

PRESENTED FOR
REGISTRATION
OCT-26 1989
AT 10:06AM
ANNE A. POWERS
MECKLENBURG COUNTY, N. C.
REGISTER OF DEEDS

UNIT FILE NO. 341

NORTH CAROLINA

MECKLENBURG COUNTY

FOURTH AMENDMENT TO DECLARATION OF
EASTOVER MEDICAL PARK II CONDOMINIUM

THIS FOURTH AMENDMENT is made and entered into as of this 25 day of October, 1989 by ELIZABETH SQUARE ASSOCIATES, a North Carolina limited partnership ("Declarant") and EASTOVER MEDICAL PARK II CONDOMINIUM ASSOCIATION, INC., a North Carolina non-profit corporation ("Association").

W I T N E S S E T H :

WHEREAS, Declarant has created Eastover Medical Park II Condominium (the "Condominium") under the terms of that certain Declaration of Eastover Medical Park II Condominium recorded in Book 5422, Page 884 of the Mecklenburg County Public Registry, said Declaration being amended by that certain First Amendment to Declaration of Eastover Medical Park II Condominium recorded in Book 5575, Page 449 in the Mecklenburg Public Registry, further amended by that certain Second Amendment to Declaration of Eastover Medical Park II Condominium recorded in Book 5918, Page 892 in the Mecklenburg Public Registry, and further amended by that certain Third Amendment to Declaration of Eastover Medical Park II Condominium recorded in Book 5959, Page 376 in the Mecklenburg Public Registry, as described and designated in the plans thereof recorded in Unit Ownership File 341 (the "Declaration");

Drawn by e-mail to Tucker Hicks, et al Box 66
 12.00
 12.00
 12.00

WHEREAS, Declarant and Association desire to add the real estate described in paragraph 1 below, to the Condominium as Phase III, by appropriate amendment to the Declaration;

NOW, THEREFORE, in accordance with Article 6 of the Declaration and in accordance with the provisions of Chapter 47C of the General Statutes of North Carolina, Declarant and Association hereby amend the Declaration as follows:

1. The real estate described in Exhibit A hereto, as the same is shown and described on the Plats and Plans recorded in Unit Ownership File No. 341 is hereby added to the Condominium as Phase III and is hereby made subject to all of the terms, conditions and restrictions of the Declaration.

2. Except as hereby amended, the Declaration shall remain in full force and effect. Capitalized terms used in this Amendment shall have the same meaning as set forth in the Declaration.

12:44 #4383 000

CASH

IN WITNESS WHEREOF, this Amendment has been duly executed with an effective date as set forth above.

ELIZABETH SQUARE ASSOCIATES, (SEAL)
a North Carolina limited partnership

By: *E. Allen Brown, Jr.* (SEAL)
E. Allen Brown, Jr.,
General Partner

By: FIRST COLONY CORPORATION,
General Partner

F105
[CORPORATE SEAL]

By: *[Signature]*
President

ATTEST:

Cynthia Brice Conway
Secretary

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

I, Elizabeth J. Estrakus, a notary public of the County and State aforesaid, do hereby certify that E. ALLEN BROWN, JR. personally appeared before me this day and acknowledged that he is a General Partner of ELIZABETH SQUARE ASSOCIATES, a North Carolina limited partnership, and acknowledged the due execution of the foregoing instrument on behalf of said partnership and with authority duly given.

WITNESS my hand and official seal this the 25th day of October, 1991.

[Official Seal]

[Signature]
Notary Public

My Commission Expires: April 14 1992

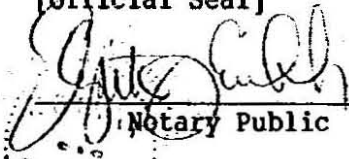
STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

This 25th day of October, 1987 personally appeared before me E. Allen Brewer Sr. who, being by me duly sworn, says that he is the _____ President of FIRST COLONY CORPORATION, a general partner of Elizabeth Square Associates, and that the seal affixed to the foregoing instrument in writing 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 _____ President acknowledged the said writing to be the act and deed of said Corporation.

WITNESS my hand and official seal this the 25th day of October, 1987.

[Official Seal]



Notary Public

My Commission Expires: 4/1/92

EXHIBIT A

BEGINNING at a point located in the southwesterly corner of Eastover Medical Park II Condominium, Phase I as shown in Unit Ownership File 341 at page 1 in the Mecklenburg Public Registry and running thence from said beginning point and with three lines of said Phase I as follows: (1) South 75-13-00 East 167.80 feet to a point; (2) North 14-47-00 East 9.84 feet to a point; (3) South 76-13-00 East 130.00 feet to a point located at a corner of Eastover Medical Park II Condominium, Phase II as shown in Unit Ownership File 341 at pages 10 and 12 in the Mecklenburg Public Registry and running thence with two lines of said Phase II as follows: (1) South 38-37-30 West 162.19 feet to a point; (2) North 75-13-00 West 232.24 feet to a point located in the line of the property of B & W (now or formerly) as described in Deed Book 4281 at page 406 in the Mecklenburg Public Registry; and thence with said line of the property of B & W (now or formerly) North 14-47-00 East 138.51 feet to the POINT AND PLACE OF BEGINNING, and being all of Phase III of Eastover Medical Park II Condominium as the same is shown in Unit Ownership File 341 at page 15 in the Mecklenburg Public Registry.

State of North Carolina, County of Mecklenburg

The foregoing Certificate(s) of Elizabeth J. Eubanks

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.

ANNE POWERS, REGISTER OF DEEDS

By Charlitta N. Pettit Deputy - Register of Deeds