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BK 8176 PG 0275

FILED
CUMBERLAND COUNTY NC
J. LEE WARREN, JR.
REGISTER OF DEEDS
FILED Jun 15, 2009
AT 02:24:00 pm
BOOK 08176
START PAGE 0275
END PAGE 0280
INSTRUMENT # 22315
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EXCISE TAX (None)
RT

Prepared By and Return To:
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Fayetteville, NC 28305

**FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM
FOR 300 HAY STREET CONDOMINIUM**

**THIS FIRST AMENDMENT TO DECLARATION OF CONDOMINIUM
FOR 300 HAY STREET CONDOMINIUM** (this "Amendment") is made and entered
into as of the date set forth in the below notary acknowledgment by **300 BLOCK
INVESTORS, LLC**, a North Carolina limited liability company (the "Declarant").

WITNESSETH:

WHEREAS, the Declarant previously executed that certain Declaration of
Condominium for 300 Hay Street Condominium (the "Condominium") which was
recorded in Book 8125, Page 710, Cumberland County Registry (the "Declaration");

WHEREAS, the Declaration subjected the Building, as well as the Building's
first-floor and second-floor Units (and first-floor Garage Units), all as more particularly
described therein, to condominium ownership under the provisions of Chapter 47C of the
General Statutes of North Carolina;

WHEREAS, the Declarant desires to execute this Amendment to
incorporate the Building's third-floor Units as "phase two" of the Condominium ("Phase
2") pursuant to its rights under the Declaration, as set forth herein.

NOW, THEREFORE, pursuant to its rights under Article IV of the Declaration,
as well as pursuant to authority contained elsewhere in the Declaration, and for and in
consideration of the covenants herein contained and other good and valuable
consideration, the receipt and sufficiency of which are hereby acknowledged, the
Declarant hereby amends the Declaration as follows:

1. The Declarant hereby submits the property and all improvements located thereon as described in Exhibit A attached hereto and incorporated herein by reference to condominium ownership under the provisions of Chapter 47C of the General Statutes of North Carolina, as Phase 2 of the Condominium.

Phase 2 consists of eight (8) Residential Units located on the third floor of the Building.

2. The Declarant hereby revises the Percentage Interest in the Common Elements appurtenant to each Unit as shown on Exhibit E attached hereto and incorporated herein by reference. Said Exhibit E shall replace the original "Exhibit E" of the Declaration.
3. Except as specifically amended herein, the Declaration remains unchanged and in full force and effect, and the Declarant by its execution hereof, hereby ratifies, affirms and approves the Declaration, as specifically amended hereby. All capitalized terms that are not specifically defined herein shall have the meanings attributed to them in the Declaration.

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IN WITNESS WHEREOF, the undersigned has executed this Amendment as of the day and year set forth in the below notary acknowledgment.

DECLARANT:

300 BLOCK INVESTORS, LLC

By: Menno Pennink

Print Name: Menno Pennink

Title: Member/ Manager

STATE OF NORTH CAROLINA

COUNTY OF Cumberland

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Menno Pennink as Member/ Manager of **300 BLOCK INVESTORS, LLC**, a North Carolina limited liability company.

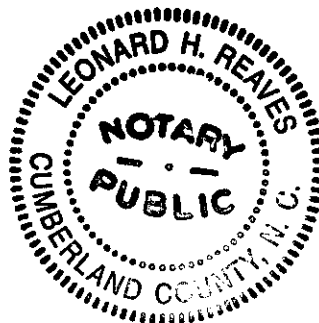
Date: 6-12-2009

Official Signature of Notary: [Signature]

Notary's Printed Name: Leonard H. Reaves

My commission expires: My Commission Expires August 25, 20 09

[Affix Notary Seal or Stamp]



(N.P. SEAL)

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EXHIBIT A

That certain plat entitled "300 Hay Street Condominium – 3rd Floor Space Plan", said plat having been duly recorded in Condominium Plat Book 8, Page 21, Cumberland County Registry.

It is noted that the above-referenced plat comprises the certified, as-built drawings for the eight (8) Residential Units located within Phase 2 of the Condominium.

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EXHIBIT E

(Revised Percentage Interest in the Common Elements)

Phase 1

<u>Unit Number</u>	<u>Heated Square Footage**</u>	<u>Percentage Interest in Common Elements</u>
101	2110	7.68%
102	560	2.03%
103	448	1.63%
104	914	3.32%
105	630	2.29%
106	1072	3.90%
201	1779	6.47%
202	1790	6.51%
203	1596	5.81%
204	1705	6.20%
205	890	3.24%
206	841	3.06%
207	1161	4.22%
208	1129	4.11%

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Phase 2

<u>Unit Number</u>	<u>Heated Square Footage**</u>	<u>Percentage Interest in Common Elements</u>
301	1773	6.45%
302	1782	6.48%
303	1567	5.70%
304	1722	6.27%
305	895	3.25%
306	825	3.00%
307	1138	4.14%
308	<u>1137</u>	<u>4.13%</u>
<u>TOTAL:</u>	27,464	100%

**It is noted that the "gross" square footages of the Units (as referenced in Article XXIV, Section A of the Declaration) are available upon request of the Association.