

3. The name by which the condominium is to be identified is BRIARCREEK CONDOMINIUMS, HORIZONTAL PROPERTY REGIME.

4. The legal description of the land included in this condominium is set forth as Parcel 1 on Exhibit A, attached hereto and made a part hereof, and is subject to those items set forth on said Exhibit A.

5. An identification of each unit is set forth on Exhibit B attached to and made a part hereof.

6. A survey of the land described on Exhibit A and a graphic description of the improvements in which units are located and a plot plan thereof are attached hereto as Exhibit C and made a part hereof, and together with this Declaration are in sufficient detail to identify the Common Elements and Limited Common Elements and of each unit and their relative locations and approximate dimensions.

7. The Sponsor may at its sole discretion amend this Declaration so as to include in this Declaration and submit to condominium use the real property described on Exhibit C, and shown thereon as Parcels 2 (a) and (b), which property shall be described and referred to herein collectively as Parcel 2, and to construct thereon such improvements as the Sponsor at its sole discretion shall determine and to do all things the Sponsor deem necessary or required to accomplish the purposes of such amendments.

8. The undivided shares, stated as percentages, in the Common Elements which are appurtenant to each of the units are:

8.1 In the event the Declaration is not amended and only Parcel 1 is submitted to condominium use, the undivided shares, stated as percentages, in the Common Elements which are appurtenant to each unit, is set forth on Exhibit B.

8.2 In the event the Sponsor elects to amend this Declaration so as to submit Parcel 2 to condominium use (in addition to Parcel 1), the undivided shares stated in percentages in the Common Elements which shall be appurtenant to each of the units in Parcel 1 and Parcel 2 shall be:

8.2.1 That percentage arrived at by dividing 100% by the aggregate number of units in Parcel 1 and Parcel 2. The resulting percentage shall be the proportion of the common elements that shall be used in determining the percentage of the common elements which are appurtenant to the units contained in Parcel 1 and Parcel 2.

9. The percentage and manner of sharing Common Expenses and owning Common Surplus is:

9.1 In the event that this Declaration is not amended and only Parcel 1 is submitted to condominium use, the percentage of sharing of Common Expenses and owning of Common Surplus shall be as set forth on Exhibit B.

9.2 In the event the Sponsor elects to amend this Declaration so as to submit Parcel 2 to condominium use, the percentage of sharing of Common Expenses and ownership of Common

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