

[SPACE ABOVE RESERVED FOR RECORDING DATA]

Return to: Lazega & Johanson, LLC
3520 Piedmont Road, Suite 415
Atlanta, GA 30305
Attention: Marilyn M. Ratzel

STATE OF GEORGIA

Cross Reference: Deed Book 20127
Page 1

COUNTY OF FULTON

**LIMITED COMMON ELEMENT AMENDMENT
TO THE AMENDED AND RESTATED DECLARATION OF CONDOMINIUM FOR
THE PONCE CONDOMINIUM**

WHEREAS, on October 17, 1995, that certain Amended and Restated Declaration of Condominium for The Ponce Condominium was recorded in Deed Book 20127, Page 1, *et. seq.*, Fulton County, Georgia records (hereinafter referred to as "Declaration"); and

WHEREAS, a plat of survey related to the Condominium was filed in Condominium Plat Book 6, Page 31, Fulton County, Georgia records; and

WHEREAS, floor plans relating to the Condominium were filed in Condominium File Cabinet No. 2, Folder No. 127, of the Fulton County, Georgia records; and

WHEREAS, Paragraph 6(b) of the Declaration authorizes the Association to assign and to reassign Limited Common Elements provided such reassignment is made in accordance with O.C.G.A. § 44-3-82; and

WHEREAS, pursuant to O.C.G.A. § 44-3-82, all affected Unit Owners must consent to and/or execute an amendment which re-assigns any Limited Common Element previously assigned to him.

NOW, THEREFORE, subject to the provisions of O.C.G.A. § 33-2-82(b) and (c) and Paragraph 6 of the Declaration, the Association and the affected Unit Owners hereby amend the Declaration as follows:

1.

From the date of recording of this Limited Common Element Amendment, Parking Space 48 shall be removed from Unit 606E and assigned as a Limited Common Element to Unit 803.

2.

Except as otherwise provided herein, the Declaration shall remain unchanged.

IN WITNESS WHEREOF, the undersigned persons being the duly appointed officer of the Association and the affected Unit Owner(s) have executed this Limited Common Element Amendment to the Amended and Restated Declaration of Condominium for The Ponce Condominium this ____ day of _____, 200__.

Sworn to before me this
____ day of _____, 200__.

OWNER OF UNIT 606E:

Print Name_____
Witness_____
Signature

Notary Public
[Notary Seal]

Sworn to before me this
____ day of _____, 200__.

OWNER OF UNIT 803:

Print Name_____
Witness_____
Signature

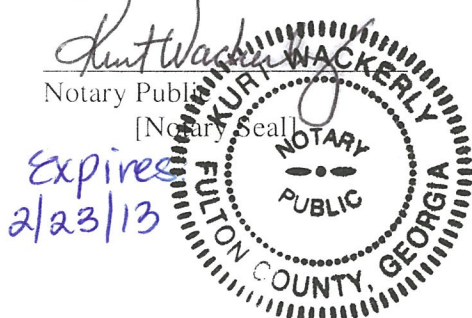
Notary Public
[Notary Seal]

Consents attached

Sworn to before me this
12 day of March, 2009.

ASSOCIATION: THE PONCE CONDOMINIUM
ASSOCIATION, INC._____
WitnessBy: Becky J. Cronstien (Seal)
President

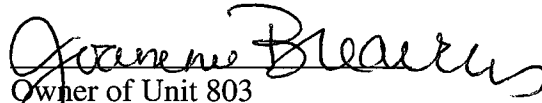
Notary Public
[Notary Seal]

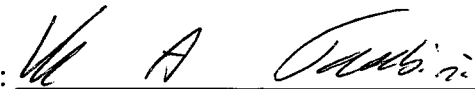
Attest: James J. Jiles (Seal)
Secretary_____
[Corporate Seal]

Consent of Owners

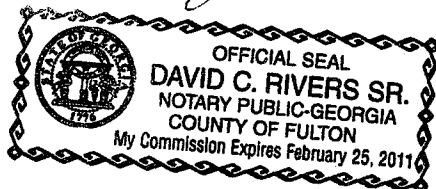
The undersigned owner of Unit 803 of the Ponce Condominium hereby consent to the attached Amendment to the Amended and Restated Declaration of the Condominium for The Ponce Condominium which reassigns the parking space number 48 as designated therein as a limited common element.

Signed and sealed and delivered before me this 14 day of November, 2008.


Owner of Unit 803
Joanne Bleavins

Witness: 

Notary Public: 



Consent of Owners

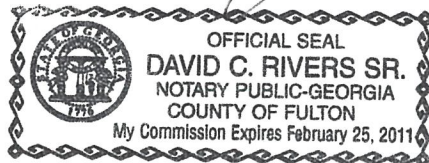
The undersigned owner of Unit 606E of the Ponce Condominium hereby consent to the attached Amendment to the Amended and Restated Declaration of the Condominium for The Ponce Condominium which reassigns the parking space number 48 as designated therein as a limited common element.

Signed and sealed and delivered before me this 14th day of November, 2008.

Elisabeth Grontoft
Owner of Unit 606E
Elisabeth Grontoft

Witness: W A Robinson

Notary Public: David C. Rivers Sr.



Deed Book 47757 Pg. 328
Cathelene Robinson
Clerk of Superior Court
Fulton County, Georgia