



Class A. Class A Members shall be all Owners of Single Family Lots. Class A Members shall be entitled to one (1) vote for each Single Family Lot owned.

Class B. Class B Members shall be the Owners of Townhouse Lots. Class B Members shall be entitled to one ( 1 ) vote for each Townhouse Lot owned.

Class C. The Class C Member(s) shall be the Declarant and its successors and/or assigns. Class C Members shall be entitled to nine ( 9 ) votes for each Townhouse Lot or Single Family Lot owned; provided, however that the Class C membership shall *terminate and be converted* to Class A membership for a Single Family Lot or Class B membership for a Townhouse Lot, whichever applies to the particular Class of Lots, upon the earlier of:

(i) the date the total votes outstanding in the Class A and Class B memberships equal the total votes outstanding in the Class C membership; provided that the Class C membership shall be reinstated with all rights, privileges, responsibilities and voting power if, after conversion of the Class C membership to Class A or B membership, additional lands are annexed to the Property by the Declarant as provided in Article XIII of this Declaration; or

(ii) December 31, 2014 and after that date there shall be no Class C Members.

When any property entitling the Owner to membership is owned of record in the name of two (2) or more persons or entities, whether fiduciaries, joint tenants, tenants in common, tenants by the entirety, or other manner of joint ownership, or if two (2) or more persons or entities have the same fiduciary relationship respecting the same property, then unless the instrument or order appointing them or creating the tenancy otherwise directs and it, or a copy thereof, is filed with the Secretary of the Association, their acts with respect to voting shall have the following effect:

- (1) If only one (1) votes, in person or by proxy, his act shall bind all;
- (2) If more than one (1) votes, in person or by proxy, the act of the majority so voting shall bind all;
- (3) If more than one ( 1 ) votes, in person or by proxy, but the vote is evenly split on any particular matter, each fraction shall be entitled to its proportionate share of the vote or votes;
- (4) If the instrument or order filed with the Secretary of the Association shows that any such joint tenancy is held in unequal interest, a majority or even split under subparagraphs (2) and (3) immediately above shall be a majority or even split in interest in the property to which the vote(s) is/are attributable;
- (5) The principles of this paragraph shall apply, insofar as possible, to execution of proxies, waivers, consents or objections, and for the purpose of ascertaining the preserve of a quorum.

Section 3. Governance. The Association shall be governed by a Board of Directors consisting of three (3) members until December 31, 2014, or until such time as there are no Class C Members, whichever first occurs, and five (5) members thereafter. The term of such Directors is to be determined in accordance with the provisions of the Articles of Incorporation of the Association. There shall be two (2) classes of Directors: Class I Directors shall be elected by the Class A and Class B Members, and Class II Directors shall be elected by the Class C Members. The Class I Directors shall consist of two (2) Class A Members, two (2) Class B Members, and one (1) "at large" Member. All of the Directors shall be Class II Directors until December 31, 2014, or until such time as there are no Class C Members. After December 31, 2014, all of the Directors shall be Class I Directors. If at any time following December 31, 2014 there are no members of any respective Class, a Member of which is to serve as a Class I Director, then the number of Class I Directors shall be reduced by the number of such memberless classes until such time as such class(es) has/have member(s). At such time, the number of Class I Directors shall be increased to provide for the fact that the class then has membership and the member of said class shall become the Class I Director for that respective class (the "Replacement Director"); or if there should be more than one (1) such member, then those members shall elect an individual to serve as the Replacement Director. In either case, the Replacement Director shall serve until the next election of Directors. "

**2. Article XIII, Section 4 is deleted in its entirety and the following are substituted in lieu thereof:**

"Section 4. Amendment. The covenants, conditions and restrictions of this Declaration shall run with and bind the Property, for a term of twenty (20) years from the date this Declaration is recorded, after which time they shall be automatically extended for successive periods of ten ( 10) years. This Declaration may be amended prior to December 31, 2014 by an instrument approved by the Board of Directors of the Association and not less than sixty-seven percent (67%) of the Owners, and thereafter by an instrument approved by not less than sixty-seven percent (67%) of the Owners."

**3. Article XIII, Section 6 is deleted in its entirety and the following are substituted in lieu thereof:**

"Section 6. Annexation of Additional Property. At any time during the effective term of this Declaration, Declarant may propose that the Association annex additional properties which have been or will be developed in conformity with the general plan of development for **Cardinal Lake** as follows:

Annexation of additional properties shall require the assent of two-thirds (2/3) of the votes of the voting membership of the Association at a meeting duly called for this purpose, written notice of which shall be sent to all Members not less than thirty (30) days nor more than sixty (60) days in advance of the meeting setting forth the purpose of the meeting. The presence of Members or of written proxies entitled to cast sixty-six and two-thirds percent (66-2/3%) of the votes of the membership shall constitute a quorum. If the required quorum is not present at any meeting, another meeting may be called subject to the notice requirement set forth above and the required quorum at such subsequent meeting shall be the same. No such subsequent meeting shall be held more than sixty (60) days following the preceding meeting. In the event that two-thirds (2/3) of the voting membership are not present in person or by proxy, Members not present may give their written assent to the action taken thereat.

Notwithstanding the above, prior to December 31, 2014, the Declarant may, from time to time, annex Additional Properties to the Property without the consent of the Members. The annexation will be accomplished by recording with the appropriate Register of Deeds a Supplementary Declaration of Annexation, duly executed by Declarant, describing the lands annexed and incorporating the provisions of

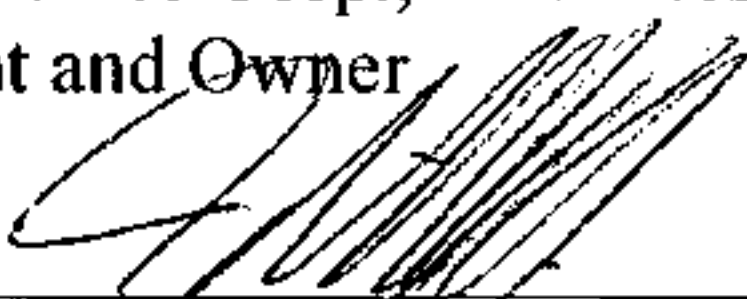
this Declaration. No other action or consent shall be necessary. Upon annexation, the Additional Properties shall be deemed part of the Property and shall be subject to this Declaration.

Subsequent to recordation of the Declaration of Annexation, but prior to the sale of the first Lot in the Additional Property, the landowner shall deliver to the Association one or more deeds conveying any property that will be designated as Common Areas within the Additional Properties.”

4. See attached Consent by Owners attached hereto as Exhibit A and incorporated herein by reference.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written

Beazer Homes Corp., a Tennessee corporation  
Declarant and Owner

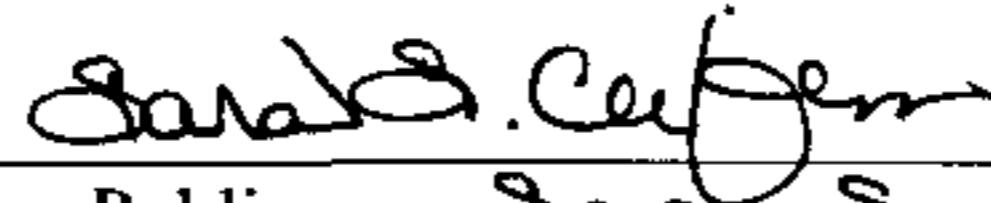
By:   
K. Scott Phillips,  
President - Raleigh Division

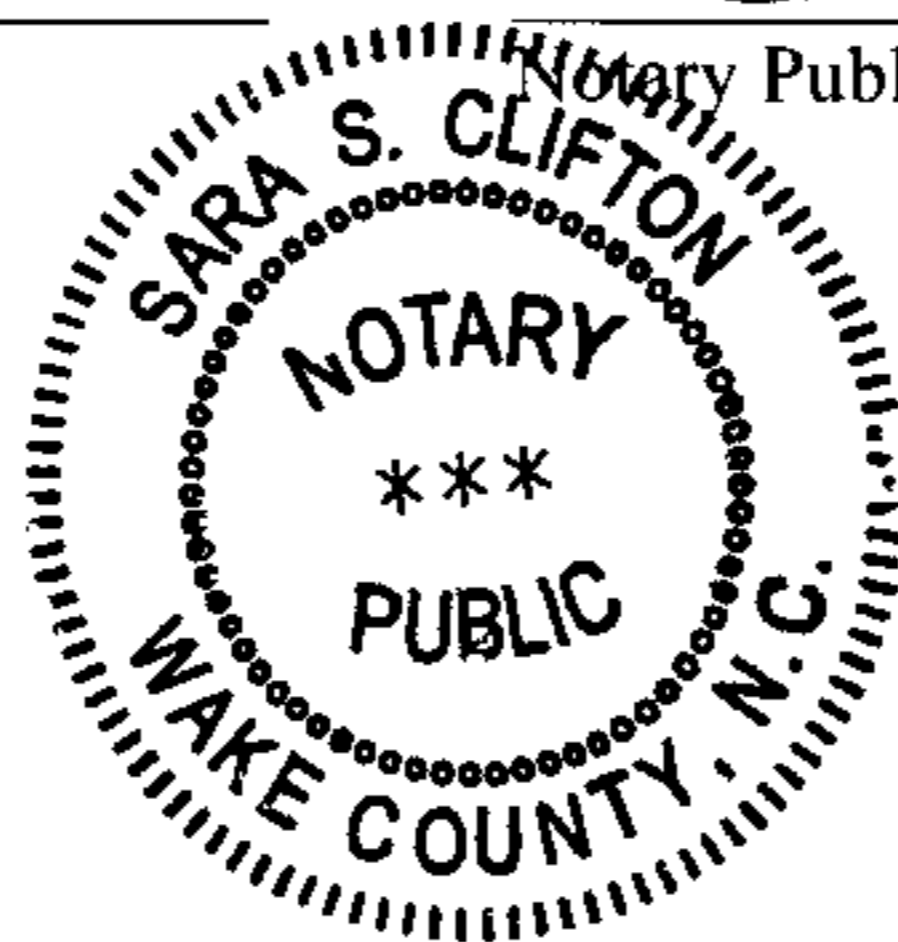
NORTH CAROLINA  
WAKE COUNTY

I, the undersigned Notary Public, certify that K. Scott Phillips personally came before me this day and acknowledged that he is President - Raleigh Division, of Beazer Homes Corp., a Tennessee corporation, and that he/she, as such officer, being authorized to do so, voluntarily executed the foregoing on behalf of the corporation.

Witness my hand and official stamp or seal, this 22<sup>nd</sup> day of December, 2010.

My Commission expires: 1-10-2015

  
Notary Public - Sara S. Clifton



CERTIFICATION OF VALIDITY OF AMENDMENT TO COVENANTS CONDITIONS AND RESTRICTIONS OF CARDINAL LAKE

By authority of its Board of Directors, Cardinal Lake Owners Association, Inc., hereby certifies that the foregoing instrument has been duly approved by the Owners of at least 67% percent of the votes of the Members of Cardinal Lake Owners Association, Inc. and is, therefore, a valid amendment to the existing covenants, conditions and restrictions of Cardinal Lake.

This the 22<sup>nd</sup> day of December, 2010.

Cardinal Lake Owners Association, Inc.  
By: [Signature]  
President

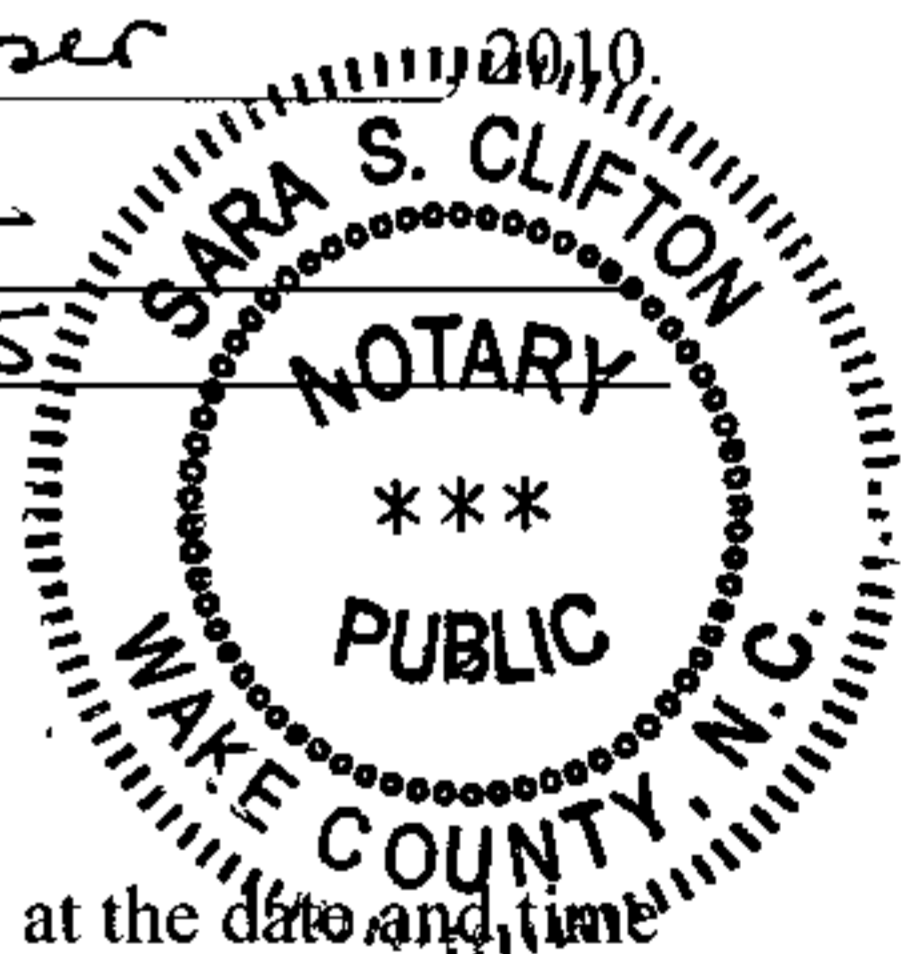
NORTH CAROLINA  
WAKE COUNTY

I, the undersigned Notary Public, certify that Paul Bailey personally came before me this day and acknowledged that he is President of the Cardinal Lake Owners Association, Inc., and that he/she, as such officer, being authorized to do so, voluntarily executed the foregoing on behalf of the corporation.

Witness my hand and official stamp or seal, this 22<sup>nd</sup> day of December, 2010.

My Commission expires: 1-10-2015

[Signature]  
Notary Public - 1-10-2015



The foregoing Certificate(s) of is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

\_\_\_\_\_, REGISTER OF DEEDS FOR DURHAM COUNTY  
By: \_\_\_\_\_, Deputy/Assistant - Register of Deeds  
Copyright @ North Carolina Bar Association

## EXHIBIT A - CONSENT BY OWNERS OF CARDINAL LAKE SUBDIVISION TO AMENDMENT TO DECLARATION

LOT	SIGNATURE (Only One owner of each Lot to sign)	PRINT NAME	ADDRESS (Street Number and Name only)
✓ 193		Alverina Hall	3003 Cardinal Lake
✓ 250		Rev. Linda L. Parker	3006 Cardinal Lk. Dr.
✓ 195		Lemuel Hubbard	2915 Cardinal Lake Dr
✓ 247		Natasha Hawkins	3022 Cardinal Lake Dr
✓ 191		Evelyn D. Nore	3007 Cardinal Lake Dr.
✓ 246		James L Davis	3102 Cardinal Lake Dr
✓ 129		Roderick Vereen	3109 CARDINAL LAKE
✓ 249		Kimberly Whiteens	3008 Cardinal Lake
✓ 128		Patricia M. Wilder	3111 Cardinal Lake Dr.
✓ 239		Jennette Greier	1412 Felling Star Lake
✓ 131		Greg Seitz	3125 Cardinal Lake
✓ 243		Amelia Shaw	3105 Cardinal Lake
✓ 138		Robert Davenport	9 Bent Branch Ct
✓ 136		Kent McCremon	6 Bent Branch Ct

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LOT SIGNATURE (Only One owner of each Lot to sign) PRINT NAME ADDRESS (Street Number and Name only)

✓ 139 Matt Selley Matt Selley 5 BENT BRANCH CT

✓ 141 Gloria Chavis GLORIA CHAVIS 1 Bent Branch Ct 27704

✓ 188 Quintonia Thorpe Quintonia Thorpe 1505 Medallion Ct. Durham, NC 27704

✓ 126 Sabrina McClaggan Sabrina McClaggan 3203 Cardinal Lake Durham NC 27704

✓ 142 Dawn Taylor Dawn Taylor 1604 Medallion Drive Durham NC

✓ 169 Sheretta Studrick Sheretta Studrick 1805 Medallion Dr.

✓ 166 Derrick Thompson Derrick Thompson 1802 Medallion Dr.

✓ 198 Robin Green Robin Green 1102 Golden Eagle Drive

✓ 196 Michele Elliott Michele Elliott 2913 Cardinal Lake Dr.

✓ 244 Sheretta Elliott 3100 Cardinal Lake

✓ 133 ~~131~~ Mauricio Montano MAURICIO MONTANO 3101 CARDINAL LAKE DR

✓ 242 Joel Barton Joel Barton 3110 Cardinal Lake Dr.

✓ 140 Cheryl & Bruce Cheryl & Bruce - 3 Bent Branch Ct.

✓ 144 Alpolvi M Jones Alpolvi M Jones 1702 Medallion Dr

✓ 175 Karl Spencer Karl Spencer 1713 Medallion

LOT	SIGNATURE (Only One owner of each Lot to sign)	PRINT NAME	ADDRESS (Street Number and Name only)
124	<i>J. Peacock</i>	Amanda Peacock	1303 Whispering Oak
84	<i>Joseph A Gibson</i>	JOSEPH A GIBSON	15 SERENITY CT
83	<i>H. Dianne Moore</i>	H. Dianne Moore	11 Serenity Ct.
80	<del><i>[Signature]</i></del>	Brandon M Plk	1 Serenity Ct
137	<del><i>[Signature]</i></del>	JOSEPH A GIBSON	8 Bend branch of Oak
90	<i>Ivan Aklin</i>	IVAN AKLIN	2 SERENITY CT.
88	<i>Ennica Syles</i>	Ennica Syles	6 Serenity Ct
120	<i>Lise A. Edwards</i>	Lise A. Edwards	1207 Whispering Oak Ln
118	<i>John C White</i>	John C White	1203 Whispering Oak
313	<i>Brian Eichner</i>	Brian Eichner	20 Red Feather Ct
81	<i>Geneva Daniels</i>	Geneva Daniels	5 Serenity Ct
87	<i>McKinley Fulton</i>	McKinley Fulton	8 Serenity Ct
85	<i>Michelle Reed</i>	Michelle Reed	12 Serenity Ct
108	<i>Robin Stubbs</i>	Robin Stubbs	102 Red Bird Dr.
106	<i>Jeffrey Amendola</i>	Jeffrey Amendola	106 Red <sup>Bird DR</sup> <del>Dr</del>
101	<i>Miana White</i>	Miana White	101 Red Bird Drive
152	<i>Patti Jones</i>	Patti Jones	14 Autumn leaf lane

16

- ✓ 123 ~~Jameson Lopp~~ Jameson Lopp 1301 Whispering Oak Ln
  - ✓ 122 Glenn Stanley Glenn Stanley 1211 Whispering Oak Ln
  - ✓ 121 ~~Winey Lamacang~~ Winey Lamacang 1209 Whispering Oak Ln
  - ✓ 114 Janice M Jarratt Janice Jarratt 1111 Whispering Oak Ln
  - ✓ 109 Shauna Shaw Shauna Shaw 1106 Whispering Oak Lane
  - ✓ 238 ~~Brandon Jones~~ Brandon Jones 1410 Falling Star Way
  - ✓ 237 ~~Tony Hemptvic~~ Tony Hemptvic 1408 Falling Star Way
  - ✓ 148 Gwen Evans Gwen Evans 6 Autumn Leaf Lane
  - 96 Iris Lewis Iris Lewis, 109 Red Bird Drive.
  - ✓ 97 ~~Phong~~ Phong 1111 Red Bird Drive
  - ✓ 98 ~~Belinda Goode~~ Belinda Goode 201 Red Bird Dr
- LOT      SIGNATURE (Only One owner of each Lot to sign)      PRINT NAME      ADDRESS (Street Number and Name only)
- ✓ 101 Kwasi Smith Kwasi Smith 406 Red Crest Ln
  - ✓ 104 Yolanda Wooten Yolanda Wooten 1111 Red Crest Lane
  - ✓ 95 ~~Trevor Allen~~ Trevor Allen 107 Red Bird Dr.
  - ✓ 119 Erika A Reed Erika A. Reed 1205 Whispering Oak Ln
  - 91 ~~Sofi King~~ Sofi King 206 Whispering Oak Ln

EXHIBIT A - CONSENT BY OWNERS OF CARDINAL LAKE SUBDIVISION TO AMENDMENT TO DECLARATION

LOT	SIGNATURE (Only One owner of each Lot to sign)	PRINT NAME	ADDRESS (Street Number and Name only)
✓ 70	<u>Lauradyer</u>	Lauradyer	16 Hidden Meadow Court
✓ 69	<u>D. R. J.</u>	Derrick Gross	14 Hidden Meadow Court
✓ 71	<u>Nicole Lindsey</u>	(Gehrich) Nicole Lindsey	18 Hidden Meadow Ct.
✓ 68	<u>Tonya McKee</u>	Tonya McKee	12 Hidden Meadow Ct.
✓ 64	<u>Lachanda Reams</u>	Lachanda Reams	4 Hidden Meadow Ct.
✓ 67	<u>S. Jamillah Ahmed</u>	S. Jamillah Ahmed	10 Hidden Meadow Ct.
✓ 62	<u>Gene Parks</u>	Gene Parks	3702 Cardinal Lake Dr.
✓ 59	<u>L. Ross</u>	Lataja Ross	3624 Cardinal Lake Dr.
✓ 58	<u>Stephen Harris</u>	Stephen Harris	3622 Cardinal Lake Dr.
✓ 52	<u>Dwain Criss</u>	DWAINE CRISS	3613 Cardinal Lake Dr.
✓ 49	<u>Anthony Harris</u>	Anthony Harris	3620 Cardinal Lake Dr.
✓ 57	<u>Louisa Engulo</u>	Louisa Engulo	27704
✓ 47	<u>Yvonne Bond</u>	YVONNE BOND	3623 Cardinal Lake Dr.
✓ 76	<u>Jacqueline Blachman</u>	Jacqueline Blachman	9 Hidden Meadow Ct.

7

LOT SIGNATURE (Only One owner of each Lot to sign) PRINT NAME ADDRESS (Street Number and Name only)

✓ 305 Bethany Banks Bethany Banks 9 Red Feather Ct

✓ 304 Caryanne D. Hardy Caryanne D. Hardy 7 Red Feather Court

✓ 315 Andrea Peay Andrea Peay 16 Red Feather Ct.

✓ 316 John Lance Lee John Lance Lee 14 Red Feather Ct

✓ 314 Margaret Nicole Gates Margaret Nicole Gates 18 Red Feather Ct

✓ 301 Wendy Davis Wendy Davis 1 Red Feather Ct.

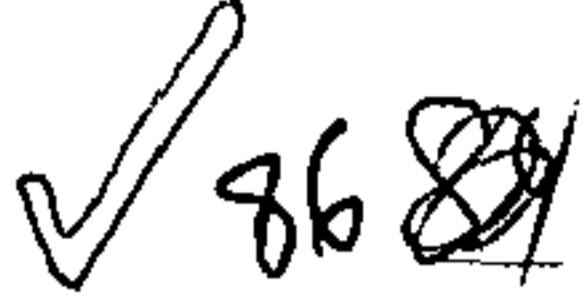
✓ 302 Melissa Hill Melissa Hill 3 Red Feather Ct.

Blank lined area for additional entries.

3



164 Mario Lupo Mario Little 42 Autumn Leaf



Joni Jones Joni 10 Serenity Ct.



82 Peter Luis Luis 109 Serenity Ct.

LOT SIGNATURE (Only One owner of each Lot to sign) PRINT NAME ADDRESS (Street Number and Name only)



~~12 or 13~~ 13 or 14

LOT SIGNATURE (Only One owner of each Lot to sign) PRINT NAME ADDRESS (Street Number and Name only)

✓ 187 Jordan T. Davis Jordan T. Davis 1603 Medallion <sup>DR</sup>

✓ 171 Frederick Johnson Frederick Johnson 1801 Medallion Dr.

✓ 168 Lisa Oliver LISA OLIVER 1806 MEDALLION DR.

✓ 252 Antonio Jones Antonio Jones 3002 Cardinal Lake

146 Vic. Muhammad Vic. Muhammad 2 Autumn Leaf \*

✓ 174 Trina Geiger Trina Geiger 1715 Medallion Dr.

✓ 189 LaTaye Greene LaTaye Greene 3011 Cardinal Lake Dr.

✓ 132 Cynthia Green Cynthia Green 3103 Cardinal Lake Dr.

✓ 103 Kristin Gaines Kristin Gaines 1109 Red Crest Ln.

✓ 143 Mike Timmons Mike Timmons <sup>1606</sup> ~~1608~~ Medallion Dr.

✓ 135 Emily Marshall Emily Marshall 4 Bent Branch Ct.

✓ 197 CB Abce CB Abce 3005 Cardinal Lake Dr.

✓ 245 Kimberly Coston Kimberly Coston 3104 Cardinal Lake Dr.



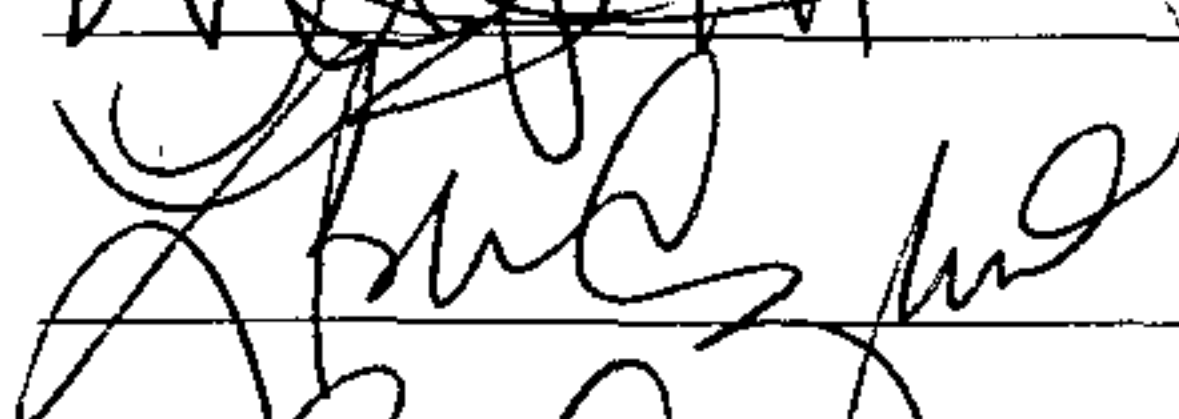
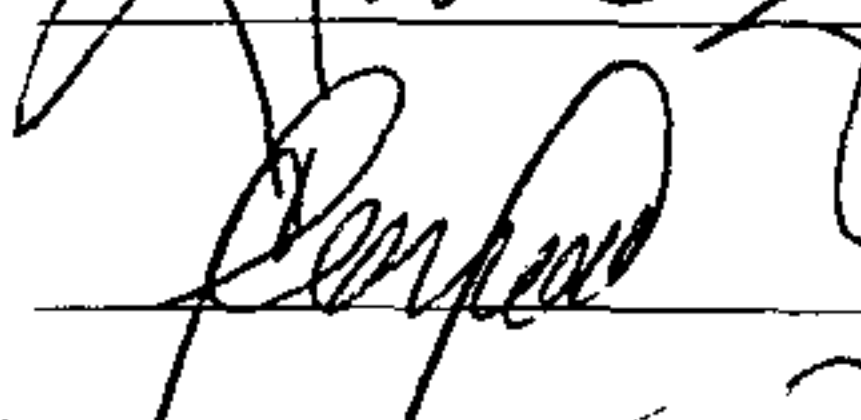
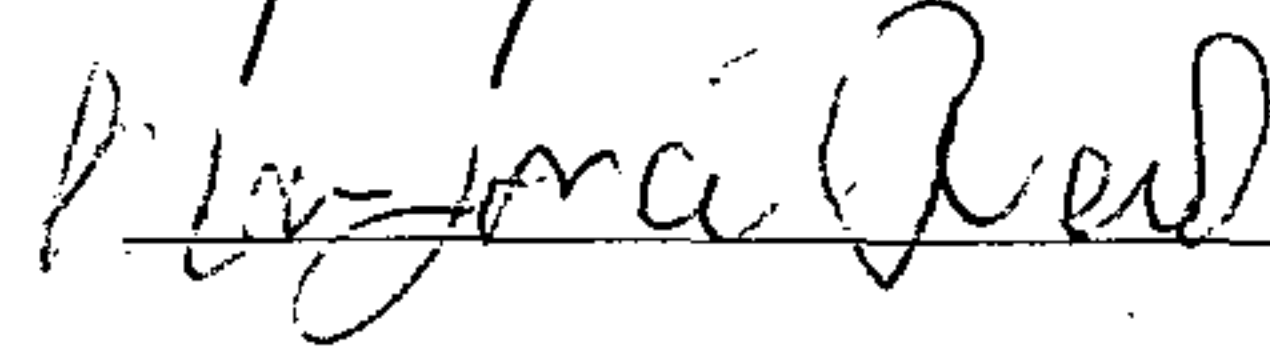
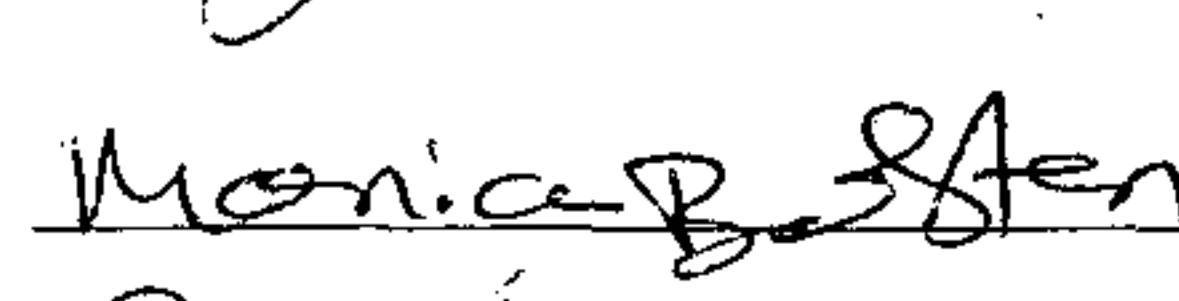
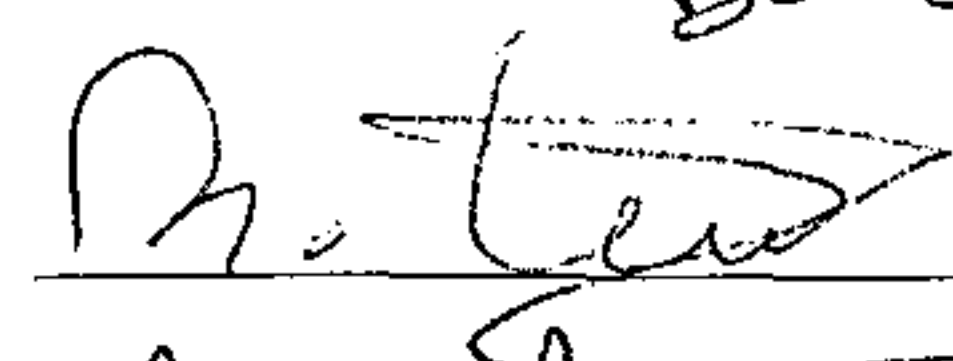
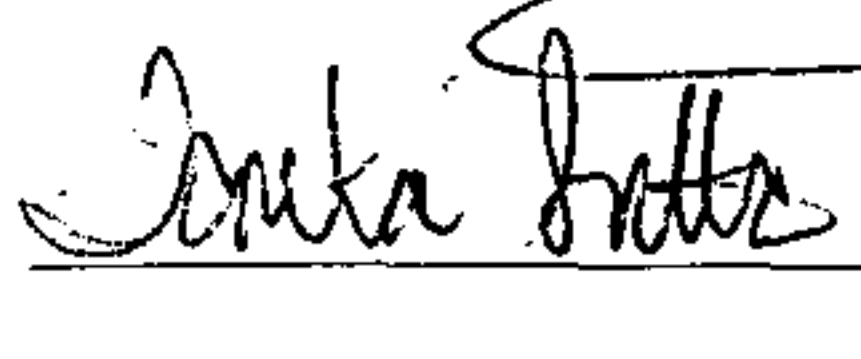
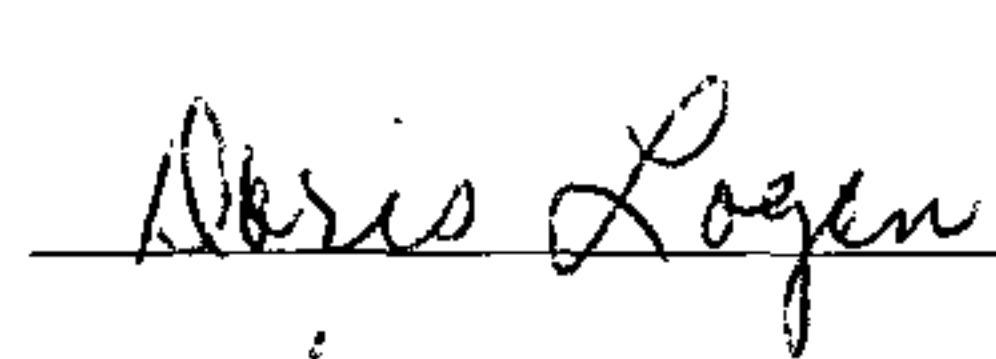
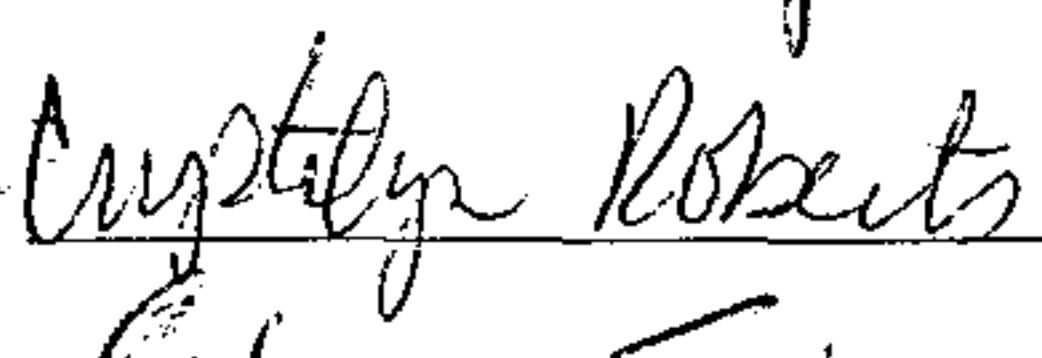
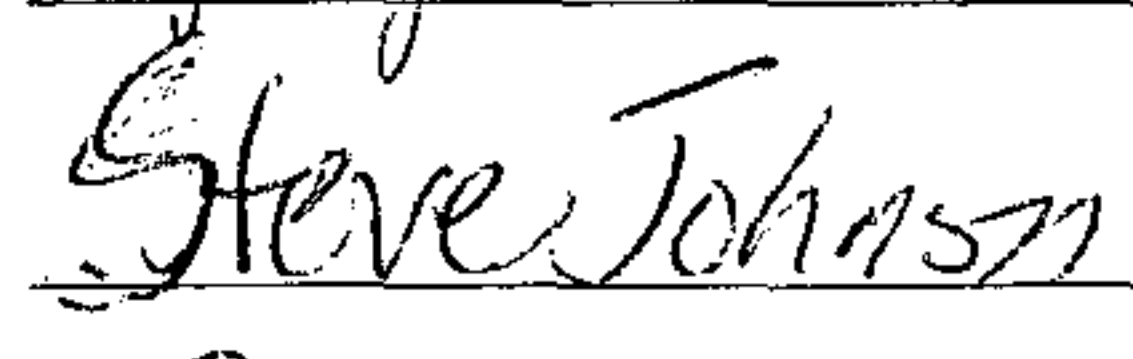
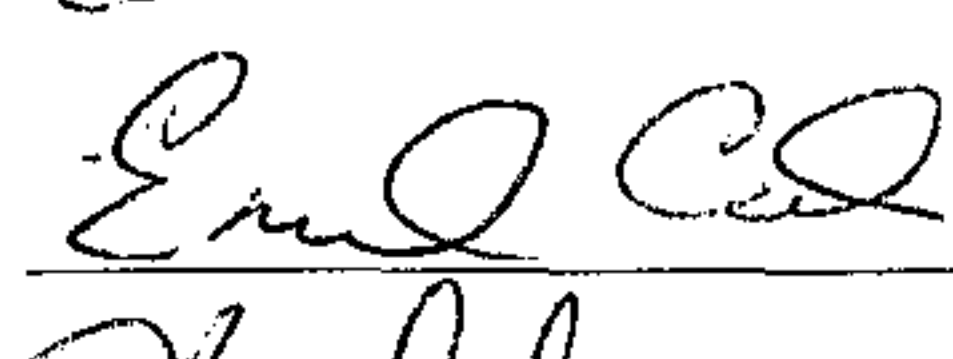
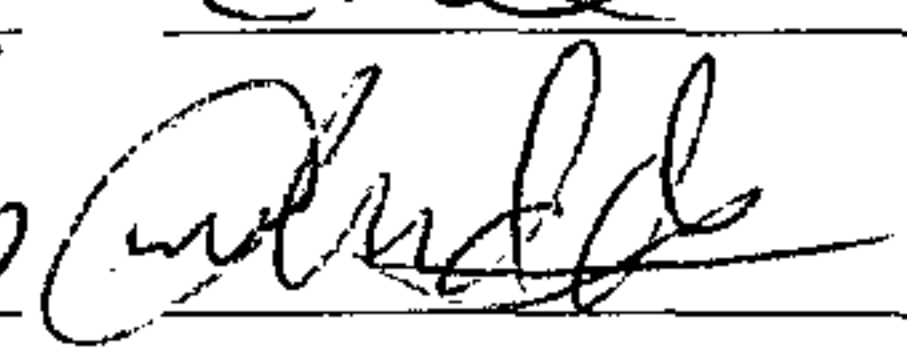
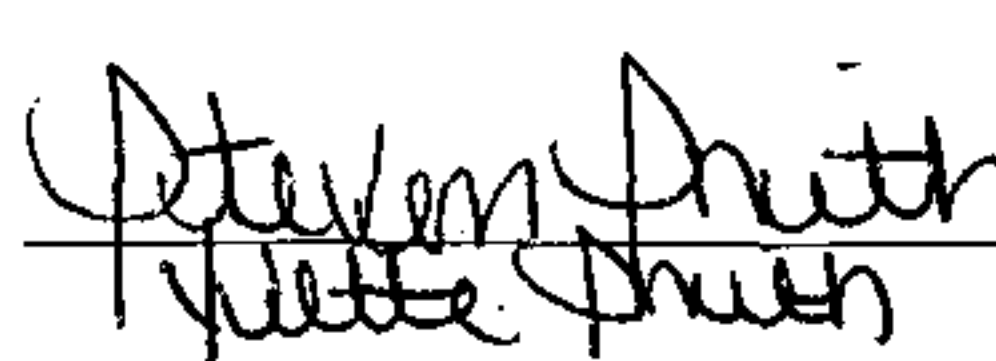
✓ new 163 Carla McCoy Carla McCoy 40 Autumn Leaf Ln.

14

LOT	SIGNATURE (Only One owner of each Lot to sign)	PRINT NAME	ADDRESS (Street Number and Name only)
✓ 31	<i>Tawan Fields</i>	Tawan Fields	6 Heatherford Ct
✓ 43	<i>David M Doyle</i>	David M Doyle	13 Heatherford Ct
✓ 42	<i>Lascel Ubbly</i>	Lascel Ubbly	15 Heatherford Ct
✓ 41	<i>Lyne Roberts</i>	Lyne Roberts	17 Heatherford Ct
✓ 39	<i>David Adh</i>	David Adh	21 Heatherford Ct
✓ 37	<i>Christine Jouanne</i>	Christine Jouanne	18 Heatherford Ct
✓ 32	<i>James Galbraith</i>	JAMES GALBRAITH	8 HEATHERFORD Ct
✓ 29	<i>Miranda Markha</i>	Miranda Markha	2 Heatherford Ct
✓ 30	<i>Miranda Markha</i>	Miranda Markha	4 Heatherford Ct
✓ 182	<i>Mosses FAJIBO</i>	Mosses FAJIBO	4 Ancient Oak Ct
✓ 46	<i>Derrick James</i>	Derrick James	3 Heatherford Ct
✓ 185	<i>5 Ancient Oak Ct</i>		5 Ancient Oak Ct
✓ <del>150</del> 12	<i>Ralph Price</i>	Ralph Price	10 Crescent Hill Ct
✓ 23	<i>Jasha Allison</i>	Jasha Allison	15 Crescent Hill Ct

~~13~~ 14

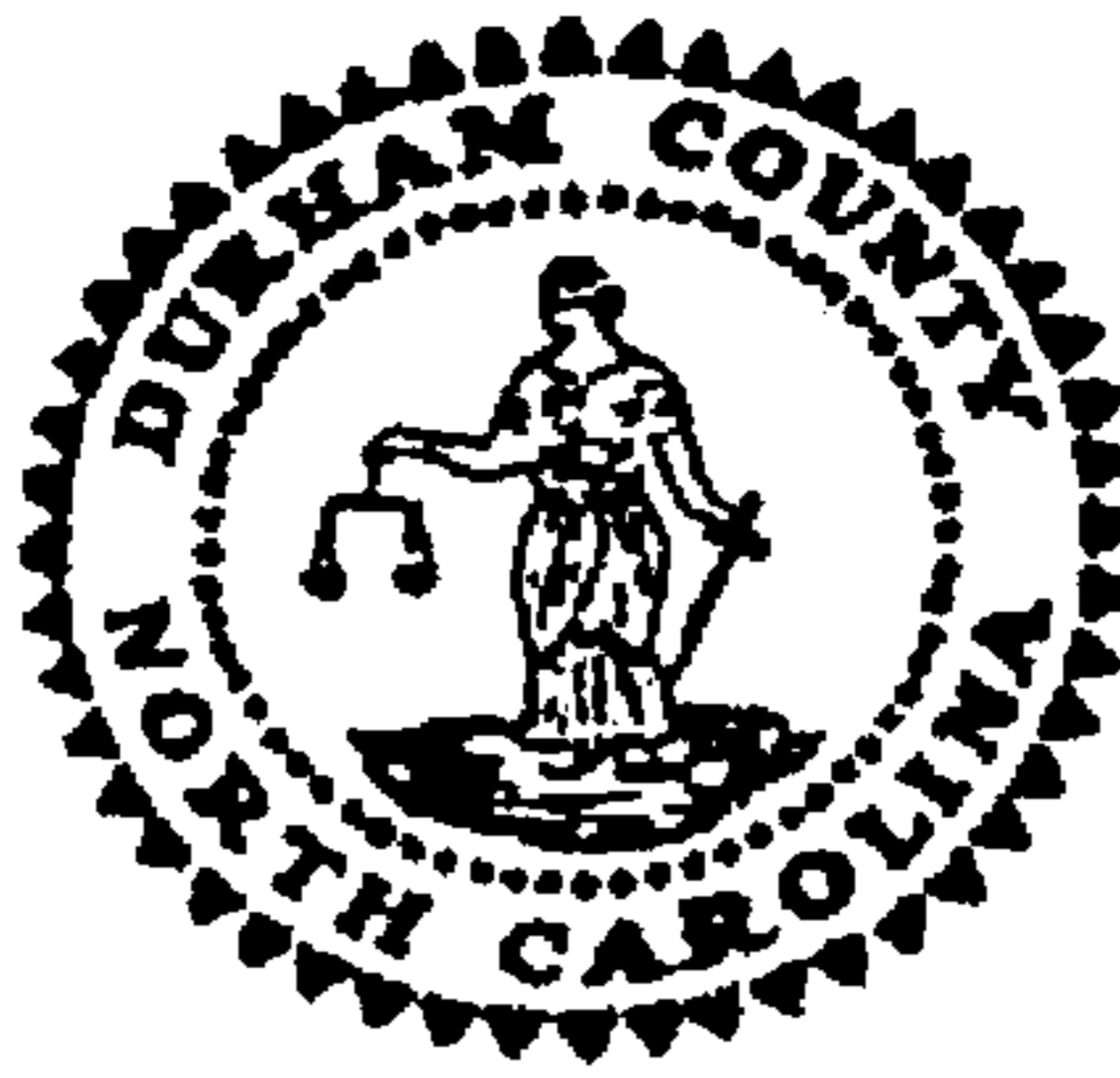
LOT SIGNATURE (Only One owner of each Lot to sign) PRINT NAME ADDRESS (Street Number and Name only)

- ✓ 236  CHRIS FOUNTAIN 1406 FALLING STARWAY
- ✓ 114  MELANIE BEVERETT 1107 WHISPERING OAK LANE
- ✓ 144  L. Blice Copelme 3001 Cardinal Lake Drive
- ✓ 170  IRVIN COSTAN 1803 Medallion Dr.
- ✓ 177  Marjorie Reid 1709 Medallion Dr.
- ✓ 186  MONICA BOSTON 1605 medallion Dr
- ✓ 127  Toan Nguyen 3201 Cardinal Lake Dr
- ✓ 241  Tamca Suttan 1409 Falling Starway
- ✓ 311  Doris Logan 24 Red Feather Ct
- ✓ 41  Crystalyn Roberts 17 Heatherford Ct
- ✓ 34  Steve Johnson 12 Heatherford Ct
- ✓ 44  EM ANNE COCHRANE 11 HEATHERFORD CT
- ✓ 63  Mohammed A. Zaher 2 Hidden Meadow Ct
- ✓ 78  Steven Smith 1 Hidden Meadow Ct.

19/14

LOT	SIGNATURE (Only One owner of each Lot to sign)	PRINT NAME	ADDRESS (Street Number and Name only)
✓ 2	<u>Glenn Moore</u>	GLORRA MOORE	4 Boxley ct
✓ 10	<u>Maurice Fowles</u>	Maurice Fowles	6 Crescent Hill Ct
✓ 11	<u>Jeffrey Bell</u>	Jeffrey Bell	8 Crescent Hill Ct
✓ 15	<u>Arnon Parks</u>	Arnon Parks	16 Crescent Hill Ct
✓ 16	<u>Tymisha Jackson</u>	Tymisha Jackson	20 Crescent Hill Ct
✓ 20	<u>Adriana Herrera</u>	Adriana Herrera	21 Crescent Hill Ct
✓ 21	<u>Sonja McDonald</u>	Sonja McDonald	19 Crescent Hill Ct
✓ 27	<u>Jessica Davis</u>	Jessica Davis	3 Crescent Hill Ct.
28	<u>Tony Brane</u>	Tony Brane	1 Crescent Hill Ct. *
✓ 8	<u>Torina Amadeo</u>	TORINA MFRILLI Amadeo.	5 Boxley Court
✓ 7	<u>Jose Amadeo sorto.</u>	7-B	7-BOXLEY-CT.
✓ 4	<u>Tracie L. Beaves</u>	Tracie L. Beaves	8 Boxley Ct.
✓ 24	<u>Stacy Williams</u>	Stacy Williams	9 Crescent Hill Ct.
✓ 18	<u>Jamie Petherbridge</u>	Jamie Petherbridge	24 Crescent Hill Ct.
✓ 38	<u>Tameca Purfoy</u>	Tameca Purfoy	20 Heatherford





WILLIE L. COVINGTON  
REGISTER OF DEEDS, DURHAM COUNTY  
DURHAM COUNTY COURTHOUSE  
200 E. MAIN STREET  
DURHAM, NC 27701

**PLEASE RETAIN YELLOW TRAILER PAGE**

It is part of recorded document, and must be submitted with original for re-recording  
and/or cancellation.

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**Document No.:** 2010040940  
AMD 19 PGS \$65.00  
**Recorder:** SHARON M CEARNEL



2010040940