

Prepared by and return to: David T. Pryzwansky
Manning, Fulton & Skinner, P.A.
P.O. Box 20389
Raleigh, NC 27619

PRESENTED
FOR
REGISTRATION

000028

99 MAY 19 AM 9:19

LAWRENCE W. KIDDICH
REGISTER OF DEEDS

STATE OF NORTH CAROLINA:

AMENDMENT TO DECLARATION OF
CONDOMINIUM OF TRAILWOOD HILLS
COMMONS CONDOMINIUMS

COUNTY OF WAKE:

THIS AMENDMENT TO DECLARATION OF CONDOMINIUM OF TRAILWOOD HILLS COMMONS CONDOMINIUMS ("Amendment") is made this 9 day of April, 1999, by **Lineberry Associates Limited Partnership**, a North Carolina limited partnership ("Declarant");

WHEREAS, Declarant is the Declarant of that Declaration of Condominium of Trailwood Hills Commons Condominiums ("Declaration") dated June 30, 1997 and recorded in Book 7539, page 926, Wake County Registry; and

WHEREAS, the Declaration provides that the condominium is developed pursuant to a plan of condominium ownership into a maximum of twenty-four (24) units; and

WHEREAS, when the Declaration was recorded there was one condominium building consisting of nine (9) units (designated as Building 2200) and the allocation of the percentage of undivided interest in common elements, percentage of common expenses and votes in the Association of such units is set forth on Exhibit "C" to the Declaration; and

WHEREAS, the Declarant desires to subject to the Declaration two additional condominium buildings one consisting of nine (9) units and being designated as Building 2201 and the other consisting of six (6) units and being designated as Building 2221; and

WHEREAS, Declarant desires to attach a new Exhibit "C" to set forth the new allocation of each Unit's percentage of undivided interest in the common elements, percentage of common expenses and votes in the Association.

WHEREAS, this Amendment is being made during the Declarant Control Period and constitutes Declarant's exercise of development rights pursuant to Paragraph 2.9 of the Declaration

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

1. The Declaration is hereby amended to substitute the Exhibit "C" attached to this Amendment for the Exhibit "C" which is attached the Declaration. The new Exhibit "C" replaces the old Exhibit "C" in its entirety and sets forth the new allocation each Unit's percentage of undivided interest in the common elements, percentage of common expenses and votes in the Association.

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2. All capitalized terms herein have the same meaning as given to them in the Declaration.

3. Except as herein modified, all terms and provisions of the Declaration are hereby ratified and confirmed and shall remain in full force and effect.

IN WITNESS WHEREOF, the Declarant has caused this instrument to be signed and sealed the day and year first written above.

LINEBERRY ASSOCIATES LIMITED
PARTNERSHIP, a North Carolina
limited partnership (Seal)

By: [Signature] (Seal)
JAMES S. J. WANG, General Partner

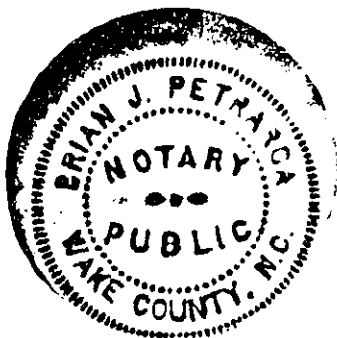
By: [Signature] (Seal)
JOHN P. BERENT, General Partner

STATE OF NORTH CAROLINA :

COUNTY OF WAKE :

I, the undersigned Notary Public of the County and State aforesaid, certify that James S. J. Wang, General Partner of LINEBERRY ASSOCIATES LIMITED PARTNERSHIP, a North Carolina limited partnership, Declarant, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 9th day of April, 1999.



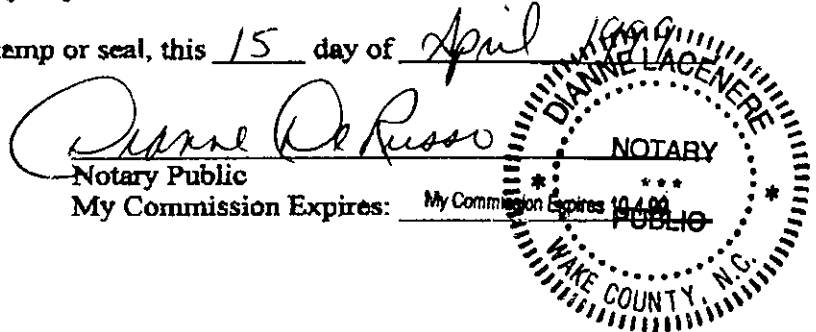
[Signature]
Notary Public
My Commission Expires: 7-24-2000

STATE OF NORTH CAROLINA :

COUNTY OF WAKE :

I, the undersigned Notary Public of the County and State aforesaid, certify that John P. Berent, General Partner of LINEBERRY ASSOCIATES LIMITED PARTNERSHIP, a North Carolina limited partnership, Declarant, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this 15 day of April 1999.



NORTH CAROLINA — WAKE COUNTY

The foregoing certificate 5 of _____

Brian J. Petrasca
Dianne L. Agnere Notar(y)(ies) Public

is (are) certified to be correct. This instrument and this certificate are duly registered at the date and time and in the book and page shown on the first page hereof.

LAURA M. RIDDICK, Register of Deeds

By Landra A. Moore
 Asst./Deputy Register of Deeds

EXHIBIT "C"

<u>Bldg. No.</u>	<u>Unit No.</u>	<u>Percentage of Un-Divided Interest In Common Elements</u>	<u>Percentage Of Common Expenses</u>	<u>Votes In Association</u>
2200	101	4.167	4.167	1
2200	102	4.167	4.167	1
2200	103	4.167	4.167	1
2200	201	4.167	4.167	1
2200	202	4.167	4.167	1
2200	203	4.167	4.167	1
2200	301	4.167	4.167	1
2200	302	4.167	4.167	1
2200	303	4.167	4.167	1
2201	101	4.167	4.167	1
2201	102	4.167	4.167	1
2201	103	4.167	4.167	1
2201	201	4.167	4.167	1
2201	202	4.167	4.167	1
2201	203	4.167	4.167	1
2201	301	4.167	4.167	1
2201	302	4.167	4.167	1
2201	303	4.167	4.167	1
2221	101	4.167	4.167	1
2221	102	4.167	4.167	1
2221	103	4.167	4.167	1
2221	201	4.167	4.167	1
2221	202	4.167	4.167	1
2221	203	4.167	4.167	1

Undivided Interest in Common Area and Liability for Common Expenses: Undivided interest in the common area, with exception of the pool, shall be allocated equally such that each unit shall have a fractional interest in the common area, such fraction having a "1" as the numerator, and having as the denominator, a number equal to the total number of units.

Liability for common expenses, with the exception of the pool, shall also be allocated equally, such that each unit shall pay a fractional portion of the common expenses, such fraction having "1" as the numerator, and having as the denominator, a number equal to the total number of units.

Such interest shall be reallocated according to this formula as new units are brought into the Condominium pursuant to Developer's rights.

Voting Rights: Each unit shall have one vote, with the total number of votes being equal to the total number of units.

Swimming Pool: Ownership in the pool shall be allocated equally, such that each unit in Trailwood Hills Commons Condominium Association and each single family residence in Trailwood Hills Subdivision shall have a fractional interest in the pool, such fraction having "1" as the numerator, and having as the denominator, a number equal to the sum of the total number of units plus the total number of single family homes.