

167th 4th Recordy 10. Address: Flowers, PA.  
P.O. Box 25393  
Durham, NC 27717

FOR REGISTRATION REGISTER OF DEEDS  
Willie L. Covington  
DURHAM COUNTY, NC  
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STATE OF NORTH CAROLINA  
COUNTY OF DURHAM



AMENDMENT TO THE DECLARATION  
OF CONDOMINIUM FOR BRANDON  
RIDGE CONDOMINIUM, RECORDED  
AT BOOK 1402, PAGE 897, DURHAM  
COUNTY REGISTRY

THIS AMENDMENT TO THE DECLARATION OF CONDOMINIUM FOR  
BRANDON RIDGE CONDOMINIUM. made this 24th day of November, 2003 by the  
BRANDON RIDGE CONDOMINIUM UNIT OWNERS' ASSOCIATION, INC. a not-for-profit  
corporation (hereinafter called "the Association").

WITNESSETH:

WHEREAS, the Brandon Ridge Condominium Unit Owners' Association, Inc.  
(hereinafter, "the Association") was created by a Declaration of Condominium for Brandon  
Ridge Condominium (hereinafter called "the Declaration") on the 15<sup>th</sup> day of September, 1987,  
said Declaration having been recorded at Book 1402, Page 897, Durham County Registry;

WHEREAS, Article II of the Declaration subjects to N.C. Gen. Stat., Chapter 47C, The  
North Carolina Condominium Act;

WHEREAS, Article XVII of the Declaration defines the powers and authority of the  
Association and grants the Association the authority to carry out and enforce the provisions of  
the Declaration;

WHEREAS, Article XV of the Declaration provides that the Declaration may be  
amended only in strict compliance with the North Carolina Condominium Act;

WHEREAS, Chapter 47C-2-117 of The North Carolina Condominium Act provides that  
the Declaration may be amended only by affirmative vote, or by a written agreement signed by  
unit owners, of units to which at least sixty-seven percent (67%) of the votes in the association  
are allocated, provided that any such Amendment is recorded with the Durham County, North  
Carolina office of the Register of Deeds;

WHEREAS, at a meeting of the Board of Directors of the Association duly called and  
held on the 24th day of November, 2003, at which a quorum of the Board of Directors was  
present, the resolution effecting the following amendments were duly adopted.

NOW, THEREFORE, the Association does hereby declare and certify that the  
Declaration of Condominium for Brandon Ridge Condominium recorded at Book 1402, Page

897, Durham County Registry, shall be and hereby is further amended as follows:

Article X of the Declaration, captioned "Management, Maintenance, Repairs, Replacements, Alterations and Improvements," shall be amended as follows:

A third sentence shall be added to Article X, Section 10.1, captioned "Common Elements," which shall read as follows:

"To the extent that insurance proceeds from a policy provided by the Association pay for the costs of repair for any damage caused to a Unit by any work on or to the Common Elements, the Unit Owner shall bear the responsibility for paying any deductible incurred by the Association under that policy."

A second sentence shall be added to Article X, Section 10.2, captioned "Units," such that the second sentence as presently written shall become the third sentence and the third sentence shall become the fourth sentence and the language of the second sentence to be added shall read as follows:

"To the extent that the Association provides insurance to repair or replace the portions of another Unit that has become damaged or destroyed by reason of the act of a Unit Owner, the Unit Owner responsible for inflicting the damage to another Unit shall bear responsibility for paying any deductible due that is owed under the insurance policy."

Article XI, of the Declaration, captioned "Insurance," shall be amended as follows:

A new subsection (v), captioned "Insurance Deductibles," shall be added to Section 11.1, captioned "Property Insurance" and shall read as follows:

"If a Unit Owner incurs a loss to his Unit and that loss is covered under the policy provided by the Association as required by this section, that Unit Owner shall bear the responsibility for paying any deductible incurred by the Association and shall pay the amount of that deductible to the Association on demand. Any unpaid deductible shall be construed as an assessment the payment of which may be secured by a lien pursuant to Article 18.2 of this Declaration."

The third sentence of Section 11.6, captioned "Individual Policy for Unit Owners," shall be deleted in its entirety and the following sentence shall be substituted in its place and shall read as follows:

If a casualty loss is sustained and there is a reduction in the amount

of the proceeds that would otherwise be payable on the insurance purchased by the Association due to the proration of insurance purchased by a Unit Owner under this Section or as a result of any deductible that is owed under the policy provided by the Association, such Unit Owner shall be liable to the Association to the extent of such reduction or such deductible and shall pay the amount of such reduction or deductible to the Association upon demand, and assigns the proceeds of his insurance, the extent of such reduction or deductible, to the Association.

NORTH CAROLINA  
DURHAM COUNTY

CERTIFICATION OF VALIDITY OF THE  
AMENDMENT TO THE DECLARATION OF  
CONDOMINIUM FOR BRANDON RIDGE  
CONDOMINIUM, RECORDED AT BOOK 1402,  
PAGE 897, DURHAM COUNTY REGISTRY

By authority of its Board of Directors, Brandon Ridge Condominium Unit Owners' Association, Inc. certifies that the foregoing amendment has been approved by the affirmative vote of the owners of at least sixty-seven percent (67%) of the lots of the Brandon Ridge Condominium at a meeting duly held in accordance with the bylaws of the Association, as evidenced by their signatures affixed to this Certification of Validity as "Exhibit A," and is thereby a valid amendment to the existing Declaration of Condominium for Brandon Ridge Condominium, and that the undersigned personally witnessed and attest to the validity of the signatures affixed to the written instrument attached hereto as "Exhibit A."

BRANDON RIDGE CONDOMINIUM UNIT OWNERS' ASSOCIATION, INC.

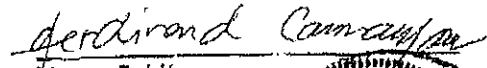
BY: , President  
Amber Cline  
ATTEST: , Secretary  
Thelma Kithcard

SEAL

Before me, the undersigned, a Notary Public within and for the county and state aforesaid, personally appeared this day Amber Cline and ~~(Thelma Kithcard)~~ who, being first duly sworn by me, say that they are the President and Secretary, respectively, of the Brandon Ridge Condominium Unit Owners Association, Inc.; that they personally witnessed and attest to the validity of the signatures affixed to the written instrument attached hereto as "Exhibit A," that the seal affixed to the foregoing instrument in writing is the corporate seal of the corporation and that said writing was signed and sealed by them in behalf of said corporation by its authority duly given. And the said President and Secretary acknowledged the said writing to be the act and deeds of said corporation.

Witness my hand and notarial seal, the 24th day of NOVEMBER, 2003

My commission expires: 10-14-2006

  
Notary Public

