

FOR REGISTRATION J. DAVID GRANBERRY
REGISTER OF DEEDS
MECKLENBURG COUNTY, NC
2009 DEC 28 11:56:33 AM
BK: 25315 PG: 316-322 FEE: \$29.00
INSTRUMENT # 2009173464

2009173464

Drawn by and Mail to:
Susan K. Irvin
P.O. Box 2376
Davidson, NC 28036

STATE OF NORTH CAROLINA

FOURTH SUPPLEMENTARY
DECLARATION OF PROTECTIVE
COVENANTS FOR BLAKENEY
PROFESSIONAL CENTER
(Blakeney Professional Center, Map 10)

COUNTY OF MECKLENBURG

THIS FOURTH SUPPLEMENTARY DECLARATION OF PROTECTIVE
COVENANTS FOR BLAKENEY PROFESSIONAL CENTER (the "Supplement") is
made this 28th day of December, 2009, by BLAKENEY HEATH, LLLP, a North
Carolina Limited Liability Limited Partnership, hereinafter referred to as "Declarant".

WITNESSETH

WHEREAS, the Declaration of Protective Covenants for Blakeney Professional
Center was recorded in the Mecklenburg County Public Registry in Book 15919 at Page
646, as supplemented in Book 19110, Pages 418 and 423, Book 20582, Page 946 and
Book 23490, Page 939 (the "Declaration"); and

WHEREAS, Declarant does hereby ratify and confirm the execution and
recording of the supplements to the Declaration as set forth herein; and

WHEREAS, pursuant to the terms of Article IX, Sections 9.1 and 9.3 of the
Declaration, Declarant may, with the consent of the owner thereof, submit all or any

portion of the property described in Exhibit B of the Declaration (the “Expansion Property”) to the terms of the Declaration and impose additional covenants and easements on any portion of the property submitted to the Declaration; and

WHEREAS, the property described in Exhibit A, which is attached hereto and incorporated herein for all purposes (the “Additional Property”) is a portion of the Expansion Property; and

WHEREAS, Blakeney Office III, LLC, as the owner of the portion of the Additional Property desires to submit the Additional Property to the terms of the Declaration; and

NOW, THEREFORE, pursuant to the powers retained by Declarant under the Declaration, and as set forth herein, Declarant and Blakeney Office III, LLC do hereby subject the Additional Property to the provisions of the Declaration, as amended and supplemented, which shall hereafter apply to the Additional Property. The Additional Property shall be sold, transferred, used, conveyed, occupied, and mortgaged or otherwise encumbered pursuant to the provisions of the Declaration, as amended and supplemented, which shall run with the title to the Additional Property and shall be binding upon all persons having any right, title or interest in the Additional Property, their respective heirs, legal representatives, successors and assigns.

Pursuant to Section 9.3 of the Declaration, Declarant may, upon subjecting the Additional Property to the terms of the Declaration, modify the terms of the Declaration as it applies to the Additional Property in order to reflect the different character and intended use of the Additional Property. Therefore, as to the Additional Property, the following modifications shall apply:

The method of calculating assessments, as set forth in Exhibit D of the Declaration, shall be modified to provide that the Base Assessments for the Additional Property shall be divided among the Owners of the Additional Property based on the gross building square footage owned by such Owner relative to the total gross building square footage of the buildings situated on the Additional Property. Each Unit within any condominium located in the Additional Property shall be deemed to contain the gross square footage determined by multiplying such Unit's percentage interest in the Common Elements of such condominium by the gross square footage of the building of which such condominium is a part.

Declarant hereby acknowledges and agrees that in all other respects the Declaration shall remain unchanged and in full force and effect and the Declaration, as supplemented herein, is hereby ratified, affirmed and approved.

IN WITNESS WHEREOF, the undersigned has caused these presents to be duly executed by authority duly given, the day and year first above written.

[SIGNATURES AND ACKNOWLEDGEMENTS ON FOLLOWING PAGE]

BLAKENEY HEATH, LLLP, a North Carolina Limited Liability Limited Partnership

By: CPEH I, LLC, a North Carolina limited liability company, its General Partner

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

By: James E. Merrifield
Name: James E. Merrifield
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. Merrifield personally came before me this day and acknowledged that he is Vice President of Crosland Interests, LLC, a North Carolina limited liability company, Manager of CPEH I, LLC, a North Carolina limited liability company, General Partner of Blakeney Heath, LLLP, a North Carolina Limited Liability Limited Partnership, and that he, as Vice President, being authorized to do so, executed the foregoing instrument on behalf of Crosland Interests, LLC, acting as Manager of CPEH I, LLC, acting as general partner of Blakeney Heath, LLLP.

I certify that the following person personally appeared before me this day, acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: James E. Merrifield.

December 22nd, 2009

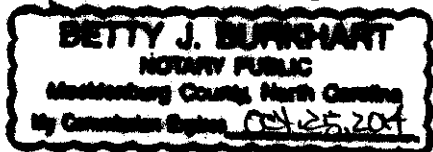
Betty J. Burkhardt
(Official Signature of Notary)

Notary's printed name: Betty J. Burkhardt
Notary Public

STAMP/SEAL

My commission expires: October 25, 2014

[NOTARIAL SEAL]



BLAKENEY OFFICE III, LLC,
a North Carolina limited liability company

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

By: James E. Merrifield

Name: James E. Merrifield
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. Merrifield 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 Office III, 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 the limited liability company, acting as
Manager of Blakeney Office III, LLC.

I certify that the following person personally appeared before me this day,
acknowledging to me that he or she voluntarily signed the foregoing document for the
purpose stated therein and in the capacity indicated: James E. Merrifield.

December 22nd, 2009

Betty J. Burkhardt
(Official Signature of Notary)

Notary's printed name: Betty J. Burkhardt
Notary Public

STAMP/SEAL

My commission expires: October 25, 2014

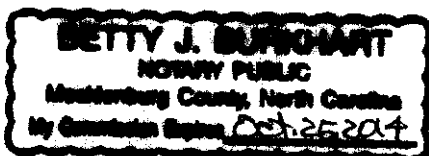
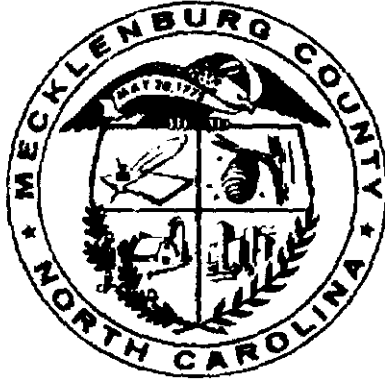


Exhibit A

Legal Description of Additional Property

All of those certain parcels of land located in the City of Charlotte, Providence Township, Mecklenburg County, North Carolina, and described as follows:

Lots 19 and 20, as shown on Blakeney Office III, LLC Map 10, recorded in Map Book 52 at Page 184, Mecklenburg County Public Registry.



J. DAVID GRANBERRY
REGISTER OF DEEDS, MECKLENBURG
COUNTY & COURTS OFFICE BUILDING
720 EAST FOURTH STREET
CHARLOTTE, NC 28202

PLEASE RETAIN YELLOW TRAILER PAGE

It is part of the recorded document, and must be submitted with original for re-recording
and/or cancellation.

Filed For Registration: 12/28/2009 11:56:33 AM
Book: RE 25315 Page: 316-322
Document No.: 2009173464
DECL 7 PGS \$29.00
Recorder: TERESITA BYRUM



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