

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

**FIRST AMENDMENT TO DECLARATION
OF
BLAKENEY PROFESSIONAL CONDOMINIUM V**

THIS FIRST AMENDMENT TO DECLARATION OF BLAKENEY PROFESSIONAL CONDOMINIUM V (the "First Amendment") is made and entered into this _____ day of _____, 2011, by BLAKENEY OFFICE, LLC ("Blakeney Office"), BLAKENEY LAND HOLDINGS, LLC ("Blakeney Land"), EMPOWERMD, LLC ("EmpowerMD"), LBG PROPERTIES, LLC ("LBG") and BLAKENEY PROFESSIONAL CONDOMINIUM V ASSOCIATION, INC. (the "Association").

WITNESSETH:

WHEREAS, that certain Declaration of Blakeney Professional Condominium V (the "Condominium") was recorded in Book 18127 at Page 682, Mecklenburg County Public Registry (the "Declaration"); and

WHEREAS, the plans of the Condominium (the "Map") were recorded in Unit Ownership File No. 712, Page 1, Mecklenburg County Public Registry; and

WHEREAS, the Articles of Incorporation of the Association were filed with the Secretary of State of North Carolina; and

WHEREAS, the Property described in the Declaration was Lot 5, as shown on Blakeney Heath Limited Partnership Map 4, recorded in Map Book 42, at Page 351, Mecklenburg County Public Registry (the "Plat"); and

WHEREAS, by deed recorded in Book 18669, Page 838, Mecklenburg County Public Registry, Unit A of Blakeney Professional Condominium V was transferred and conveyed by Blakeney Office to

DRAWN BY AND MAIL TO:
Susan K. Irvin
P.O. Box 2376
Davidson, NC 28036

EmpowerMD; and

WHEREAS, by deed recorded in Book 18307, Page 838, Mecklenburg County Public Registry, Unit B of Blakeney Professional Condominium V was transferred and conveyed by Blakeney Office to LBG; and

WHEREAS, by deed recorded in Book 25743, Page 895, Mecklenburg County Public Registry, Lot 20, as shown on map recorded in Map Book 52, Page 184, Mecklenburg County Public Registry, was transferred and conveyed to Blakeney Land; and

WHEREAS, due to surveyor error, the northwesternmost lot line of the Property, described on the Plat and in Exhibit A of the Declaration, was incorrectly located on the Map and on the Plat, resulting in a total area of 48,401 square feet for the Property; and

WHEREAS, the parties desire to relocate the northwesternmost lot line of the Property to include in the Property the area utilized by the Unit Owners for parking and to exclude from the Property the area northwest of the area utilized by the Unit Owners for parking, resulting in a total area of 45,963.77 square feet for the Property, such total area of 45,963.77 square feet being all of the area utilized by LBG and EmpowerMD for condominium purposes, including parking and improvements; and

WHEREAS, the legal description of the Property, described in Exhibit A of the Declaration, referenced the Plat and the parties desire that Exhibit A of the Declaration be amended to reference the plat recorded in Book ____, Page ____, Mecklenburg County Public Registry (the "Revised Plat"), which Revised Plat describes the total area of the Property as containing 45,963.77 square feet and includes the area utilized by the Unit Owners for parking; and

WHEREAS, the parties desire that the Map recorded in Unit Ownership File No. 712, Page 1 in the Mecklenburg County Public Registry be amended to conform to the Revised Plat; and

WHEREAS, the Association approves of this First Amendment and joins in this First Amendment to indicate its consent.

NOW, THEREFORE, Blakeney Office, Blakeney Land, EmpowerMD, LBG and the Association do hereby publish and declare and agree as follows:

1. Blakeney Office does hereby does grant, bargain, sell and convey unto EMPOWERMD, LLC and LBG PROPERTIES, LLC as Unit Owners pursuant to the Declaration, all of that certain property shown and identified as Lot 5 on the Revised Plat, TO HAVE AND TO HOLD the aforesaid property and all privileges and appurtenances thereto belonging to EMPOWERMD, LLC and LBG PROPERTIES, LLC in fee simple, making no warranty, express or implied, as to title to such property and such property shall be included in the Common Elements and allocated as undivided interests thereof to EMPOWERMD, LLC and LBG PROPERTIES, LLC in accordance with the Declaration.
2. EMPOWERMD, LLC, LBG PROPERTIES, LLC, and BLAKENEY OFFICE, LLC do hereby grant, bargain, sell and convey unto BLAKENEY LAND HOLDINGS, LLC, all of that certain property shown and identified as Lot 20 on the Revised Plat, TO HAVE AND TO HOLD the aforesaid property and all privileges and appurtenances thereto belonging to

BLAKENEY LAND HOLDINGS, LLC in fee simple, making no warranty, express or implied, as to title to such property.

- 3. Exhibit A, which is attached hereto and incorporated herein for all purposes, hereby replaces the Exhibit A attached to the Declaration. The parties hereto further hereby release all of Lot 20 as shown on the Revised Plat from the liens, easements, restrictions, terms and provisions of the Declaration and the Map, as if no part of said property was ever subjected to the Declaration or Plat.
- 4. The Map is hereby amended as shown on Unit Ownership File No. 712, Page ___ in the Mecklenburg County Public Registry.
- 5. The Declaration and Map, as amended herein, are hereby ratified by the parties hereto and shall remain in full force and effect, as amended hereby.

All capitalized terms not otherwise defined in this First Amendment shall have the same meanings as set forth in the Declaration.

IN WITNESS WHEREOF, Blakeney Office, Blakeney Land, EmpowerMD, LBG and the Association have caused this First Amendment to be executed by their respective duly authorized representatives, as of the day, month and year first above written.

BLAKENEY OFFICE, LLC, a North Carolina limited liability company

By: *James E. Merrifield*
 liability company
 Name: James E. Merrifield
 Title: Vice President

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

I, *Betty J. Burkhart* a Notary Public of the County and State aforesaid, certify that *James E. Merrifield* personally came before me this day and acknowledged that he is *Vice President* of Crosland, LLC, a North Carolina limited liability company, Manager of BLAKENEY OFFICE, LLC, a North Carolina limited liability company, and that he, as *Vice President*, being authorized to do so, executed the foregoing instrument on behalf of Crosland Manager, LLC, acting as Manager of BLAKENEY OFFICE, LLC.

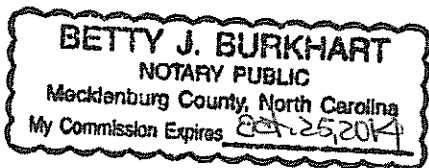
Witness my hand and official seal, this *22nd* day of *February*, 2011.

[NOTARY SEAL]

Betty J. Burkhart
 Notary Public

My commission expires: *October 25, 2014*

[SIGNATURES AND ACKNOWLEDGEMENTS CONTINUE ON FOLLOWING PAGES]



BLAKENEY LAND HOLDINGS, LLC,
a North Carolina limited liability company

By: Crosland Manager, LLC, a North Carolina
limited liability company, its Manager

By: James E. McGriff
Name: James E. McGriff
Title: Vice President

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

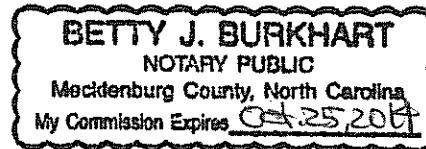
I, Betty J. Burkhardt a Notary Public of the County and State aforesaid, certify that ~~James E. McGriff~~, personally came before me this day and acknowledged that he is ~~Vice President~~ of Crosland Manager, LLC, a North Carolina limited liability company, Manager of BLAKENEY LAND HOLDINGS, LLC, a North Carolina limited liability company, and that he, as ~~Vice President~~, being authorized to do so, executed the foregoing instrument on behalf of Crosland Manager, LLC, acting as Manager of BLAKENEY LAND HOLDINGS, LLC.

Witness my hand and official seal, this 22nd day of February, 2011.

[NOTARY SEAL]

Betty J. Burkhardt
Notary Public

My commission expires: October 25, 2014



[SIGNATURES AND ACKNOWLEDGEMENTS CONTINUE ON FOLLOWING PAGES]

EMPOWERMD, LLC, a North Carolina limited liability company

By: *JAD*
Name: Dr. Jefferey A. Ditesheim
Title: Sole Member

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

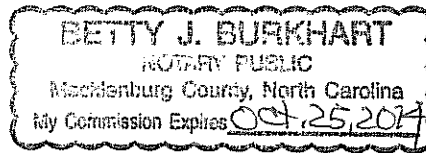
I, Betty J. Burkhart a Notary Public of the County and State aforesaid, certify that Dr. Jefferey A. Ditesheim personally came before me this day and acknowledged that he is Sole Member of EMPOWERMD, LLC, a North Carolina limited liability company, and that he, as Sole Member, being authorized to do so, executed the foregoing instrument on behalf of the limited liability company.

Witness my hand and official seal, this 16th day of February, 2011.

[NOTARY SEAL]

Betty J. Burkhart
Notary Public

My commission expires: October 25, 2014



[SIGNATURES AND ACKNOWLEDGEMENTS CONTINUE ON FOLLOWING PAGES]

LBG PROPERTIES, LLC, a South Carolina
limited liability company

By: _____
_____ President

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

I, _____ a Notary Public of the County and State aforesaid, certify
that _____, personally came before me this day and acknowledged that he is
_____ of LBG PROPERTIES, LLC, a South Carolina limited liability company, being
authorized to do so, executed the foregoing instrument on behalf of the limited liability company.

Witness my hand and official seal, this ____ day of _____, 2011.

[NOTARY SEAL]

Notary Public

My commission expires: _____.

[SIGNATURES AND ACKNOWLEDGEMENTS CONTINUE ON FOLLOWING PAGES]

BLAKENEY PROFESSIONAL
CONDOMINIUM V ASSOCIATION, INC., a
North Carolina non-profit corporation

James E. Merrifield

By: James E. Merrifield
vice President

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

I, Betty J. Burkhart a Notary Public of the County and State aforesaid, certify that James E. Merrifield, personally came before me this day and acknowledged that he is Vice President of BLAKENEY PROFESSIONAL CONDOMINIUM V ASSOCIATION, INC., a North Carolina non-profit corporation, being authorized to do so, executed the foregoing instrument on behalf of the corporation.

Witness my hand and official seal, this 22nd day of February, 2011.

[NOTARY SEAL]

Betty J. Burkhart
Notary Public

My commission expires: October 25, 2014

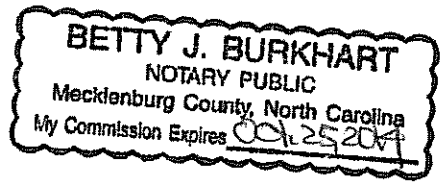
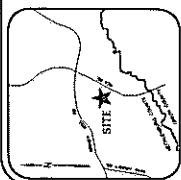


EXHIBIT A

Legal Description

Lot 5 as shown on _____, recorded in Map Book _____ at
Page _____, Mecklenburg County Public Registry.



APPROVED IN ACCORDANCE WITH THE PROVISIONS OF
 AN ACT OF THE LEGISLATURE OF THE STATE OF NORTH CAROLINA
 CHARTERED AND INCORPORATED IN THE YEAR 1777
 CITY OF CHARLOTTE, NORTH CAROLINA
 PLANNING COMMISSION REPORT DATE

PLANNING COMMISSION REPORT DATE
 REVIEWER'S OFFICE
 DATE
 CERTIFIED TO BE TRUE AND CORRECT
 DATE
 ASHLY A. GIBSON, REGISTERED SURVEYOR

- REFERENCES:**
1. NORTH CAROLINA PLANNING COMMISSION REPORT NO. 14-13078, DATED 1/20/14
 2. CITY OF CHARLOTTE PLANNING COMMISSION REPORT NO. 14-13078, DATED 1/20/14
 3. NORTH CAROLINA PLANNING COMMISSION REPORT NO. 14-13078, DATED 1/20/14
 4. DEED BOOK 1008 PAGE 276 (IMPROVEMENTS TO BE BUILT)
 5. MAP BOOK 40 PAGE 15
 6. MAP BOOK 41 PAGE 201
 7. MAP BOOK 42 PAGE 184
 8. MAP BOOK 43 PAGE 1

- NOTES:**
1. NORTH CAROLINA PLANNING COMMISSION REPORT NO. 14-13078, DATED 1/20/14
 2. ALL DISTANCES SHOWN HEREON ARE HORIZONTAL. GROUND DISTANCES VARY SLIGHTLY THEREFROM.
 3. ALL CORNERS SHOWN HEREON WERE COMPUTED BY THE GEOMETRIC METHOD UNLESS OTHERWISE NOTED.
 4. ALL PROPERTY CORNERS MARKED BY IRON PINE LIMITS OTHERWISE NOTED.
 5. SMOKESTACK PROPERTY IS A UNIMPLED DEVELOPMENT WITH CERTAIN LIMITATIONS AS FOLLOWS:
 (a) MAXIMUM HEIGHT: 20 FEET
 (b) MAXIMUM AREA: 100 SQ. FT.
 (c) MAXIMUM DISTANCE FROM PROPERTY LINE: 10 FEET
 6. ALL DISTANCES SHOWN HEREON WERE COMPUTED BY THE GEOMETRIC METHOD UNLESS OTHERWISE NOTED.
 7. ALL CORNERS SHOWN HEREON WERE COMPUTED BY THE GEOMETRIC METHOD UNLESS OTHERWISE NOTED.
 8. ALL PROPERTY CORNERS MARKED BY IRON PINE LIMITS OTHERWISE NOTED.
 9. SMOKESTACK PROPERTY IS A UNIMPLED DEVELOPMENT WITH CERTAIN LIMITATIONS AS FOLLOWS:
 (a) MAXIMUM HEIGHT: 20 FEET
 (b) MAXIMUM AREA: 100 SQ. FT.
 (c) MAXIMUM DISTANCE FROM PROPERTY LINE: 10 FEET
 10. ALL DISTANCES SHOWN HEREON WERE COMPUTED BY THE GEOMETRIC METHOD UNLESS OTHERWISE NOTED.
 11. ALL CORNERS SHOWN HEREON WERE COMPUTED BY THE GEOMETRIC METHOD UNLESS OTHERWISE NOTED.
 12. ALL PROPERTY CORNERS MARKED BY IRON PINE LIMITS OTHERWISE NOTED.
 13. SMOKESTACK PROPERTY IS A UNIMPLED DEVELOPMENT WITH CERTAIN LIMITATIONS AS FOLLOWS:
 (a) MAXIMUM HEIGHT: 20 FEET
 (b) MAXIMUM AREA: 100 SQ. FT.
 (c) MAXIMUM DISTANCE FROM PROPERTY LINE: 10 FEET

LINE	BEARING	DISTANCE
1	S 89° 15' 00" W	100.00
2	S 89° 15' 00" W	100.00
3	S 89° 15' 00" W	100.00
4	S 89° 15' 00" W	100.00
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98	S 89° 15' 00" W	100.00
99	S 89° 15' 00" W	100.00
100	S 89° 15' 00" W	100.00

ELEVATORY CHURCH
 LOT 10 MAP BOOK 52 PAGE 104

COMMON GREEN SPACE
 LOT 9 MAP BOOK 40 PAGE 15

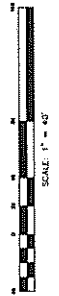
LOT 10
 50,180.53 SQ. FT.
 1.1521 ACRES

LOT 5
 4,063.27 SQ. FT.
 0.0935 ACRES

LOT 4 MAP BOOK 41 PAGE 201

LOT 6 MAP BOOK 42 PAGE 184

REA ROAD
 VARIABLE WIDTH PUBLIC R/W



PRELIMINARY PLAT
 NOT FOR RECORDATION
 SALES OR CONVEYANCES

THE PURPOSE OF THIS PLAT IS TO CONVEY A PORTION OF LOT 5 RECORDED IN MAP BOOK 42 AT PAGE 201 TO LOT 20 RECORDED IN MAP BOOK 52 AT PAGE 104.

RECOMMENDATION BY
LOT 5 MAP BOOK 42 PAGE 351
LOT 20 MAP BOOK 52 PAGE 184
 PREPARED BY
BLARENIE OFFICE III, LLC
 CITY OF CHARLOTTE, PROVINCENCE TOWNSHIP
 MECKLENBURG COUNTY, NORTH CAROLINA

DATE: 11/15/2014
 TIME: 10:00 AM
 DRAWN BY: JAMES A. GIBSON
 CHECKED BY: JAMES A. GIBSON
 APPROVED BY: JAMES A. GIBSON
 LICENSE NO.: 10000
 EXPIRES: 12/31/2015

GEOSCIENCE GROUP, INC.
 200 S. College Road
 Charlotte, NC 28202
 704.375.1000

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