

**010219**

FILED FOR REGISTRATION  
 NOVEMBER 17, 2004 1:48 P.M.  
 DATE TIME  
 AND RECORDED IN BOOK 582 PAGE 17  
 M. BRENT SHOAF, REGISTER OF DEEDS  
 DAVIE COUNTY, NC  
 BY *Matthew Shoaf*  
 deputy

Drafted By and Return To: Ralph L. Bunch, Bunch & Associates, PLLC, 514 S. Stratford Road, Suite 240, Winston-Salem, N.C. 27103

NORTH CAROLINA

FOURTH AMENDMENT OF  
DECLARATION OF THE CONDOMINIUMS AT  
KINDERTON VILLAGE

DAVIE COUNTY

THIS FOURTH AMENDMENT dated this the 16<sup>th</sup> day of November, 2004, made by MULVANEY HOMES, INC., a North Carolina corporation, Declarant under that certain Declaration of The Condominiums at Kinderton Village recorded in Book 458, Page 168, Davie County Registry ("Condominium") pursuant to the provisions of Chapter 47C of the North Carolina General Statutes entitled "North Carolina Condominium Act" ("Act").

WITNESSETH:

WHEREAS, Declarant created The Condominiums at Kinderton Village by Declaration of The Condominiums at Kinderton Village recorded in Book 458, Page 168, Davie County Registry ("Declaration") and amended the Declaration as follows:

1. First Supplemental Declaration of The Condominiums at Kinderton Village recorded in Book 509, Page 944, Davie County Registry;
2. Second Amendment of Declaration of the Condominiums at Kinderton Village recorded in Book 534, Page 389, Davie County Registry; and
3. Third Amendment of Declaration of the Condominiums at Kinderton Village recorded in Book 563, Page 530, Davie County Registry.

The Declaration and all amendments are hereinafter collectively referred to herein as the "Declaration".

WHEREAS, the Declaration provides under Article III, paragraph 3.1, that the Declarant may exercise any development rights as defined in Section 47C-2-110 of the Act; and

WHEREAS, the Declaration further provides under Article III, paragraph 3.3, that Declarant reserves the right to add the Additional Property identified and described on Exhibit A-1 attached to the Declaration to the Condominium pursuant to Section 47C-2-110 of the Act; and

WHEREAS, Declarant is the owner of the Additional Real Estate identified and described on Exhibit A-1 to the Declaration and desires to add a portion of the Additional Property to the Condominium; and

WHEREAS, Declarant has completed the construction of an additional building containing new units on a portion of the additional property. In order to accomplish the exercise of its special declarant rights to add property and create new units and limited common elements, Declarant, pursuant to the authority set forth in the Declaration is executing this Amendment.

NOW, THEREFORE, the Declarant does hereby amend the Declaration as follows:

1. The Exhibit D attached to the Declaration shall be deleted and replaced with the attached Exhibit A, which describes all the Units, including the Units of The Condominiums at Kinderton Village created out of the Additional Property, and the percentage of undivided interest in the common elements as to all Units.
2. The Condominiums at Kinderton Village are more fully described on the following plats recorded in the Davie County Registry:
  - a. Plat entitled "The Condominiums at Kinderton Village" recorded in Condominium Plat Book 2, Pages 1-2 for Building 11;
  - b. Plat entitled "The Condominiums at Kinderton Village" recorded in Condominium Plat Book 2, Pages 3-4 for Buildings 1 and 15;
  - c. Plat entitled "The Condominiums at Kinderton Village" (aka "The Condominiums at Kinderton Village and Lakeside Crossing") recorded in Condominium Plat Book 2, Pages 5-6 for Building 2;
  - d. Plat entitled "The Condominiums at Kinderton Village" (aka "The Condominiums at Kinderton Village and Lakeside Crossing") recorded in Condominium Plat Book 2, Pages 9-10 for Building 14;
  - e. Plat entitled "The Condominiums at Kinderton Village" (aka "The Condominiums at Kinderton Village and Lakeside Crossing") recorded in Condominium Plat Book 2, Pages 12-13 for Building 3; and

f. Plat entitled "The Condominiums at Kinderton Village" (aka "The Condominiums at Kinderton Village and Lakeside Crossing") recorded in Condominium Plat Book 2, Pages 14-15 for Building 13.

Said plats are incorporated herein by reference as if set out in full.

IN WITNESS WHEREOF, the Declarant has caused this Amendment to be signed and sealed by its duly authorized officer as its act and deed the day and year first above written.

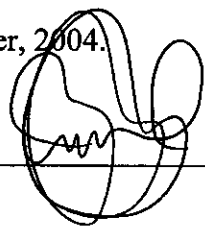
MULVANEY HOMES, INC., a  
North Carolina corporation

By:   
Gary Shamp, President

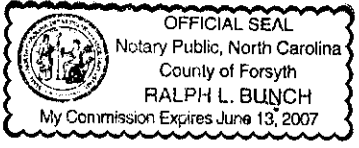
NORTH CAROLINA, FORSYTH COUNTY

I, Ralph L. Bunch, a Notary Public of Forsyth County, North Carolina, hereby certify that Gary Shamp personally came before me this 16<sup>th</sup> day of November, 2004, and acknowledged that he is president of Mulvaney Homes, Inc., a North Carolina corporation, and acknowledged on behalf of the corporation, the due execution of the foregoing instrument.

Witness my hand and notarial seal this the 16<sup>th</sup> day of November, 2004.



My commission expires: 6-13-07



STATE OF NORTH CAROLINA, DAVIE COUNTY

The foregoing certificate of Ralph L. Bunch, N.P. of Forsyth County is certified to be correct. This the 17th day of November, 2004.

M. BRENT SHOAF, REGISTER OF DEEDS  
BY: Martha J. Smith deputy

0582  
0021

Exhibit A      BK 582 PG 021  
Third Amendment of  
Declaration of the Condominiums at Kinderton Village

Building	Unit Number	Heated Square Footage  (Based upon Initial Plans and rounded to the nearest whole foot)	Common Element Interest Percentage
1	101	1600	3.1026%
1	102	1600	3.1026%
1	103	1600	3.1026%
1	104	1600	3.1026%
2	101	1600	3.1026%
2	102	1600	3.1026%
2	103	1600	3.1026%
2	104	1600	3.1026%
3	101	1600	3.1026%
3	102	1600	3.1026%
3	103	1600	3.1026%
3	104	1600	3.1026%
11	292-101	861	1.6696%
11	292-102	861	1.6696%
11	292-201	861	1.6696%
11	292-202	970	1.8809%
11	292-301	918	1.7801%
11	292-302	971	1.8829%
11	298-101	861	1.6696%
11	298-102	861	1.6696%
11	298-201	861	1.6696%
11	298-202	970	1.8809%
11	298-301	918	1.7801%
11	298-302	971	1.8829%
11	304-101	861	1.6696%
11	304-102	861	1.6696%
11	304-201	861	1.6696%
11	304-202	970	1.8809%
11	304-301	918	1.7801%
11	304-302	971	1.8829%
13	101	1337	2.5926%
13	102	1337	2.5926%
13	103	1337	2.5926%
13	104	1337	2.5926%
14	101	1337	2.5926%
14	102	1337	2.5926%
14	103	1337	2.5926%
14	104	1337	2.5926%
15	101	1337	2.5926%
15	102	1337	2.5926%
15	103	1337	2.5926%
15	104	1337	2.5926%
<b>TOTAL</b>		<b>51,570</b>	<b>100%</b>