

After recording, please return to:
GANEK WRIGHT MINSK PC
197 Fourteenth Street, NW, Suite 300
Atlanta, Georgia 30318

Cross Reference: Deed Book 20127,
Page 01, and Deed Book 50145, Page 205
Fulton County, Georgia Records

**CORRECTIVE AMENDMENT TO AMENDED AND RESTATED
DECLARATION OF CONDOMINIUM FOR THE PONCE CONDOMINIUM**

This Corrective Amendment to the Amended and Restated Declaration of Condominium for The Ponce Condominium ("Amendment") is entered into this 30th day of June, 2011, by and between THE PONCE CONDOMINIUM ASSOCIATION, INC., a Georgia nonprofit corporation ("the Association"); CORWIN M. ROBISON, II ("Robison"); BEVERLY D. POUNDS and LESLIE Y. POUNDS (collectively, "the Pounds");

WITNESSETH

WHEREAS, the Association is the "Association" as defined in that certain Amended and Restated Declaration of Condominium for The Ponce Condominium recorded at Deed Book 20127, Page 01, Fulton County, Georgia records, as subsequently amended (the "Declaration"); and

WHEREAS, Robison owned a 95% undivided interest and the Pounds a 5% undivided interest in Commercial Unit 1; and

WHEREAS, by Amendment recorded on June 20, 2011 at Deed Book 50145, Page 205, the Declaration was amended to create Units 1-A and 1-B out of the portion of Commercial Unit 1 owned by Robison described as Spaces B-1, B-2, C-1, C-2, C-3, C-4, C-5 and C-6 in that certain Deed recorded at Deed Book 37531, Page 530, aforesaid records; and

WHEREAS, the Pounds are the owners of an undivided five (5%) percent interest in Commercial Unit 1 described as Space A (84 square feet) at Deed Book 22481, Page 18, which the parties needed to and neglected to separate from said Commercial Unit 1; and

WHEREAS, pursuant to paragraph 15(b) (ii) of the Declaration and O.C.G.A. sec. 44-3-92, Robison and the Pounds wish to subdivide and reconfigure the Commercial Unit they own in the Property, by correcting the floor plan of the basement level for the Building and creating from Commercial Unit 1 a third separate commercial unit to be designated Unit 1-C; and

WHEREAS, pursuant to Paragraph 24 thereof, the Declaration may be amended by the affirmative vote, written consent or combination of affirmative vote and written consent of owners of units to which at least two-thirds (2/3) of the total votes in the Association pertain; and

WHEREAS, members of the Association to which at least two-thirds (2/3) of the total votes in the Association pertain desire to amend the Declaration and have approved this Amendment to the Declaration as certified by the execution hereunder of the President and Secretary of the Association; and

WHEREAS, this Amendment does not alter, modify, change or rescind any right, title, interest or privilege held by any mortgage holder of any Unit; provided, however, if a court of competent jurisdiction determines this Amendment does alter, modify, change or rescind any right, title, interest or privilege held by any such mortgage holder without such mortgage holder's consent in writing to this Amendment in an action commenced within one (1) year of the effective date of this Amendment, then this Amendment shall not be binding on the mortgage holder so involved, unless such mortgage holder subsequently consents hereto; and if such consent is not forthcoming, then the provisions of the Declaration prior to this Amendment shall control with respect to the affected mortgage holder; and

WHEREAS, the Association, Robison, and the Pounds wish to execute this Amendment to amend

the Declaration to reflect the subdivision of Commercial Unit 1 and the creation and new square footage of Unit 1-C, in addition to that filed June 20, 2011 for Units 1-A and 1-B, and to correctly reallocate each new Unit's percentage allocation of interest in common elements, voting rights and liability for common elements under the Declaration.

1. Incorporation of Recitals. The recitals set forth above are hereby incorporated into the substantive body of this Agreement. Unless defined herein, defined terms are as defined in the Declaration, as previously amended.

2. Amendment to Declaration. Robison, the Pounds and the Association hereby amend the Declaration as follows:

(a) That portion of Exhibit "B" to the Declaration under the heading "Location and Description of the Units" is hereby amended as follows:

All references on Exhibit "B" to the location and description of Commercial Unit 1 are hereby deleted and replaced with the following:

"Commercial Unit 1-A. This unit is located on the southwest corner of the Building on the basement level. Unit 1-A contains approximately 1,292.22 square feet.

Commercial Unit 1-B. This unit is located on the south side of the Building on the basement level and to the east of Unit 1-A. Unit 1-B contains approximately 653.37 square feet.

Commercial Unit 1-C. This unit is located on the south side of the Building on the basement level and to the east of Unit 1-B. Unit 1-C contains approximately 84.00 square feet."

(b) That portion of Exhibit "B" to the Declaration under the heading "Percentage Allocation of Interest in Common Elements, Voting Rights and Liability for Common Elements" is hereby amended to delete references to Commercial Unit 1 thereunder, and correctly replace them with the following:

Percentage Allocation of Interest
in Common Elements, Voting Rights
and Liability for Common Elements

"Unit No.

1-A	0.81%
1-B	0.42%
1-C	0.07%"

3. Floor Plan. In addition to recording this Amendment in the real property records of Fulton County, Georgia, the Owner has on June 20, 2011 or contemporaneously herewith filed revised plans showing the boundaries separating Units 1-A, 1-B and 1-C, as well as the other boundaries and dimensions of each such respective unit, in the form previously attached as Exhibits "A" and "B" and attached hereto as Exhibit "C", which are hereby approved by the Association, in the applicable condominium file cabinet and folder of Fulton County, Georgia.

4. Continuing Effect. Except as modified hereby, the Declaration as amended June 20, 2011 shall remain in full force and effect.

[SIGNATURES ON FOLLOWING PAGE]

Executed under the hands and seals of the undersigned on the date first written above.

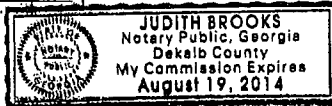
As to the Secretary
Signed, sealed and delivered
this 28 day of June, 2011
in the presence of:

[Signature]
Unofficial Witness

[Signature]
Notary Public

My Commission Expires: 8/19/2014

(NOTARY SEAL)



ASSOCIATION:

THE PONCE CONDOMINIUM
ASSOCIATION, INC.

By: _____ (SEAL)
Its: President

By: *[Signature]* (SEAL)
Its: Secretary

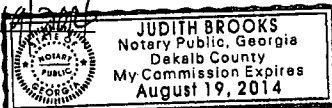
Signed, sealed and delivered
this 27 day of June, 2011
in the presence of:

[Signature]
Unofficial Witness

[Signature]
Notary Public

My Commission Expires: 8/19/2014

(NOTARY SEAL)



OWNERS:

By: *[Signature]* (SEAL)
CORWIN M. ROBISON, II

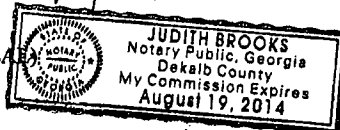
Signed, sealed and delivered
this 27 day of June, 2011
in the presence of:

[Signature]
Unofficial Witness

[Signature]
Notary Public

My Commission Expires: 8/19/2014

(NOTARY SEAL)



By: *[Signature]* (SEAL)
BEVERLY D. POUNDS

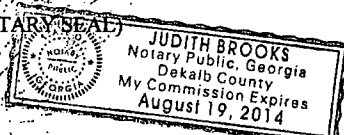
Signed, sealed and delivered
this 27 day of June, 2011
in the presence of:

[Signature]
Unofficial Witness

[Signature]
Notary Public

My Commission Expires: 8/19/2014

(NOTARY SEAL)



By: *[Signature]* (SEAL)
LESLIE Y. POUNDS

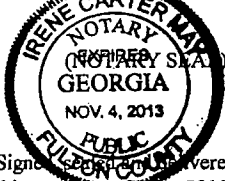
Executed under the hands and seals of the undersigned on the date first written above.

As to President
Signed, sealed and delivered
this 27 day of June, 2011
in the presence of:

Unofficial Witness

Notary Public

My Commission Expires: 11/4/2013



Signed, sealed and delivered
this _____ day of _____, 2011
in the presence of:

Unofficial Witness

Notary Public

My Commission Expires: _____

(NOTARY SEAL)

Signed, sealed and delivered
this _____ day of June, 2011
in the presence of:

Unofficial Witness

Notary Public

My Commission Expires: _____

(NOTARY SEAL)

Signed, sealed and delivered
this _____ day of June, 2011
in the presence of:

Unofficial Witness

Notary Public

My Commission Expires: _____

(NOTARY SEAL)

ASSOCIATION:

THE PONCE CONDOMINIUM
ASSOCIATION, INC.

By: Betty J. Crumster (SEAL)
Its: President

By: _____ (SEAL)
Its: Secretary

OWNERS:

By: _____ (SEAL)
CORWIN M. ROBISON, II

By: _____ (SEAL)
BEVERLY D. POUNDS

By: _____ (SEAL)
LESLIE Y. POUNDS

EXHIBIT "C"

LEGEND:

C.L. CENTERLINE
C.M.F. CONCRETE MONUMENT FOUND
C.P. CURBED TOP PIPE
D.B. DEED BOOK
D.P. DEED OF PAVEMENT
E.O.P. EASEMENT FOUND
I.P.S. IRON PIN SET
L.L. LAND LOT LINE
O.T. OPEN TOP PIPE
P.B. PLAT BOOK
P.P. POWER POLE
P.W. PROPERTY LINE
R.W. RIGHT OF WAY
R.C.P. REINFORCED CONCRETE PIPE
R.E. REINFORCED ELECTRIC
P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCEMENT
S.M.H. SEWER MANHOLE
S.S.E. SANITARY SEWER EASEMENT
B.S.L. BUILDING SETBACK LINE
D.E. DRAINAGE EASEMENT

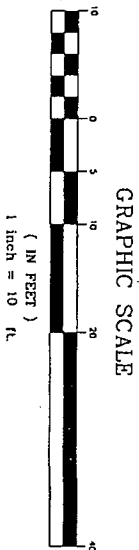
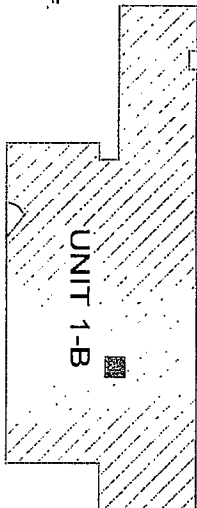


GENERAL NOTES:

EXISTING ROOM IS AN UNFINISHED BASEMENT WITH PAINTED BRICK WALLS AND A CONCRETE FLOOR.
EQUIPMENT USED WAS A STEEL TAPE. ALL MEASUREMENTS ARE TO THE HUNDRETH OF A FOOT.
THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSON OR ENTITY NAMED HEREON. NO WARRANTIES, EITHER EXPRESS OR IMPLIED, ARE EXTENDED TO ANY OTHER PERSONS OR ENTITIES. ALL MATTERS OF TITLE ARE EXCEPTED. THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A CURRENT TITLE REPORT. OTHER EASEMENTS AND/OR ENCUMBRANCES MAY EXIST ON PUBLIC OR PRIVATE RECORD BUT ARE NOT SHOWN HEREON.

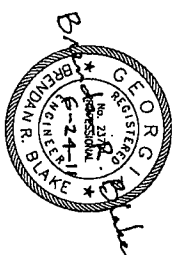
NOTE:
MEASUREMENTS ARE FROM THE INSIDE FACE OF WALLS

TOTAL AREA = 98.82 S.F.



GRAPHIC SCALE

I HEREBY CERTIFY THAT THIS PLAN IS A CORRECT AND ACCURATE REPRESENTATION OF THE BOUNDARIES SEPARATING UNITS 1-A AND 1-B, AS CREATED BY THE SUBDIVISION OF FORMER UNIT 1 AND COMPLETES WITH THE REQUIREMENTS OF GA. CODE SEC. 44-3-92 PERTAINING TO THE SUBDIVISION OF CONDOMINIUM UNITS.



Brendan R. Blake
BRENDAN R. BLAKE, P.E.
GEORGIA PROFESSIONAL ENGINEER #23701

JOB NUMBER: 11-151	ABOVE THE GROUND AS BUILT SURVEY PREPARED FOR:			DATE 6-24-2011
	LESLIE Y. POUNDS & BEVERLY D. POUNDS			SCALE 1" = 10'
	LAND LOT 49	14th DISTRICT	SECTION UNIT 1-C	FULTON COUNTY, GEORGIA
	SUBDIVISION OF UNIT I, THE PONCE CONDOMINIUM			
	LOT	BLOCK		
ALL MATTERS PERTAINING TO TITLE ARE EXCEPTED				
REFERENCE: CONDOMINIUM CABINET No. 2, FOLDER 127		PLOTTED BY:		
DEED BOOK 20127, PAGE 1		BLAKE ENGINEERING & LAND SURVEYING, INC. P.O. BOX 1547 SMYRNA, GEORGIA 30081-1547 TELEPHONE (678) 293-5505 FAX (678) 293-5655		