

**DRAFT**

Prepared by and return to:

**AMENDMENT TO DECLARATION  
OF CONDOMINIUM FOR  
PARKPLAZA OFFICE CONDOMINIUM**

This **AMENDMENT TO THE DECLARATION OF CONDOMINIUM FOR PARKPLAZA OFFICE CONDOMINIUM** (“Amendment”), effective this \_\_\_\_ day of May, 2026, is made pursuant Article XIV of the Declaration of Condominium for ParkPlaza Office Condominium, for recordation in the Mecklenburg County Public Registry by PARKPLAZA OFFICE CONDOMINIUM OWNERS’ ASSOCIATION, INC., a North Carolina nonprofit corporation, MECKLENBURG COUNTY, a political subdivision of the State of North Carolina, 741 KENILWORTH AVENUE, LLC, a North Carolina limited liability company, and DARLENE S. JONES, in her fiduciary capacity as Trustee of the DARLENE S. JONES TRUST U/A/D MAY 25, 2023.

Statement of Purpose

PARKPLAZA OFFICE CONDOMINIUM is a condominium created under the Unit Ownership Act, Chapter 47A of the North Carolina General Statutes. The parties hereto are the ParkPlaza Office Condominium Owners’ Association, Inc., a North Carolina nonprofit corporation, and all of the owners of units (collectively, “Unit Owners”) of the PARKPLAZA OFFICE CONDOMINIUM.

The Declaration of Condominium for ParkPlaza Office Condominium (“Declaration”) was made and entered into on February 8, 1986 and recorded in Book 5168 at Page 848 of the Mecklenburg County Registry. Article XIV of the Declaration provides that the Declaration may be amended by the vote of the Unit Owners to which at least seventy-five percent (75%) of the votes in the ParkPlaza Office Condominium Owner’s Association, Inc. (“Association”) are

allocated, together with the consent of their respective Mortgagees, cast in person or by proxy at a meeting duly held in accordance with the provisions of the bylaws of the Association (“Bylaws”), and executed on behalf of the Association by any officer designated for that purpose and recorded in the Mecklenburg County Registry. There are no Mortgagees whose consent is required.

Section 4.11 of the Bylaws provides that “[a]ny action which may be taken at a meeting of the membership may be taken without a meeting if consent or ratification, in writing, setting forth the action so taken or to be taken shall be signed by all of the persons who would be entitled to vote upon such action at a meeting and such consent is filed with the Secretary of the Association and inserted in the minute book of the Association.”

Pursuant to Section 4.11 of the Bylaws, the Unit Owners unanimously agreed to amend Article V, Section 5.1(b) of the Declaration, which section allocates parking spaces among the Units, in order to accommodate the need of the Unit Owner of Unit 202 to permanently place a 250KW standby generator inside a sound attenuated enclosure with an approximate 2,600 gallon diesel belly tank (or a similar replacement) in parking spaces 110 and 111, which parking spaces were, prior to enactment of this Amendment, allocated as a Limited Common Element of the Unit Owner of Unit 100.

**NOW, THEREFORE**, by the unanimous agreement of the Unit Owners by action taken without a meeting, Article V, Section 5.1(b) of the Declaration is hereby amended so that, as amended, it shall read in its entirety as follows:

(b) Parking Spaces. The parking spaces identified on the Plans by those numbers listed to the right of each Unit number below shall be Limited Common Elements reserved for the sole use and benefit of such Unit, and the Owner thereof and such Owner’s employees, tenants, guests, clients, customers and invitees:

Unit Number	Parking Spaces
100	79-80, 102-104, 106-109
102	34-38, 41-44
200	49-50, 48
202	9-15, 75, 110-111
204	29-31
300	16-20, 51-62, 76

All parking spaces that are not Limited Common Elements shall be Common Elements allocated to the use and benefits of all Owners.

IN WITNESS WHEREOF, the Association and the undersigned Unit Owners have executed this Amendment as of the day and year first written above and do certify the adoption

of this Amendment, and do hereby certify that approval of this Amendment was obtained as required by the Bylaws and in accordance with North Carolina law and that this Amendment has been duly adopted to be effective upon recordation in the Mecklenburg County Public Registry.

PARKPLAZA OFFICE CONDOMINIUM OWNERS' ASSOCIATION, INC.

BY: [Signature]  
President

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

I, Carol H. Williams, a Notary Public of Mecklenburg County, North Carolina certify that Michael G. Dickerson personally came before me this day and acknowledged that he (or she) is President of PARKPLAZA OFFICE CONDOMINIUM OWNERS' ASSOCIATION, INC., and that he/she, as President, being authorized to do so, executed the foregoing on behalf of the nonprofit corporation.

Witness my hand and official seal this the 15<sup>th</sup> day of May, 2026.

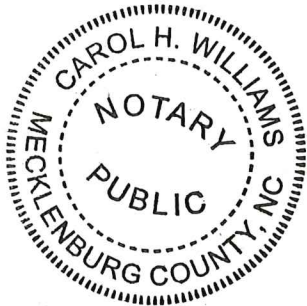
Date: 5/18/2026

[Notarial Seal/Stamp]

[Signature]  
Notary Public

Carol H. Williams  
Print Name

My commission expires: 2/7/2028



UNITS 100 AND 102:  
741 KENILWORTH AVENUE, LLC

By: Michael A. DeMayo  
Name: Michael A. DeMayo  
Title: Manager

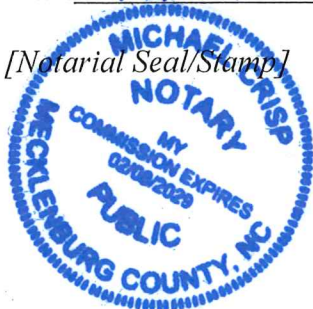
STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

I certify that the following person(s) personally appeared before me this day, acknowledging to me that he signed the foregoing document: Michael A. DeMayo in his authorized capacity for 741 Kenilworth Avenue, LLC.

Date: 5/13/2026

[Notarial Seal/Stamp]



Michael Crisp  
Notary Public

Print Name

My commission expires: 02.08.2029

**DRAFT**

UNIT 204:  
DARLENE S. JONES TRUST U/A/D MAY 25,  
2023:

By: *Darlene S. Jones*  
Darlene S. Jones, Trustee

STATE OF North Carolina )  
COUNTY OF Mecklenburg )

I certify that the following person(s) personally appeared before me this day, acknowledging to me that she signed the foregoing document: Darlene S. Jones in her authorized capacity as Trustee of the DARLENE S. JONES TRUST U/A/D MAY 25, 2023.

Date: 5/19/2026

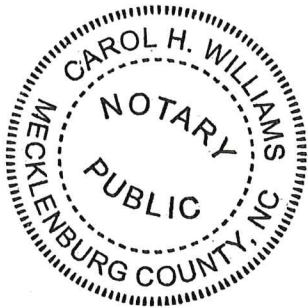
[Notarial Seal/Stamp]

*Carol Williams*  
Notary Public

Carol H. Williams

Print Name

My commission expires: 2/7/2028



**DRAFT**

UNITS 200, 202 and 300:  
MECKLENBURG COUNTY,  
a political subdivision of the State of North  
Carolina

By: \_\_\_\_\_  
Michael Bryant  
County Manager

Approved as to form:

\_\_\_\_\_  
By: \_\_\_\_\_  
\_\_\_\_\_

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

This \_\_\_\_ day of \_\_\_\_\_, 2026, personally came before me Michael Bryant, who being by me duly sworn, says that he is the County Manager of MECKLENBURG COUNTY, a political subdivision of the State of North Carolina, and that said writing was signed by him on behalf of the County by its authority duly given, on behalf of the County, and the said Michael Bryant acknowledged the said writing to be the act and deed of the County.

Date: \_\_\_\_\_

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

*[Notarial Seal/Stamp]*

\_\_\_\_\_  
Print Name

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

**DRAFT**