Declaration of Trust dated as of January 25, 1965, as amended, to which reference is hereby made (a copy of which is on file with the Recorder of Summit County, Ohio) and, as provided therein, no trustee, officer, agent or shareholder of said Trust shall be held to any personal liability in any connection in any obligation entered into or incurred on behalf of said Trust, and any person dealing with said Trust shall look solely to the Trust Estate for the payment of any claim or for the performance of any obligation thereof.

WITNESS the hand of SUMMIT PROPERTIES this 21st day of November, 1972, and in the one hundred and ninety-seventh year of the Sovereignty and Independence of the United States of America.

Trustees of SUMMIT PROPERTIES

Attest: _____

By: _____ (SEAL)
JAMES H. NOBIL
Vice President

COMMONWEALTH OF MASSACHUSETTS:
: SS
COUNTY OF SUFFOLK :

Then personally appeared the above-named JAMES H. NOBIL, Vice President of SUMMIT PROPERTIES, an Ohio business trust, and acknowledged the foregoing instrument to be the free act and deed of SUMMIT PROPERTIES before me , a Notary Public for the Commonwealth of Massachusetts, on the day of , 1972.

_____
NOTARY PUBLIC

My commission expires: _____

(Continued on next page)