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BK 7972 PG 0829

FILED  
CUMBERLAND COUNTY NC  
J. LEE WARREN, JR.  
REGISTER OF DEEDS  
FILED Aug 28, 2008  
AT 11:16:00 am  
BOOK 07972  
START PAGE 0829  
END PAGE 0832  
INSTRUMENT # 36129  
RECORDING \$23.00  
EXCISE TAX (None)  
RT

Prepared By and Return To:  
Holden Reaves, Esq.  
Reaves & Reaves, PLLC  
P.O. Box 53187  
Fayetteville, NC 28305

**FOURTH AMENDMENT TO DECLARATION OF CONDOMINIUM  
FOR FOUNTAINHEAD CONDOMINIUMS**

**THIS FOURTH AMENDMENT TO DECLARATION OF  
CONDOMINIUM FOR FOUNTAINHEAD CONDOMINIUMS** (this "Amendment")  
is made and entered into as of the date set forth in the below notary acknowledgment by  
**ELMWOOD PARTNERS, LLC**, a North Carolina limited liability company (the  
"Declarant").

**WITNESSETH:**

WHEREAS, the Declarant previously executed that certain Declaration of  
Condominium for Fountainhead Condominiums which was recorded in Book 7069, Page  
31, Cumberland County Registry, as amended pursuant to that certain First Amendment  
recorded in Book 7181, Page 594, as further amended pursuant to that certain Second  
Amendment recorded in Book 7324, Page 497, as further amended by that certain Third  
Amendment recorded in Book 7641, Page 35, all aforesaid Registry (collectively, and as  
further amended, the "Declaration");

WHEREAS, the Declaration subjected the property, more particularly described  
therein (the "Property"), 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 place of record  
the as-built certification of the architect Andrew W. Privette, AIA, with respect to all  
architectural drawings of record to date for the Condominium, as required by North  
Carolina General Statutes 47C-2-109(a)(6)

NOW, THEREFORE, pursuant to its rights under Article IA 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. For further clarification purposes, and so that the Condominium fully conforms with the requirements of Chapter 47C-2-109(a)(6) of the North Carolina General Statutes, the as-built certification of architect Andrew W. Privette, AIA, is attached as Exhibit A hereto with respect to all architectural drawings of record to date for the Condominium as referenced in the Declaration;
2. 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.

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

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

DECLARANT:

ELMWOOD PARTNERS, LLC

By: 

Thomas L. Bradford  
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: Thomas L. Bradford as Member/ Manager of Elmwood Partners, LLC, a North Carolina limited liability company.

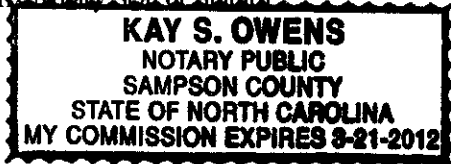
Date: August 26, 2008

Official Signature of Notary: Kay S. Owens

Notary's Printed Name: Kay S. Owens

My commission expires: 3/21/12

[Affix Notary Seal or Stamp]



(N.P. SEAL)

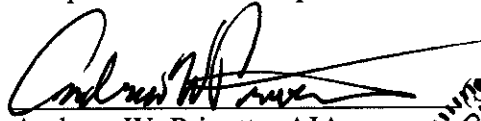
**EXHIBIT A**

[Certification of Architect]

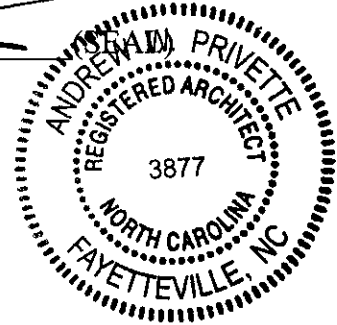
I hereby certify that I am an architect licensed under the provisions of Chapter 83A of the North Carolina General Statutes.

I further certify that all architectural plans for Condominium Units and Garage Units that have been recorded for Fountainhead Condominiums, as referenced in the Declaration, as such has been amended, fully and accurately depict the layout, location, ceiling and floor elevations, Unit numbers and dimensions of the Units, as built, subject to reasonable construction tolerances.

This statement is given pursuant to the requirements of Chapter 47C-2-109(a)(6) of the North Carolina General Statutes.



Andrew W. Privette, AIA  
Designed to Build  
1920 Ft. Bragg Road  
Fayetteville, NC 28303



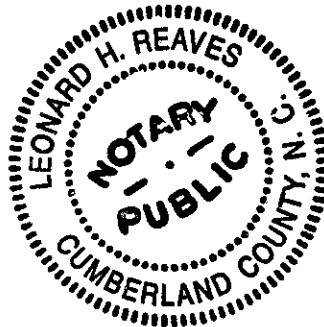
Acknowledged before me this the 17 day of August, 2008.

  
\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_

My Commission Expires August 25, 2009

[Affix Notary Seal or Stamp]



(N.P. SEAL)