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PRESENTED FOR
REGISTRATION
AND RECORDING

STATE OF NORTH CAROLINA -- 101

'91 SEP 17 PM 52

COUNTY OF FORSYTH

L.E. SPEER
REGISTER OF DEEDS
FORSYTH COUNTY

FIRST MODIFICATION TO DECLARATION OF CONDOMINIUM
ESTABLISHING

THE LATTICEWORKS ASSOCIATION, INC.
The Latticeworks Condominiums

\$36.00pd.
Qd

BK1724
P2220

This First Modification to Declaration of Condominium
("Agreement") is made and entered into this 17 day of
September, 1991 by and among:

Betsy P. Gibson and Dale C. Gibson, Linda Gail Cooper,
(single), Elizabeth B. Ziglar (single), Betty L.
Eschenbauch (single), Howell P. Dunlap, Jr. (single),
Janet M. Mueller (single) and Sam C. Ogburn, Jr.
(collectively "Unit Owners");

First-Citizens Bank & Trust Company ("First Citizens");

R. Brandt Deal, as trustee ("Trustee"); and

Centura Bank ("Centura"); and

Edwin M. Cassidy (Centura Trustee); and

The Latticeworks Association, Inc., a North Carolina
nonprofit corporation ("Association").

WHEREAS, Jules W. Smythe, Jr. and wife, Margaret R. Smythe
(collectively "Smythe") declared and established a condominium
association known as The Latticeworks Association, Inc., by
Declaration of Condominium Establishing The Latticeworks
Association, Inc., being recorded in Book 1531, Page 1449, Forsyth
County Registry, as supplemented by First Supplementary Declaration
recorded in Book 1556, Page 489, Forsyth County Registry (said
Declaration, as supplemented, being hereinafter referred to as the
"Declaration");

WHEREAS, the Unit Owners have acquired all of the condominium
units ("Units") established pursuant to the Declaration;

WHEREAS, the Unit Owners of the Units identified in the
Declaration as 116A, 116B and 116C North Sunset, 103 South Sunset,

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1326-B West First and 1316 West First have conveyed such Units to R. Brandt Deal, et al as trustee, for the benefit of Mutual Savings & Loan Association ("Mutual") by deeds of trust securing financing for such Units recorded in the Forsyth Public Registry as shown below:

<u>Unit</u>	<u>Deed of Trust</u>
103 South Sunset	Book 1537, Page 596
116A North Sunset	Book 1543, Page 1616
116B North Sunset	Book 1531, Page 1520
116C North Sunset	Book 1549, Page 1433
1326-B West First	Book 1531, Page 2133
1316 West First	Book 1556, Page 917

WHEREAS, Mutual has assigned the deeds of trust to First-Citizens by instrument recorded in Book 1709, Page 2643;

WHEREAS, Ogburn, the owner of Units 1326A and 1326C West First Street has conveyed to Centura Trustee, for the benefit of Centura, a Deed of Trust recorded in Book 1713, Page 244;

WHEREAS, Association administers the Declaration;

WHEREAS, Smythe need not be a party hereto because Smythe has abandoned all of his rights, title and interest under the Declaration and no longer has any interest or standing thereunder pursuant to Article XXX of the Declaration, which provides that Smythe shall transfer control of the Association to the Unit Owners no later than the date four (4) months after 75 percent of the Units have been conveyed, which date occurred in 1986;

WHEREAS, the Unit Owners and Association desire to release the Units known as 1316 W. First and 103 South Sunset, and certain common property associated therewith, as described in Exhibit A attached hereto and made part hereof ("Release Property"), from the Declaration, and to otherwise revise the terms and conditions of the Declaration and set forth certain agreements as set forth below, and First Citizens, Trustee, Centura and Centura Trustee join herein to evidence their consent thereto;

WHEREAS, the Unit Owners unanimously approved the restructuring of the Association at a Special Meeting duly convened in accordance with the Declaration on July 28, 1990; and

WHEREAS, the duly authorized officers of the Association, execute this Agreement below to certify that this Agreement has been duly adopted, and

WHEREAS, the Unit Owners are desirous of establishing a separation and responsibility relating to expenses of the Association.

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NOW THEREFORE, in consideration of the mutual covenants and conditions herein, and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Unit Owners and Association agree as follows, and First-Citizens, Trustee, Centura and Centura Trustee join in execution hereof to evidence their consent thereto.

1. The Declaration is hereby modified and amended to delete the Release Property from the effect and operation of the Declaration. The Unit Owners and Association, together with First-Citizens, Trustee, Centura and Centura Trustee, shall convey simultaneously with the execution of this Agreement the Release Property to Janet M. Mueller (as to 1316 West First Street) and Betty L. Eschenbauch (as to 103 South Sunset Street).

2. Exhibit A to the Declaration (as supplemented by the First Supplementary Declaration), describing the property covered by the Declaration, is hereby deleted, and Exhibit A attached hereto is inserted in lieu thereof as the description of the property covered by the Declaration.

3. The Declaration is modified to delete all references to future phases and to provide that no further property shall be added to the Declaration without the unanimous consent of the owners of the Units then covered by the Declaration.

4. The terms and provisions of the Declaration notwithstanding, the undersigned agree that as to all matters related to with the Association, including but not limited to determination of Common Expenses (as defined in the Declaration), the assessment of dues and other charges, distribution of insurance or condemnation proceeds and the administration of Association business, (including all votes and approvals required by the Declaration) shall be controlled separately by the owners of the two remaining buildings which are subject to the Declaration. The Unit Owners of 1326 West First Street building and the Unit Owners of the 116 North Sunset building shall, effective July 28, 1990, operate their respective properties separate and apart from each other. The undivided interest in Common Area and Facilities under the Declaration, as described in paragraph 5 below, shall be the percentages associated with each individual building. For example, it is the intent of the parties that no charge, expense or liability for the 116 North Sunset building be applied or assessed to the Unit Owners of the 1326 West First Street Building. Further, all approvals and consents required by the Declaration and the votes associated therewith, shall be limited to the owners of the units contained in their respective buildings. Therefore, upon an unanimous vote of the Unit Owners of one building, all other Unit Owners will agree to

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terminate the Declaration as to that specific building and execute such documents and conveyances that may be necessary to release such building from the Declaration.

5. Exhibit B to the Declaration is hereby amended to reflect the following percentages of undivided interest in the common area and facilities, as defined in the Declaration:

116 North Sunset Building

<u>Unit Number</u>	<u>Percentage</u>
116-A	31%
116-B	31%
116-C	38%

1326 W. First Street Building

<u>Unit Number</u>	<u>Percentage</u>
1326 A	30%
1326 B	40%
1326 C	30%

6. The Unit Owners hereby agree that the Board of Directors of the Association shall consist of the following persons until their replacement in accordance with the Declaration and the Bylaws and Articles of Incorporation of the Association: Sam C. Ogburn, Jr., Howell Dunlap, Linda G. Cooper and Elizabeth Ziglar.

7. The parties do hereby agree that all Unit Owners and their mortgagees shall and are hereby fully released from each other from any and all past, present and future rights and obligations as Unit Owners under the Declaration except as expressly identified in paragraph 4 above.

8. Except as modified herein, the Declaration is ratified and affirmed, and shall remain in full force and effect. This Agreement shall be binding upon the parties hereto, their successors and assigns.

IN WITNESS WHEREOF, the undersigned have set their hands and seals the day and year first above written.

- See Separate Signature Pages to be attached -
a:mod.la/sl/aa/

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Separate signature page to
First Modification to Declaration of Condominium

FIRST-CITIZENS BANK & TRUST
COMPANY

By: Queen Taylor
S. Vice President

ATTEST:

Eugenia H. Nail
Asst SECRETARY

(Corporate Seal)

R. Brandt Deal
R. BRANDT DEAL, TRUSTEE

STATE OF NORTH CAROLINA

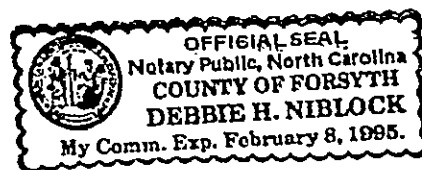
COUNTY OF Forsyth

This 17 day of September, 1991, personally came before me Queen Taylor, who, being by me duly sworn, says that he is the Sr. Vice President of First Citizens Bank & Trust Company and that the seal affixed to the foregoing instrument in writing is the corporate seal of the company, and that said writing was signed and sealed by him, in behalf of said corporation, by its authority duly given. And the said Queen Taylor Asst Secretary acknowledged the said writing to be the act and deed of said corporation.

Debbie H. Niblock
Notary Public

My Commission expires:

02/08/95
[Notarial Seal]



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STATE OF NORTH CAROLINA

COUNTY OF Davie

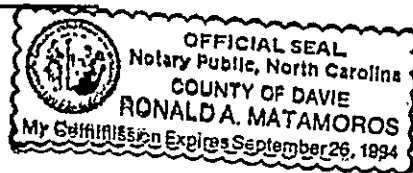
I, Ronald A. Matamoros, a Notary Public in and for said County and State, do hereby certify that R. BRANDT DEAL, ^{Trustee} personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS, my hand and notarial seal this 17 day of September, 1991.

Ronald A. Matamoros
Notary Public

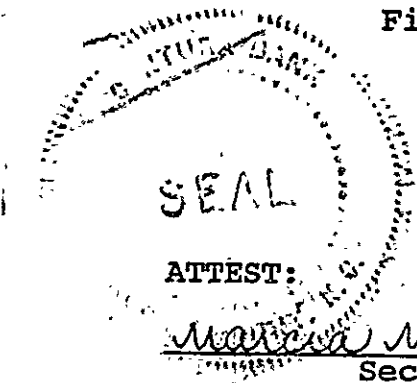
My Commission Expires:

[Notarial Seal]



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Separate Signature Page to
First Modification of Declaration of Condominium



CENTURA BANK

(SEAL)

BY:

[Signature]
President

ATTEST:

Marcia M. Murray
Secretary

(Corporate Seal)

Edwin M. Cassidy
EDWIN M. CASSIDY, Trustee

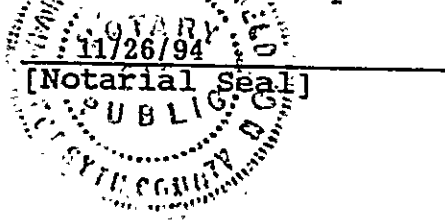
STATE OF NORTH CAROLINA

COUNTY OF Forsyth

This 17th day of September, 1991, personally came before me Mark S. Harden, who, being by me duly sworn, says that he is the Sr. Vice President of Centura Bank and that the seal affixed to the foregoing instrument in writing is the corporate seal of the company, and that said writing was signed and sealed by him, in behalf of said corporation, by its authority duly given. And the said Marcia M. Murray ~~Mark S. Harden~~ acknowledged the said writing to be the act and deed of said corporation.

Sharon M. Whitfield
Notary Public - Sharon M. Whitfield

My Commission expires:



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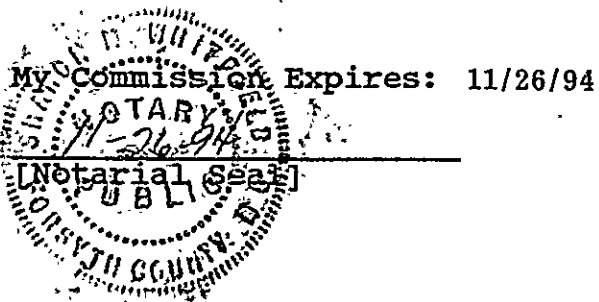
STATE OF NORTH CAROLINA

COUNTY OF Forsyth

I, Sharon M. Whitfield, a Notary Public in and for said County and State, do hereby certify that EDWIN M. CASSIDY, TRUSTEE, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS, my hand and notarial seal this 17th day of September, 1991.

Sharon M. Whitfield
Notary Public - Sharon M. Whitfield



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Separate Signature Page to First Modification
of Declaration of Condominium

Betty L. Eschenbauch (SEAL) -
BETTY L. ESCHENBAUCH

STATE OF NORTH CAROLINA

COUNTY OF Forsyth

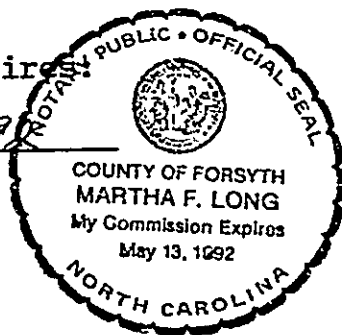
I, Martha F. Long Notary Public in and for said
County and State, do hereby certify that BETTY L. ESCHENBAUCH
personally appeared before me this day and acknowledged the due
execution of the foregoing instrument.

WITNESS, my hand and notarial seal this 2 day of
August, 1991.

Martha F. Long
Notary Public

My Commission Expires

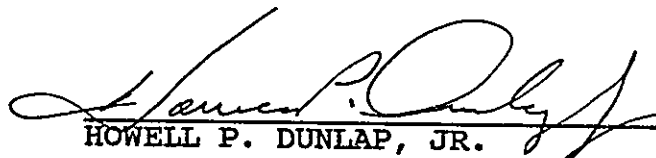
May 13, 1992
[Notarial Seal]



a:mod.n/sml

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Separate signature page to
First Modification to Declaration of Condominium

 (SEAL)
HOWELL P. DUNLAP, JR.

STATE OF NORTH CAROLINA

COUNTY OF Forsyth

I, MILDRED JOHNSON, a Notary Public in and for
said County and State, do hereby certify that HOWELL P. DUNLAP, JR.
personally appeared before me this day and acknowledged the due
execution of the foregoing instrument.

WITNESS my hand and notarial seal this 22nd day of
August, 1991.


Notary Public

My commission expires:

[Notarial Seal]
MILDRED JOHNSON
NOTARY PUBLIC
FORSYTH COUNTY, NC
COMM. EXPIRES 10-18-95

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Separate signature page to
First Modification to Declaration of Condominium

Elizabeth B. Ziglar (SEAL)
ELIZABETH B. ZIGLAR

STATE OF NORTH CAROLINA

COUNTY OF Davidson

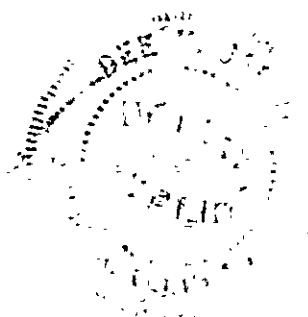
I, Dee K. Jarvis, a Notary Public in and for
said County and State, do hereby certify that ELIZABETH B. ZIGLAR
personally appeared before me this day and acknowledged the due
execution of the foregoing instrument.

WITNESS my hand and notarial seal this 22 day of
August, 1991.

Dee K. Jarvis
Notary Public

My commission expires:

9-20-94
[Notarial Seal]



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Separate signature page to
First Modification to Declaration of Condominium

Linda Gail Cooper (SEAL)
LINDA GAIL COOPER

STATE OF NORTH CAROLINA

COUNTY OF Forsyth

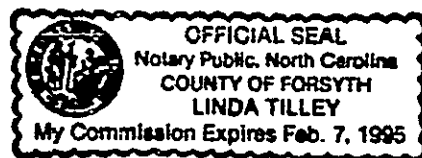
I, Linda Tilley, a Notary Public in and for
said County and State, do hereby certify that LINDA GAIL COOPER
personally appeared before me this day and acknowledged the due
execution of the foregoing instrument.

WITNESS my hand and notarial seal this 16th day of
August, 1991.

Linda Tilley
Notary Public

My commission expires:

February 7, 1995
[Notarial Seal]



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Separate signature page to
First Modification to Declaration of Condominium

Betsy P. Gibson (SEAL)-
BETSY P. GIBSON

Dale C. Gibson (SEAL)-
DALE C. GIBSON

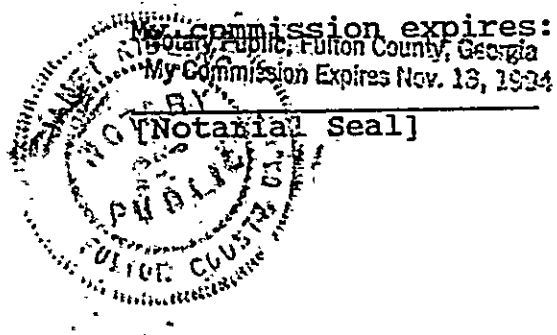
STATE OF GEORGIA

COUNTY OF Fulton

I, Janet Ridling, a Notary Public in and for
said County and State, do hereby certify that BETSY P. GIBSON
and DALE C. GIBSON personally appeared before me this day and
acknowledged the due execution of the foregoing instrument.

WITNESS my hand and notarial seal this 3rd day of
September, 1991.

Janet Ridling
Notary Public



A:MOD.LA/sl/aa/

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Separate signature page to
First Modification to Declaration of Condominium

Janet M. Mueller (SEAL)
JANET M. MUELLER

STATE OF ~~NORTH CAROLINA~~ WASHINGTON
COUNTY OF King

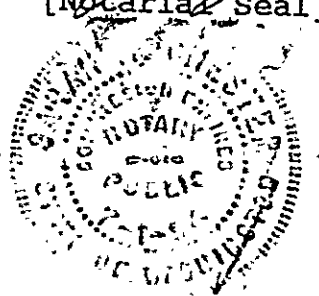
I, Saraha Chester, a Notary Public in and for
said County and State, do hereby certify that JANET M. MUELLER
personally appeared before me this day and acknowledged the due
execution of the foregoing instrument.

WITNESS my hand and notarial seal this 25 day of
July, 1991.

Saraha Chester
Notary Public

My commission expires:

July 94
[Notarial Seal]



a:mod.la°AA°sml

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Separate signature page to
First Modification to Declaration of Condominium

LATTICEWORKS ASSOCIATION, INC. ✓

BY: [Signature]

Vice President

ATTEST:

[Signature]
Secretary

(Corporate Seal)

STATE OF NORTH CAROLINA - County of Forsyth) :

I, Elizabeth R. Weaver, a Notary Public of Davidson County, North Carolina, certify that Ronald A. Matamoros personally appeared before me this day and acknowledged that ~~he~~ ^{she} is the Assistant Secretary of Latticeworks Association, Inc., a North Carolina corporation, and that by authority duly given and as the act of the Corporation, the foregoing instrument was signed in its name by its Vice President, sealed with its Corporate Seal and attested by him/~~her~~ as its Assistant Secretary.

WITNESS my hand and official seal this the 17th day of September, 1991.

Elizabeth R. Weaver
Notary Public

My Commission Expires:
2/17/96
[Notarial Seal]

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Separate signature page to
First Modification to Declaration of Condominium

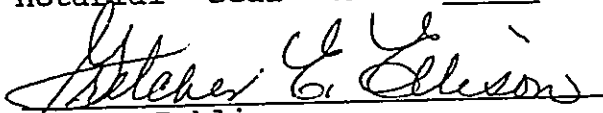
 (SEAL)
SAM C. OGBURN, JR.

STATE OF NORTH CAROLINA

COUNTY OF FORSYTH

I, GRETCHEN E. ELLISON, a Notary Public in and for
said ~~County~~ and State, do hereby certify that SAM C. OGBURN, JR.
personally appeared before me this day and acknowledged the due
execution of the foregoing instrument.

WITNESS my hand and notarial seal this 21st day of
August, 1991.


Notary Public

My commission expires:

Notary Public, North Carolina
COUNTY OF DURHAM
GRETCHEN E. ELLISON
My Commission Expires October 25, 1993

[Notarial Seal]

STATE OF NORTH CAROLINA FORSYTH COUNTY

The foregoing certificates of Debbie H. Niblock N.P. Forsyth Co., N.C. ✓
Ronald A. Matamoros N.P. Davie Co., N.C. ✓
Sharon M. Whitfield N.P. Forsyth Co., N.C. ✓
Martha F. Long N.P. Forsyth County, N.C. ✓
Mildred Johnson N.P. Forsyth Co., N.C. ✓
Dee K. Jarvis N.P. Davidson Co., N.C. ✓
Linda Tilley N.P. Forsyth Co., N.C. ✓
Janet Ridling N.P. Fulton Co., Ga. ✓
Sarah A. Chester N.P. King Co., Washington ✓
Elizabeth R. Weaver N.P. Davidson Co., N.C. ✓
Gretchen E. Ellison N.P. Durham Co., N.C. ✓

are certified to be correct. This 17th day of September 1991
L.E. Speas Register of Deeds

By: Deborah Ridd
Deputy