

WAKE COUNTY, NC 282
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
03/04/2005 AT 11:42:35

BOOK:011250 PAGE:02520 - 02523

STATE OF NORTH CAROLINA :

COUNTY OF WAKE :

AMENDMENT TO
DECLARATION

Prepared by and Return to: Alison R. Cayton of Manning, Fulton & Skinner, P.A.

(Box 133 WCRD)

THIS AMENDMENT to Declaration is entered into on the 3rd day of MARCH, 2005 by **The Cottages LLC a North Carolina limited liability company** ("Declarant") and the sole member of **The Cottages at Whitaker Condominium Owners Association, Inc.**, a North Carolina corporation (the "Association"),

W I T N E S S E T H

WHEREAS Declarant executed and recorded that certain Declaration for the Cottages at Whitaker recorded in Book 11236, page 876 Wake County Registry, (herein, "Declaration"); and

WHEREAS, the Declaration may be amended by the Association pursuant to Article 29 of the Declaration; and

WHEREAS the parties herein are the Declarant to the Declaration and sole member of the Association; and

WHEREAS, the parties desire to amend certain provisions of the Declaration and to clarify the .

NOW THEREFORE, Declarant and the parties hereto declare that pursuant to the terms of Article 29 of the Declaration, the Declaration is amended as follows:

1. The last sentence of Article 26.11 is hereby deleted and the following is inserted in lieu thereof:

"Such penalty shall be the greater of \$25.00 or ten percent (10%) of the outstanding payment that is past due for more than fifteen (15) days."

2. Exhibit A is hereby amended by deleting the paragraph beginning with "SAVE AND EXCEPT" and inserting in lieu thereof:

"SAVE AND EXCEPT, those units located on Lot 1 and designated as "25 Units Need Not Be Subjected to Declaration as shown on that map recorded in Condo Plat File 368A-1 - 2."

3. Except as otherwise provided herein, all other terms and conditions of the Declaration remain the same.

this 3rd day of March, 2005.

THE COTTAGES LLC, a North Carolina
Limited liability company

By: George O. DeLoache
George O. DeLoache, Member/Manager

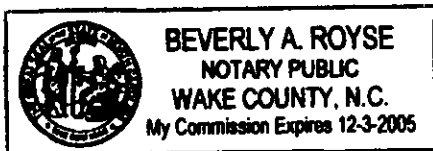
STATE OF NORTH CAROLINA :

COUNTY OF WAKE :

I, Beverly A. Royse a Notary Public, do hereby certify that George O. DeLoache personally appeared before me this day and acknowledged that he is Member/Manager of The Cottages LLC, a North Carolina limited liability company and further acknowledged the due execution of this Declaration on behalf of the limited liability company.

Witness my hand and official seal, this 3rd day of March, 2005.

Beverly A. Royse
Notary Public
My Commission Expires: 12-03-2005



THE COTTAGES AT WHITAKER
 CONDOMINIUM OWNERS ASSOCIATION,
 INC., a North Carolina non-profit corporation

By: George O'Donnell
 president

STATE OF NORTH CAROLINA :

COUNTY OF WAKE :

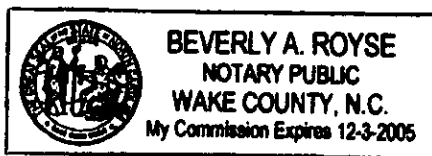
I, the undersigned Notary Public, certify that George O'Donnell personally came before me this day and acknowledged that he is President of The Cottages at Whitaker Condominium Owners Association, Inc., a North Carolina corporation, and that he as President, being so authorized to do so, executed the foregoing on behalf of the corporation.

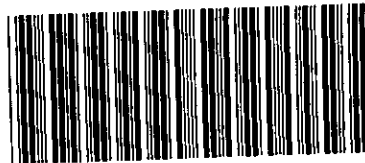
Witness my hand and Notarial Stamp/Seal this the 3rd day of MARCH, 2005.

Beverly A. Royse
 Notary Public

My Commission Expires:

12-03-2005





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Yellow probate sheet is a vital part of your recorded document.
Please retain with original document and submit for rerecording.



Wake County Register of Deeds
Laura M. Riddick
Register of Deeds

North Carolina – Wake County

The foregoing certificate 5 of Beverly A. Royse

____ Notary(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: [Signature]
Assistant/Deputy Register of Deeds

This Customer Group

____ # of Time Stamps Needed

This Document

____ New Time Stamp
14 # of Pages