

99 OCT 18 PM 3:33

JUANITA HICKS  
CLERK OF SUPERIOR COURT

Return to: Weissman, Nowack, Curry & Wilco, P.C.  
Two Midtown Plaza, 15<sup>th</sup> Floor  
1349 West Peachtree Street  
Atlanta, Georgia 30309  
Attention: L. Hutch Moore, Esq.

Reference: Deed Book 26912  
Page 001

**SECOND AMENDMENT TO THE DECLARATION OF CONDOMINIUM  
FOR MELROSE PARK CONDOMINIUM**

This SECOND AMENDMENT TO THE DECLARATION OF CONDOMINIUM FOR MELROSE PARK CONDOMINIUM is made on the date set forth below by Melrose Park, L.L.C., a Georgia limited liability company (hereinafter referred to as "Declarant"), the Melrose Park Condominium Association, Inc. (hereinafter referred to as "Association") and all affected Unit Owners.

**WITNESSETH:**

WHEREAS, on June 21, 1999, that certain Declaration of Condominium for Melrose Park Condominium dated June 17, 1999, was recorded in Deed Book 26912, Page 001, *et seq.*, Fulton County, Georgia Records (hereinafter referred to as "Declaration"); and

WHEREAS, on October 8, 1999, that certain First Amendment to the Declaration of Condominium for Melrose Park Condominium, which assigned certain parking spaces not previously assigned as a limited common element to units described on Exhibit "A" thereto, was recorded in Deed Book 27808, Page 109, *et seq.*, Fulton County, Georgia Records; and

WHEREAS, a plat of survey related to the Condominium prepared by Eston Pendley and Associates, Inc. dated February 10, 1999 and last amended on March 16, 1999, was filed in Condominium Plat Book 11, Pages 86-88 and 131, Fulton County, Georgia Records; and

WHEREAS, floor plans relating to the Condominium prepared by Ray Engineering, Inc. were filed in Condominium File Cabinet No. 2, Folder No. 381, of the Fulton County, Georgia Records; and

WHEREAS, pursuant to Paragraph 6(b) of the Declaration and O.C.G.A. §44-3-92(b) of the Georgia Condominium Act, the Board of Directors of the Association is authorized, without need for a membership vote, to reassign parking spaces in the Condominium previously assigned as Limited Common Elements exclusively serving individual units by executing and filing in the Fulton County land records an amendment to the Declaration approved by the Board of Directors and executed by the Condominium Unit Owners to whom the parking spaces are reassigned; and

WHEREAS, certain Unit Owners in the Condominium desire that the Board of Directors of the Association reassign certain Limited Common Element parking spaces as more particularly set forth on Exhibit "A" attached hereto and incorporated herein; and

**BOOK 27808 PAGE 112**

CPSS REFERENCE

WHEREAS, the Declarant and the Association's Board of Directors now desire to consent to such reassignment of parking spaces.

NOW, THEREFORE, subject to the provisions of O.C.G.A. §44-3-82(b) and (c) of the Georgia Condominium Act and Paragraph 6(b) of the Declaration, the Declarant, the Association and all affected Unit Owners hereby amend the Declaration as follows:

1.

Exhibit "A" in the First Amendment to the Declaration of Condominium for Melrose Park Condominium is deleted in its entirety and is replaced with the new Exhibit "A" attached hereto and incorporated into this Second Amendment and into the Declaration and the Board of Directors hereby reassigns the parking spaces in the Condominium in accordance with the parking space assignments set forth in the new Exhibit "A" attached hereto and incorporated herein and into the Declaration.

IN WITNESS WHEREOF, the undersigned persons being the duly appointed officer of Declarant, the duly appointed officers of the Association and all affected Unit Owners have executed this Second Amendment to the Declaration of Condominium for Melrose Park Condominium this 8th day of October, 1999.

**DECLARANT:**

Signed, sealed and delivered  
this 8th day of October, 1999.

**MELROSE PARK, L.L.C.,**  
a Georgia limited liability company

By: A.C.T. Investments, Inc.,  
a Georgia corporation, its Manager

By: \_\_\_\_\_  
Peter E. Chang, President

Witness

Notary Public

My Commission Expires:

[NOTARY SEAL]

[CORPORATE SEAL]

CORP  
SEAL

Notary Public, DeKalb County, Georgia  
My Commission Expires March 22, 2003

Signed, sealed and delivered  
this 8th day of October, 1999.

**ASSOCIATION:**

**MELROSE PARK CONDOMINIUM  
ASSOCIATION, INC.,**  
a Georgia non-profit corporation

By: \_\_\_\_\_  
Peter E. Chang, President

Witness

Notary Public

My Commission Expires:

[NOTARY SEAL]

[CORPORATE SEAL]

CORP  
SEAL

Notary Public, DeKalb County, Georgia  
My Commission Expires March 22, 2003

N.P.  
SEAL

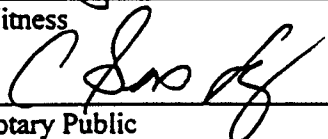
CONSENT OF OWNER

The undersigned Owner of Unit 696-4 ("Unit") at the Melrose Park Condominium hereby consents to the Second Amendment to the Declaration of Condominium for Melrose Park Condominium which reassigns parking space number 12 to Unit 702-5. The undersigned Owner of the aforesaid Unit further disclaims and renounces any and all interest which said Unit Owner has or may have had in said parking space number 12 or any other reserved parking space at the Condominium.

Signed, sealed, and delivered  
this 8 day of October, 1999

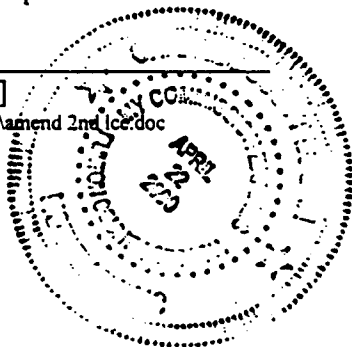
  
DONALD SCHOENBERGER

Witness

  
Notary Public  
My Commission Expires:

[NOTARY SEAL]

\\fs1\sys\docs\07062\002\amend 2nd lce.doc



**CONSENT OF OWNER**

The undersigned Owner of Unit 702-5 ("Unit") at the Melrose Park Condominium hereby consents to the Second Amendment to the Declaration of Condominium for Melrose Park Condominium which reassigns parking space number 12 to Unit 702-5.

Signed, sealed, and delivered  
this 20 day of October, 1999

Angel P Hicks  
ANGEL P. HICKS

[Signature]  
Witness

[Signature]  
Notary Public  
My Commission Expires:

[NOTARY SEAL]

\\fs1\sys\docs\07062\002\amend 2nd lce.doc

**EXHIBIT "A"**

**PARKING SPACE ASSIGNMENTS**

<b>Unit Number</b>	<b>Parking Space Assigned</b>
710-4	1
708-6	2
706-4	3
710-3	4
704-2	5
704-1	6
696-2	7
692-5	8
694-4	9
702-4	10
700-6	11
702-5	12
696-3	13
696-5	14