

SUMMIT PROPERTIES INC

Form 8-K

October 07, 2004

**Table of Contents**

---

---

**SECURITIES AND EXCHANGE COMMISSION**  
**Washington, D.C. 20549**

---

**FORM 8-K**

**CURRENT REPORT**

**Pursuant to Section 13 or 15(d) of the**  
**Securities Exchange Act of 1934**

---

*Date of report (Date of earliest event reported):* **October 6, 2004**

**SUMMIT PROPERTIES INC.**

*(Exact name of Registrant as specified in charter)*

---

**Maryland**

---

**001-12792**

---

**56-1857807**

---

*(State or other jurisdiction  
of incorporation)*

*(Commission file number)*

*(IRS employer  
identification no.)*

**309 East Morehead Street, Suite 200, Charlotte, NC 28202**  
*(Address of principal executive offices) (Zip code)*

**(704) 334-3000**  
*(Registrant's telephone number, including area code)*

**N/A**  
*(Former name or former address, if changed since last report)*

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions (*see* General Instruction A.2. below):

- ☐ Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)
  - ☐ Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)
  - ☐ Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))
  - ☐ Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
-



**TABLE OF CONTENTS**

Item 1.01 Entry into a Material Definitive Agreement.

Item 9.01 Financial Statements and Exhibits.

SIGNATURES

EXHIBIT INDEX

Amendment to Agreement and Plan of Merger

---

**Table of Contents**

**Item 1.01 Entry into a Material Definitive Agreement.**

Summit Properties Inc. ( Summit ), Camden Property Trust ( Camden ) and Camden Sparks, Inc., a wholly owned subsidiary of Camden ( Camden Sparks ), entered into Amendment No. 1 to Agreement and Plan of Merger, dated as of October 6, 2004 (the Amendment ), in order to clarify that, pursuant to Section 5.3(a) of the Agreement and Plan of Merger, dated as of October 4, 2004, by and among Summit, Camden and Camden Sparks (the Merger Agreement ), from the execution of the Merger Agreement through the effective time of the merger, Camden may declare, set aside or pay a regular, quarterly cash dividend at a rate not in excess of \$0.635 per Camden common share.

For additional information, reference is made to the Amendment, which is attached hereto as Exhibit 2.1 and is incorporated herein by reference. The foregoing description is qualified in its entirety by reference to the Amendment attached hereto as Exhibit 2.1.

**Item 9.01 Financial Statements and Exhibits.**

(c) Exhibits.

| <b>Exhibit<br/>Number</b> | <b>Title</b>                                                                                                                                                |
|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2.1                       | Amendment No. 1 to Agreement and Plan of Merger, dated October 6, 2004, by and among Summit Properties Inc., Camden Property Trust, and Camden Sparks, Inc. |

[Remainder of page left blank intentionally]

**Table of Contents**

**SIGNATURES**

Pursuant to the requirements of the Securities Exchange Act of 1934, the registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

SUMMIT PROPERTIES INC.

Date: October 7, 2004

By: / s / Steven R. LeBlanc

Name: Steven R. LeBlanc

Title: President and Chief Executive  
Officer

---

**Table of Contents**

**EXHIBIT INDEX**

| <b>Exhibit<br/>Number</b> | <b>Title</b>                                                                                                                                                |
|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2.1*                      | Amendment No. 1 to Agreement and Plan of Merger, dated October 6, 2004, by and among Summit Properties Inc., Camden Property Trust, and Camden Sparks, Inc. |

\* Filed herewith.