

FOR REGISTRATION  
Willie L. Covington  
REGISTER OF DEEDS  
Durham County, NC  
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DECLARATION  
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INSTRUMENT # 2014028094

SROBESON



2014028094

Prepared by and return after Recording Return to:

\* Lori P. Jones  
Jordan Price Wall Gray Jones & Carlton  
P.O. Box 10669, Raleigh, NC 27605

STATE OF NORTH CAROLINA

COUNTY OF DURHAM

**AMENDMENT TO DECLARATION OF  
PROTECTIVE COVENANTS FOR COUNTRY CLUB HEIGHTS  
AND  
AMENDMENT TO THE FIRST SUPPLEMENTARY DECLARATION TO THE  
DECLARATION OF PROTECTIVE COVENANTS FOR COUNTRY CLUB HEIGHTS**

THIS AMENDMENT made this 3rd day of September, 2014, by the requisite owners and members of the Country Club Heights Homeowner's Association, Inc., a North Carolina non-profit corporation.

WITNESSETH

THAT WHEREAS, on April 12, 1999, Country Club Heights, a North Carolina general partnership ("Declarant"), caused to be recorded that certain Declaration of Protective Covenants for Country Club Heights Subdivision in Deed Book 2628, Pages 888-936 of the Office of the Register of Deeds of Durham County, North Carolina (as amended of record, "Declaration"); and

WHEREAS, Article 13(d) of the Declaration provides that the Declaration may be amended at this time by the affirmative vote or written consent, or any combination thereof, of the Owners of at least two-thirds of the Lots; and

WHEREAS, on April 12, 1999, Declarant caused to be recorded that certain First Supplementary Declaration to the Declaration in Deed Book 2628, Pages 937-943 of the Office of the Register of Deeds of Durham County, North Carolina, which designated certain property described therein as a "Neighborhood", and whereas an amendment to the same was recorded in Book 13876, Page 2662 of the Wake County Registry (collectively, and as otherwise amended or supplemented of record, "First Supplementary Declaration"); and

WHEREAS, Article III, Section 3.2 of the First Supplementary Declaration provides that the First Supplementary Declaration may be amended at this time by affirmative vote or written consent, or any combination thereof, of Owners of 75% of the Lots within the Neighborhood, with the consent of the Board of Directors; and

WHEREAS, at least two-thirds of the Owners of Lots subject to the Declaration and at least 75% of Lots within the Neighborhood have approved of the amendments set forth below; and

WHEREAS, the Board of Directors of the Association have also consented to the amendments;

NOW THEREFORE, the Association does hereby declare as follows:

1. Article 7(a) of the Declaration is amended to add the following underlined sentence:

The Board of Directors or the duly authorized agent of the Association shall have the authority to and shall obtain insurance for all insurable improvements whether or not located on the Common Property which the Association is obligated to maintain. This insurance shall provide, at a minimum, fire and extended coverage, including vandalism and malicious mischief, and shall be in an amount sufficient to cover the full replacement cost of any repair or reconstruction in the event of damage or destruction from any such hazard. Alternatively, the Board may purchase "all-risk" coverage in like amounts. **Notwithstanding the foregoing, any Supplementary Declaration for a Neighborhood established per the terms of this Declaration may vary the requirements of this section, except that the Board shall continue to maintain insurance for all insurable improvements located on the Common Property as provided for herein.**

2. Article 2.2 of the First Supplementary Declaration is amended by deleting Article 2.2 in its entirety, and inserting in lieu thereof the following:

2.2 **Insurance; Reconstruction.** The Association shall obtain and maintain insurance on the Common Property in accordance with Article 7(a) of the

Declaration of Protective Covenants for Country Club Heights, but shall have no obligation to obtain or maintain insurance on the Lots. Each Owner within the Neighborhood shall be responsible for obtaining and maintaining all insurance on his Lot, including his townhome, in accordance with Article 7(f) of the Declaration of Protective Covenants for Country Club Heights. Such insurance shall include, but is not limited to, blanket "all-risk" casualty insurance on the Lot and all structures on the Lot. The casualty insurance shall cover loss or damage by fire and other hazards commonly insured under an "all-risk" policy, and shall be in an amount sufficient to cover the full replacement cost of any repair or reconstruction in the event of damage or destruction from any such hazard. If all-risk coverage is not reasonably available, each Owner shall maintain at a minimum, fire and extended coverage.

3. This Amendment shall be effective upon recordation in the Register of Deeds of Durham County.

4. Except as specifically amended hereinabove, the remaining provisions in the Declaration and First Supplementary Declaration remain unchanged and in full force and effect.

*[Certification Page to Follow]*

CERTIFICATION OF VALIDITY OF AMENDMENT TO  
DECLARATION OF PROTECTIVE COVENANTS FOR COUNTRY CLUB HEIGHTS  
AND AMENDMENT TO FIRST SUPPLEMENTARY DECLARATION

By authority of its Board of Directors, Country Club Heights Homeowner's Association, Inc. hereby certifies that the foregoing instrument has been duly approved by the Owners of at least two-thirds of the Lots subject to the Declaration, by at least 75% of the Lots in the Neighborhood, and by the Association's Board of Directors, and is, therefore, a valid amendment to the existing Declaration of Protective Covenants for Country Club Heights and to the First Supplementary Declaration.

COUNTRY CLUB HEIGHTS  
HOMEOWNER'S ASSOCIATION, INC.

By: *Robert Hault*  
Vice President

ATTEST:

*Susanne R Dahl*  
Secretary

STATE OF NORTH CAROLINA

ACKNOWLEDGMENT

COUNTY OF ~~WAKE~~ Durham

I, *Tabitha J. Concepcion* a Notary Public of the County and State aforesaid, certify that *Susanne R Dahl*, personally came before me this day and acknowledged that s/he is Secretary of the Country Club Heights Homeowner's Association, Inc., a North Carolina non-profit corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President and attested by *Susanne R Dahl* as its Secretary.

Witness my hand and official stamp or seal, this 3 day of Sept, 2014.

*Tabitha J. Concepcion*  
Notary Public

*Tabitha J. Concepcion*  
Printed Name

My commission expires: 6-30-18

