 of the Declaration and comprising part of Article (2) thereof is hereby stricken in its entirety from the Declaration and shall be of no further force and effect:

"The northeast corner of the basement of Unit B-22, Building No. 7 as shown on the plans is reserved and set aside for storage and workshop and shall be a part of the general common area."

3. Article (8) on Page 11 of the Declaration is hereby revised and amended to read as follows:

"(8) Person to Receive Service of Process.
A. Earle Finley, II is hereby designated to receive Service of Process in any action which may be brought against or in relation to this condominium. The address of such person's residence is 722 Lakestone Drive, Raleigh, North Carolina, which is located within the county in which the buildings are located."

4. Subparagraphs (a) and (b) of Section 8, Article VI of the By-Laws comprising a part of the Declaration are hereby revised and amended to read as follows:

"(a) All maintenance and any repairs to any unit and the limited common area appurtenant thereto, structural or non-structural, ordinary or extraordinary (other than maintenance of and repairs to any general common areas and facilities contained therein and not necessitated by the negligence, misuse or neglect of the owner of such unit) shall be made by the owner of such unit. Each Unit Owner shall be responsible for all damages to any and all other units and/or to the common areas and facilities that his failure so to do may engender.

(b) All maintenance, repairs and replacements to the common areas (other than the limited common areas) and facilities, whether located inside or outside of the units (unless necessitated by the negligence, misuse or neglect of a Unit Owner, in which case such expense shall be charged to such Unit Owner), shall be made by the Board and be charged to all the Unit Owners as a common expense."

5. Section 15 of Article VI of the By-Laws is hereby amended to read as follows:

"Section 15. Water and Electricity Charges. Electricity shall be supplied to each unit through separate meters and the cost of same shall be borne by the respective Unit Owners. Water shall be supplied to each unit through one central meter and the cost of same shall be paid by the Association as a common expense. All charges for water and electricity used in connection with the maintenance or use of the common areas shall be paid by the Association as a common expense."

6. Except as hereby amended the Declaration and the By-Laws and plans comprising a part thereof shall remain in effect unchanged.

IN WITNESS WHEREOF, the Unit Owners have executed this instrument as of the day and year first above written.

ATTEST:

R. L. Linsley
Secretary

W. T. WILSON & ASSOCIATES, INC.

By:

Burke E. Wilson
Burke E. Wilson, President

Ronald Wayne Bordwell (SEAL)
Ronald Wayne Bordwell

Patricia P. Bordwell (SEAL)
Patricia P. Bordwell

Nina K. Webb (SEAL)
Nina K. Webb

Edward D. Costello (SEAL)
Edward D. Costello

Evelyn B. Costello (SEAL)
Evelyn B. Costello

Joe D. Kalkhurst (SEAL)
Joe D. Kalkhurst

Penelope H. Kalkhurst (SEAL)
Penelope H. Kalkhurst

Miles H. Rhyne (SEAL)
Miles H. Rhyne

Ruby D. Rhyne (SEAL)
Ruby D. Rhyne

Keith DeArmond (SEAL)
Keith DeArmond

Ida C. Mason (SEAL)
Ida C. Mason

Mary L. Collings (SEAL)
Mary L. Collings

Katharine P. Livermore (SEAL)
Katharine P. Livermore

Joe S. Flythe (SEAL)
Joe S. Flythe

Marcelle H. Flythe (SEAL)
Marcelle H. Flythe

J. J. Reardon (SEAL)
J. J. Reardon

Estella H. Reardon (SEAL)
Estella H. Reardon

Gertrude M. Cox (SEAL)
Gertrude M. Cox

J. J. Bowen (SEAL)
J. J. Bowen

Elizabeth L. Kemble (SEAL)
Elizabeth L. Kemble

Thelma J. Brummett (SEAL)
Thelma J. Brummett

William W. Wanamaker (SEAL)
William W. Wanamaker

Ezzatollah Rassekh (SEAL)
Ezzatollah Rassekh.

Monavar Rassekh (SEAL)
Monavar Rassekh

Judson H. Barefoot (SEAL)
Judson H. Barefoot

Inez M. Barefoot (SEAL)
Inez M. Barefoot

Reuben D. Hamlet, Sr. (SEAL)
Reuben D. Hamlet, Sr.

Mabel B. Hamlet (SEAL)
Mabel B. Hamlet

Harry G. Long (SEAL)
Harry G. Long

Modena C. Long (SEAL)
Modena C. Long

STATE OF NORTH CAROLINA
COUNTY OF WAKE

This 27th day of April, 1973, personally came before me, Francis Spooner, a Notary Public in and for the said County and State, Burke E. Wilson, who being by me duly sworn, says that he is the President of W. T. Wilson & Associates, Inc., a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said writing was signed and sealed by him in behalf of said corporation by its authority duly given. And the said Burke E. Wilson acknowledged the said instrument to be the act and deed of said corporation.

WITNESS my hand and notarial seal, this 27th day of April, 1973.

Francis Spooner
Notary Public

My Commission Expires:

3-12-77

STATE OF NORTH CAROLINA
COUNTY OF WAKE

I, *Cynthia P. Thayer*, a Notary Public in and for the State and County aforesaid, do hereby certify that William W. Wanamaker, Ezzatollah Rassekh, Monavar Rassekh, Judson H. Barefoot, Inez M. Barefoot, Reuben D. Hamlet, Sr., Mabel B. Hamlet, Ronald Wayne Bordwell, Patricia P. Bordwell, Nina K. Webb, Edward D. Costello, Evelyn B. Costello, Joe D. Kalkhurst, Penelope H. Kalkhurst, Miles H. Rhyne and Rubye D. Rhyne.

personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal, this *1st* day of *May*, 1973.

Cynthia P. Thayer
Notary Public

My Commission Expires:
My Commission Expires October 20, 1976

STATE OF NORTH CAROLINA
COUNTY OF WAKE

I, *Cynthia P. Thayer*, a Notary Public in and for the State and County aforesaid, do hereby certify that Keith DeArmond, Ida C. Mason, Mary L. Collings, Katharine P. Livermore, Joe S. Flythe, Marcelle H. Flythe, J. J. Reardon, Estella H. Reardon, Gertrude M. Cox, Josephine C. Bowen, Elizabeth L. Kemble, Thelma L. Brummett, Harry G. Long and Modena C. Long.

personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal, this *19th* day of *May*, 1973.

Cynthia P. Thayer
Notary Public

My Commission Expires:
My Commission Expires October 20, 1976

CONSENT OF MORTGAGEE

The undersigned, FIRST FEDERAL SAVINGS AND LOAN ASSOCIATION OF RALEIGH, is the owner and holder of the following described deeds of trust, each of which covers one or more of the condominium units described in the Declaration referred to in the foregoing "First Amendment to Declaration of Intention to Submit Property to the Provisions of Chapter 47A of the North Carolina General Statutes for 1000 Wellington Condominium, Wake County, North Carolina" dated April 27, 1973:

1. Deed of Trust executed by W. T. Wilson & Associates, Inc. recorded in Book 1945, Page 76 of the Wake County Registry.
2. Deed of Trust executed by Elizabeth L. Kemble and Thelma L. Brummett recorded in Book 2135, Page 645 of the Wake County Registry.
3. Deed of Trust executed by Reuben D. Hamlet, Sr. and wife, Mabel B. Hamlet recorded in Book 2145, Page 37 of the Wake County Registry.
4. Deed of Trust executed by Ronald Wayne Bordwell and wife, Patricia P. Bordwell recorded in Book 2144, Page 369 of the Wake County Registry.
5. Deed of Trust executed by Judson H. Barefoot and wife, Inez M. Barefoot recorded in Book 2149, Page 81 of the Wake County Registry.
6. Deed of Trust executed by Ezzatollah Rassekh and wife, Monavar Rassekh recorded in Book 2149, Page 675 of the Wake County Registry.
7. Deed of Trust executed by Edward D. Costello and wife, Evelyn B. Costello recorded in Book 2125, Page 465 of the Wake County Registry.

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The said First Federal Savings and Loan Association of Raleigh and B. A. Jones, the Trustee in each of said deeds of trust, hereby consent to the execution and delivery of the foregoing "First Amendment to Declaration of Intention to Submit Property to the Provisions of Chapter 47A of the North Carolina General Statutes for 1000 Wellington Condominium, Wake County, North Carolina" and to the filing thereof in the Office of the Register of Deeds of Wake County, North Carolina and they do further subject and subordinate each of the foregoing deeds of trust to the foregoing instrument.

This 27th day of April, 1973.

FIRST FEDERAL SAVINGS AND LOAN
ASSOCIATION OF RALEIGH

By: *B. A. Jones*
B. A. Jones, President

Max H. Williams
Secretary

B. A. Jones (SEAL)
B. A. Jones, Trustee

NORTH CAROLINA
WAKE COUNTY

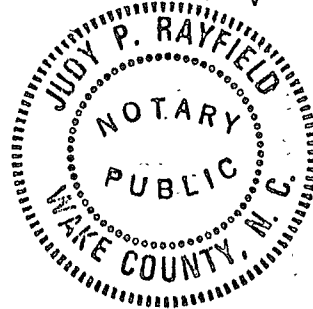
This 22 day of May, 1973, personally came before me, *Judy P. Rayfield*, a Notary Public in and for the said County and State, B. A. Jones, who, being by me duly sworn, says that he is the President of First Federal Savings and Loan Association of Raleigh, a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that said writing is signed and sealed by him in behalf of said corporation by its authority duly given. And the said B. A. Jones acknowledged the said instrument to be the act and deed of said corporation.

WITNESS my hand and notarial seal, this 22 day of May, 1973.

My Commission Expires:

April 26, 1978

Judy P. Rayfield
Notary Public



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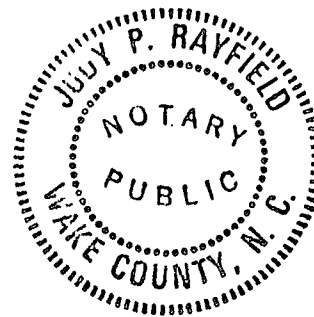
NORTH CAROLINA
WAKE COUNTY

I, Judy B. Rayfield, a Notary Public
in and for the County and State aforesaid, do hereby certify
that B. A. Jones, Trustee, personally appeared before me and
acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal, this 22 day of
May, 1973.

Judy B. Rayfield
Notary Public

My Commission Expires:

April 26, 1978

NORTH CAROLINA—WAKE COUNTY

The foregoing certificate of Frances Mary Rock
Cynthia P. Harper Judy B. Rayfield

Notary Public is
(are) certified to be correct. This instrument was presented for registration and recorded in this

office in Book 2161, Page 182
This 23 day of May, 1973 at 4:00 o'clock P. M.

By Alice J. Johnson
Deputy Register of Deeds