

Prepared By & Return to: Bonnie M. Braudway, Marshall, Williams & Gorham, LLP
P.O. Drawer 2088, Wilmington, NC 28402

STATE OF NORTH CAROLINA
COUNTY OF BRUNSWICK

**AMENDMENT TO THE MASTER DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR SOUTH HARBOUR VILLAGE**

This Amendment to the Master Declaration of Covenants, Conditions, and Restrictions for South Harbour Village (“Amendment”) is made and entered into as of this _____ day of _____, 2017 by South Harbour Master POA, Inc., a North Carolina nonprofit corporation (“Association”).

WITNESSETH:

A. The Association is the property owners' association charged with the responsibility for the operation of certain real property known as South Harbour Village located in Brunswick County, North Carolina, and described in a Declaration recorded in Book 2104, Page 574, Brunswick County Register of Deeds (“Declaration”).

B. Said Declaration provides in Article 9, Section 9.2(1), that the Declaration can be amended by an affirmative vote of not less than sixty-seven percent (67%) of the Members.

C. The Amendment set forth below has been adopted by an affirmative vote of not less than sixty-seven percent (67%) of the Members, in person, by proxy, or by ballot, and has otherwise been properly adopted and approved as required by the Declaration, Bylaws and Articles of Incorporation, as applicable.

D. The President or Vice President of the Association has been duly authorized and empowered to execute this Amendment and to cause the same to be recorded in the Brunswick County Register of Deeds as the binding act of the Association, its Members, and Board of Directors.

Now therefore, in consideration of the recitals set forth above, and as the act and deed of the Association, its Members, and Board of Directors, the Declaration is hereby amended and modified by as follows:

1. Inserting the following into ARTICLE 3, Section 3.2(1)(a): “Notwithstanding the forgoing, when a reasonable basis for such action exists, the Board of Directors may differentiate the amount of Assessments to be paid by each Member.”
2. Deleting Article 9, Section 9.4(ii) in its entirety.

END OF AMENDMENTS

Except as amended, the Declaration, as may have been previously amended, shall remain in full force and effect.

The undersigned, being the President of the Association, does, by his/her execution hereof, certify that this Amendment was duly adopted by an affirmative vote of at least 67% of Members of the Association in person, by proxy, or by ballot, was duly adopted by a vote of the Board of Directors (if required), and that all the procedures, steps and requirements necessary to amend said Declaration have been complied with, the day and year first above written.

South Harbour Master POA, Inc.

By: _____
Printed Name: _____
President

ATTEST:

Printed Name: _____
Secretary

STATE OF NORTH CAROLINA
COUNTY OF _____

I, _____, notary public, do hereby certify that _____(name of officer), personally appeared before me this day and acknowledged that he/she is President of the Association and that he/she, being authorized to do so, executed the foregoing on behalf of the Association.

Witness my hand and official seal this the ____ day of _____, 2017.

(Notary Seal)

Notary Public
My Commission Expires: _____

STATE OF NORTH CAROLINA
COUNTY OF _____

I, _____, notary public, do hereby certify that _____(name of officer), personally appeared before me this day and acknowledged that he/she is Secretary of the Association and that he/she, being authorized to do so, executed the foregoing in the capacity stated.

Witness my hand and official seal this the ____ day of _____, 2017.

(Notary Seal)

Notary Public
My Commission Expires: _____