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1-13-2003 PM 4:13:18  
GEORGE E. TATUM  
REGISTER OF DEEDS  
CUMBERLAND CO., N.C.

Prepared by and return to:  
L. Holden Reaves  
Smith, Dickey, Smith, Hasty & Dempster, P.A.  
P.O. Box 58209  
Fayetteville, NC 28305

**SIXTH AMENDMENT TO DECLARATION  
OF HUFF BUILT OFFICE CONDOMINIUMS**

WHEREAS, Breezewood Associates, LLC, a North Carolina limited liability company, H&H Investments, Inc., a North Carolina corporation, Ralph Huff Family Limited Partnership, a North Carolina limited partnership, and Breezewood Six, LLC, a North Carolina limited liability company, are Declarants and Co-Declarants (collectively, "Declarants") under the terms of that certain Declaration of Condominium of Huff Built Condominiums, recorded in Book 5226, Page 281, Cumberland County Registry, as subsequently amended by first amendment recorded in Book 5615, Page 344 and re-recorded in Book 5720, Page 773; second amendment recorded in Book 5615, Page 341 and re-recorded in Book 5720, Page 802; third amendment recorded in Book 5720, Page 812; fourth amendment recorded in Book 5835, Page 541 and fifth amendment recorded in Book 5907, Page 161, aforesaid Registry (as amended, the "Declaration");

WHEREAS, Ralph Huff Family Limited Partnership (the "Owner") is the owner of Suite 200 ("Suite 200") and Suite 201 ("Suite 201") of Huff Built Office Condominiums, Phase Four, as described in the Declaration (see second amendment) and as shown on the condominium plat or plan recorded in Condominium Plat Book 6, Pages 2 through 5, aforesaid Registry (the "Phase Four Condominium Plan");

WHEREAS, the Owner desires to reconfigure the boundary line between Suite 200 and Suite 201 and to establish that the third floor attic space is a limited common area for the benefit of Suite 201;

WHEREAS, the Owner has requested that the Declarants and all required parties consent to these matters and amend the Declaration to reflect same.

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NOW, THEREFORE, the Declarants do hereby amend the Declaration as follows:

1. The Phase Four Condominium Plan is revised to relocate the boundaries between Suite 200 and Suite 201 and to reflect that the third floor attic space is a limited common area for the benefit of Suite 201.

2. The revised condominium plat or plan prepared in accordance with N.C.G.S. 47C-2-109 that describes the new dimensions of Suite 200 and Suite 201, common areas and limited common areas is described in Exhibit A attached hereto and incorporated herein by reference. Maintenance of common areas and limited common areas shall be controlled by the terms of the Declaration.

3. The Percentage Interest of Common Area, Common Expenses and Votes with respect to Suite 200 and Suite 201 of Phase Four shall be re-allocated as follows:

<u>Unit No.</u>	<u>Fair Market Value</u>	<u>Percent Interest</u>
200	\$ 457,270.00	8.54
201	\$ 209,650.00	3.85

Exhibit "C" to the Declaration, entitled "Percentage Interest of Common Area, Common Expenses and Votes" is amended to reference the above reallocation by substituting in its place the new Exhibit B attached hereto and incorporated herein by reference.

4. Huff Built Office Condominium Owners Association, Inc.; Ralph Huff Family Limited Partnership; Wachovia Bank, N.A., a national banking association, N.A; Douglas R. Smith and wife, Sharon H. Smith; and First-Citizens Bank & Trust Company join in the execution of this Sixth Amendment for the sole and limited purpose of expressing their respective consent to this amendment in accordance with Article XV of the Declaration. Further, the Declarants hereby declare that, with respect to the reconfiguration of unit boundaries, the intent of said Article XV was to require the written consent of all unit owners in the affected building, together with their respective mortgagees.

5. Except as specifically amended, all terms and provisions of the Declaration shall remain in full force and effect.

**[The Remainder of This Page Intentionally Left Blank]**

IN WITNESS WHEREOF, the undersigned have caused this Sixth Amendment to Declaration to be executed by the appropriate members, partners and/or officers as of this 31<sup>st</sup> day of December, 2002.

**DECLARANTS:**

**BREEZEWOOD ASSOCIATES, LLC**

By: D. Ralph Huff  
D. Ralph Huff, Member/Manager

By: \_\_\_\_\_  
W. Lyndo Tippet, Member/Manager

By: Harold D. Tyndall  
Harold D. Tyndall, Member/Manager

**H&H INVESTMENTS, INC.**

By: D. Ralph Huff  
D. Ralph Huff, President

**RALPH HUFF FAMILY LIMITED PARTNERSHIP**

By: D. Ralph Huff  
D. Ralph Huff, General Partner

**BREEZEWOOD SIX, LLC**

By: D. Ralph Huff  
D. Ralph Huff, Member/Manager

By: Thomas Bradford  
Thomas Bradford, Member/Manager

By: Harold D. Tyndall  
Harold D. Tyndall, Member/Manager

IN WITNESS WHEREOF, the undersigned have caused this Sixth Amendment to Declaration to be executed by the appropriate members, partners and/or officers as of this 23<sup>rd</sup> day of December, 2002.

**DECLARANTS:**

**BREEZEWOOD ASSOCIATES, LLC**

By: \_\_\_\_\_  
D. Ralph Huff, Member/Manager

By: [Signature]  
W. Lyndo Tippet, Member/Manager

By: \_\_\_\_\_  
Harold D. Tyndall, Member/Manager

**H&H INVESTMENTS, INC.**

By: \_\_\_\_\_  
D. Ralph Huff, President

**RALPH HUFF FAMILY LIMITED PARTNERSHIP**

By: \_\_\_\_\_  
D. Ralph Huff, General Partner

**BREEZEWOOD SIX, LLC**

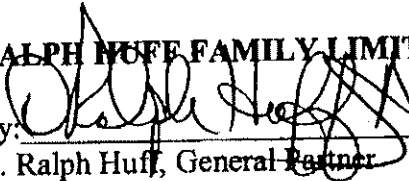
By: \_\_\_\_\_  
D. Ralph Huff, Member/Manager

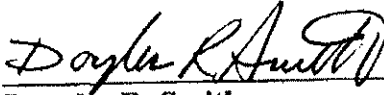
By: \_\_\_\_\_  
Thomas Bradford, Member/Manager

By: \_\_\_\_\_  
Harold D. Tyndall, Member/Manager

**UNIT OWNERS:**

**RALPH HUFF FAMILY LIMITED PARTNERSHIP**

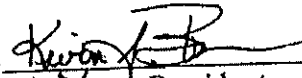
By:   
D. Ralph Huff, General Partner  
(Phase Four, Units 100, 102, 103, 201, 202)

  
Douglas R. Smith  
(Phase Four, Unit 101)

  
Sharon H. Smith

**UNIT MORTGAGEES:**

**WACHOVIA <sup>K6</sup> ~~NATIONAL~~ BANK, N.A.**

By:   
Sr. Vice President

(Phase Four, Units 100, 102, 103, 201, 202)

**FIRST-CITIZENS BANK AND TRUST COMPANY**

By: Stuart Walter  
President

(Phase Four, Unit 101)

**ASSOCIATION:**

**HUFF BUILT OFFICE CONDOMINIUM OWNERS ASSOCIATION, INC.**

By: [Signature]  
President



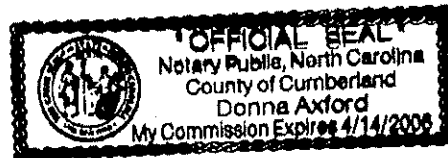
North Carolina  
Cumberland County

I, Donna Axford, a Notary Public for said County and State, do hereby certify that Walter W. Little Jr. personally came before me this day and acknowledged that he is President of Huff Built Office Condominium Owners Association, Inc. and acknowledged, on behalf of Huff Built Office Condominium Owners Association, Inc., the due execution of the foregoing instrument.

Witness my hand and official seal, this the 23rd day of December, 2002.

[Signature]  
Notary Public

My commission expires April 14, 2006.



North Carolina  
Cumberland County



STATE OF NORTH CAROLINA

COUNTY OF Cumberland

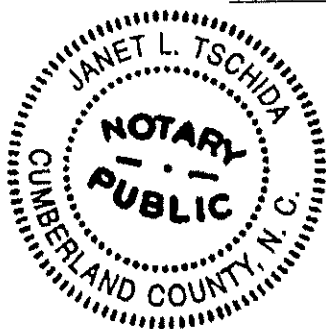
I, Janet L. Tschida, a Notary Public, do hereby certify that Kevin S. Bunn, as Sr. Vice President of Wachovia Bank, N.A., a national association, personally appeared before me this day and acknowledged that he is Sr. Vice President of said bank and that by authority duly given, and as the act of the bank, the foregoing instrument was signed in its name by such person.

WITNESS my hand and official seal or stamp, this the 20 day of December, 2002.

Janet L. Tschida  
Notary Public

My Commission Expires:  
12-7-03

[Affix Notarial Seal]



STATE OF NORTH CAROLINA

COUNTY OF Cumberland

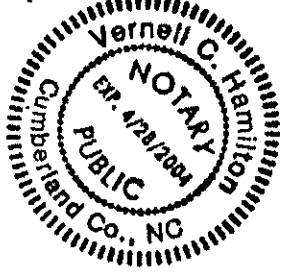
I, Vernell Hamilton, a Notary Public, do hereby certify that Stuart Watten, as  
President of First-Citizens Bank and Trust Company, personally appeared before me this day and acknowledged  
that he is \_\_\_\_\_ President of said bank and that by authority duly given, and as the act of the bank, the  
foregoing instrument was signed in its name by such person.

WITNESS my hand and official seal or stamp, this the 19 day of Jan, 2002.

Vernell C. Hamilton  
Notary Public

My Commission Expires:  
4/28/2004

[Affix Notarial Seal]



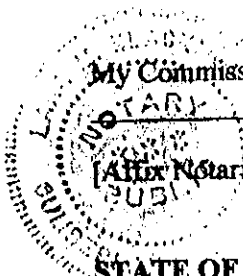
STATE OF NORTH CAROLINA

COUNTY OF Cumberland

I, Saram Black, a Notary Public, do hereby certify that **D. Ralph Huff**, as a member/manager of Breezewood Associates, LLC, a North Carolina limited liability company, personally appeared before me this day and acknowledged that he is a member/manger of said limited liability company and that by authority duly given, and as the act of the limited liability company, the foregoing instrument was signed in its name by such person.

WITNESS my hand and official seal or stamp, this the 23 day of December, 2002.

Saram Black  
Notary Public



My Commission Expires:

9-29-07

[Affix Notarial Seal]

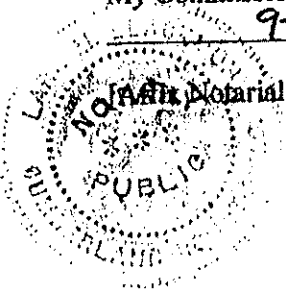
STATE OF NORTH CAROLINA

COUNTY OF Cumberland

I, Saram Black, a Notary Public, do hereby certify that **W. Lyndo Tippett**, as a member/manager of Breezewood Associates, LLC, a North Carolina limited liability company, personally appeared before me this day and acknowledged that he is a member/manager of said limited liability company and that by authority duly given, and as the act of the limited liability company, the foregoing instrument was signed in its name by such person.

WITNESS my hand and official seal or stamp, this the 23 day of December, 2002.

Saram Black  
Notary Public



My Commission Expires:

9-29-07

[Affix Notarial Seal]

STATE OF NORTH CAROLINA

COUNTY OF Cumberland

I, Karam Blaeker, a Notary Public, do hereby certify that **Harold D. Tyndall** as a member/manager of Breezewood Associates, LLC, a North Carolina limited liability company, personally appeared before me this day and acknowledged that he is a member/manger of said limited liability company and that by authority duly given, and as the act of the limited liability company, the foregoing instrument was signed in its name by such person.

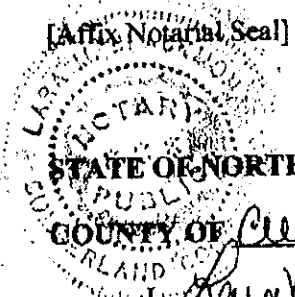
WITNESS my hand and official seal or stamp, this the 23 day of December, 2002.

Karam Blaeker  
Notary Public

My Commission Expires:

9-29-07

[Affix Notarial Seal]



STATE OF NORTH CAROLINA

COUNTY OF Cumberland

I, Karam Blaeker, a Notary Public of said County and State, do hereby certify that **D. Ralph Huff** personally appeared before me this day and acknowledged that he is the President of H&H Investments, Inc., a North Carolina corporation, and that by authority duly given, and as the act of said corporation, said person executed the foregoing instrument on behalf of said corporation.

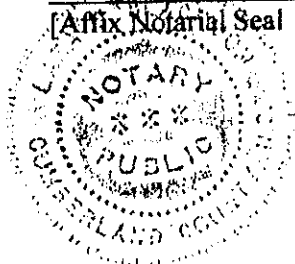
WITNESS my hand and official seal or stamp, this the 23 day of December, 2002.

Karam Blaeker  
Notary Public

My Commission Expires:

9-29-07

[Affix Notarial Seal]



STATE OF NORTH CAROLINA

COUNTY OF Amberland

I, Raam Black, a Notary Public of said County and State, do hereby certify that D. Ralph Huff personally appeared before me this day and acknowledged that he is the general partner of Ralph Huff Family Limited Partnership, a North Carolina limited partnership, and that by authority duly given, and as the act of said limited partnership, the foregoing instrument was signed in its name by said person.

WITNESS my hand and official seal or stamp, this the 23 day of December, 2002.

Raam Black  
Notary Public

My Commission Expires:

9-29-07

[Affix Notarial Seal]

STATE OF NORTH CAROLINA

COUNTY OF Amberland

I, Raam Black, a Notary Public, do hereby certify that D. Ralph Huff, as a member/manager of Breezewood Six, LLC, a North Carolina limited liability company, personally appeared before me this day and acknowledged that he is a member/manger of said limited liability company and that by authority duly given, and as the act of the limited liability company, the foregoing instrument was signed in its name by such person.

WITNESS my hand and official seal or stamp, this the 23 day of December, 2002.

Raam Black  
Notary Public

My Commission Expires:

9-29-07

[Affix Notarial Seal]

STATE OF NORTH CAROLINA

COUNTY OF Cumberland

I, Laurin Black, a Notary Public, do hereby certify that **Thomas Bradford** as a member/manager of Breezewood Six, LLC, a North Carolina limited liability company, personally appeared before me this day and acknowledged that he is a member/manger of said limited liability company and that by authority duly given, and as the act of the limited liability company, the foregoing instrument was signed in its name by such person.

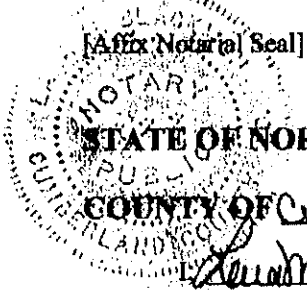
WITNESS my hand and official seal or stamp, this the 23 day of December, 2002.

Laurin Black  
Notary Public

My Commission Expires:

9-29-07

[Affix Notar[al Seal]



STATE OF NORTH CAROLINA

COUNTY OF Cumberland

I, Laurin Black, a Notary Public, do hereby certify that **Harold D. Tyndal** as a member/manager of Breezewood Six, LLC, a North Carolina limited liability company, personally appeared before me this day and acknowledged that he is a member/manger of said limited liability company and that by authority duly given, and as the act of the limited liability company, the foregoing instrument was signed in its name by such person.

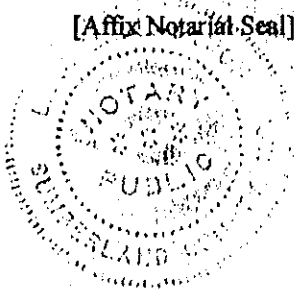
WITNESS my hand and official seal or stamp, this the 23 day of December, 2002.

Laurin Black  
Notary Public

My Commission Expires:

9-29-07

[Affix Notar[al Seal]



STATE OF NORTH CAROLINA

COUNTY OF Cumberland

Karam Black, a Notary Public of said County and State do hereby certify that **Douglas R. Smith** personally appeared before me this day and acknowledged the execution of the foregoing instrument.

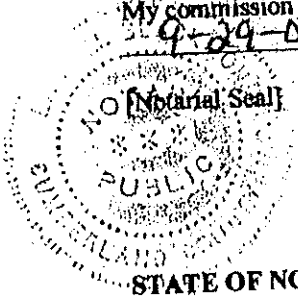
WITNESS my hand and official stamp or seal, this the 23 day of December, 2002.

Karam Black  
Notary Public

My commission expires:

9-29-07

[Notarial Seal]



STATE OF NORTH CAROLINA

COUNTY OF Cumberland

Karam Black, a Notary Public of said County and State do hereby certify that **Sharon H. Smith** personally appeared before me this day and acknowledged the execution of the foregoing instrument.

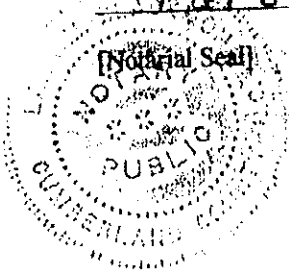
WITNESS my hand and official stamp or seal, this the 23 day of December, 2002.

Karam Black  
Notary Public

My commission expires:

9-29-07

[Notarial Seal]



The foregoing Certificate(s) of Dona Ayford, Janet L. Tschida, Vernell C. Hamilton

Lara M. Blackman  
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.

By George E. Tatum REGISTER OF DEEDS FOR CUMBERLAND COUNTY,  
Doris K. Carter Deputy/Assistant - Register of Deeds

**EXHIBIT A**

The condominium plan recorded in Condominium Book 6, Page 52-53 Cumberland County Registry, is incorporated herein by reference.



**EXHIBIT B**

Percentage Interest in Common Area, Common Expenses and Votes in  
Huff Built Office Condominiums

PHASE ONE – Cain Road

<u>Unit No.*</u>	<u>Fair Market Value</u>	<u>Percent Interest</u>
100	\$145,700	2.71
101	\$35,300	0.66
102	\$52,500	0.98
103	\$35,700	0.66
200	\$77,800	1.45
Reserved for Future Units	\$190,300**	3.54

PHASE TWO – Pamelee Drive

<u>Unit No.*</u>	<u>Fair Market Value</u>	<u>Percent Interest</u>
100	\$232,750	4.33
101	\$111,750	2.08
Reserved for Future Units	\$344,500**	6.41

PHASE FOUR – Ramsey Street

<u>Unit No.*</u>	<u>Fair Market Value</u>	<u>Percent Interest</u>
100	\$293,000	5.45
101	\$177,680	3.31
102	\$117,600	2.19
103	\$71,200	1.32
200	\$457,270	8.54
201	\$209,650	3.85

PHASE FIVE – 2939 Breezewood Ave.

<u>Unit No. *</u>	<u>Fair Market Value</u>	<u>Percent Interest</u>
100	\$285,200	5.31
101	\$262,300	4.88
102	\$76,500	1.42
200	\$340,900	6.34
201	\$340,900	6.34

PHASE SIX – Breezewood 6, Breezewood Ave.

<u>Unit No. *</u>	<u>Fair Market Value</u>	<u>Percent Interest</u>
100	\$155,000	2.88
101	\$155,000	2.88
102	\$77,300	1.44
103	\$300,000	5.58
200	\$438,000	8.15
201	\$392,150	7.30

\*The Units are sometimes referred to as Suites and the terms "Units" and "Suites" have synonymous meanings for purposes of this Declaration and this Condominium.

\*\*Declarant reserves the right to adjust and allocate the fair market value of any Unit as constructed consistent with the terms of this Declaration and applicable law.