

WAKE COUNTY, NC 477
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
03/12/2010 AT 16:27:11

BOOK:013876 PAGE:02662 - 02667

After Recording Return to:

Attn: J. Carr McLamb, Jr.

This instrument was prepared by:

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

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

THIS AMENDMENT made this 17th day of February, 2010, by **THE COUNTRY CLUB HEIGHTS HOMEOWNER'S ASSOCIATION, INC.** ("Association") 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 ("Declaration"); 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 Register of Deeds of Durham County, North Carolina ("First Supplementary Declaration"); and

WHEREAS, Article III, Section 3.2 of the First Supplementary Declaration provides that the First Supplementary Declaration may be amended by an affirmative vote or written consent, or any combination thereof, of Owners of 75% of the Lots within the Neighborhood and, so long as Declarant owns any Lots within the Neighborhood, the consent of the Declarant. In addition, the consent of the Board of Directors shall be required; and

WHEREAS, the Association conducted a vote by written ballot on November 12, 2009; and collected proxies necessary for the approval and achieved approval for the following amendment of Owners of seventy-five percent (75%) of the Lots in the Neighborhood pursuant to Article III, Section 3.2 of the First Supplementary Declaration; and

WHEREAS, the Board of Directors of the Association gave its consent at a meeting duly held on February 17, 2010; and

WHEREAS, the Declarant no longer owns any Lots within the Neighborhood;

NOW THEREFORE, the Association does hereby declare as follows:

1. Article II, Section 2.2 of the First Supplementary Declaration is hereby amended by striking the entire section and replacing it with the following:

2.2 Insurance. Beginning on March 1, 2010, the Association shall procure and maintain at all times a policy or policies insuring each Townhome upon a Lot in the Neighborhood in an amount equal to one hundred percent (100%) of the insurable replacement cost of such Townhome at the time such insurance is purchased and at the time of each renewal thereof, exclusive of the costs of excavation, paving, foundations, footings and other items normally excluded from property policies. The Association shall not, however, be responsible for maintaining coverage on any betterments to the Townhome or the contents of the Townhome, including any personal property contained therein.

All insurance policies purchased by the Association providing coverage to the Townhomes shall be for the benefit of the Association and the Owners and their mortgagees as their interest may appear, and provisions shall be made for the issuance of mortgagee endorsements to the mortgagees of Owners. All such policies shall name the Owner as one of the named insured's as such Owner's interest appears and, upon written request of an Owner, copies of said policies and renewals thereof shall be furnished to such Owner upon request by an Owner.

The Association shall further procure and maintain at all times a policy or policies of property insurance covering all buildings owned by the Association, all personal property of the Association wherever located, and all improvements located in the Common Areas in an amount not less than one hundred percent (100%) of the insurable replacement cost of such buildings, property and improvements at the time such insurance is purchased and at the time of each

renewal thereof, exclusive of the costs of excavation, paving, foundations, footings and other items normally excluded from property policies.

2. This Amendment shall be effective upon recordation in the Register of Deeds of Durham County, as required in Article III, Section 3.3 of the First Supplementary Declaration.
3. Except as specifically amended hereinabove, the remaining provisions in the Declaration and First Supplementary Declaration are hereby acknowledged and reaffirmed in every respect.
4. This Amendment is executed by the Association and has been approved by not less than seventy-five percent (75%) of the total Owners of Lots by way of written ballot or proxy on February 17, 2010.

SIGNATURE PAGE TO FOLLOW

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal this 15th day of February, 2010.

THE COUNTRY CLUB HEIGHTS
HOMEOWNER'S ASSOCIATION, INC.

By: [Signature] (SEAL)
President

STATE OF NORTH CAROLINA
COUNTY OF Durham

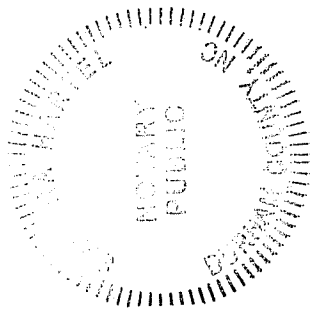
ACKNOWLEDGMENT

I, a Notary Public of the County and State aforesaid, certify that JOHN SZUCHAN personally came before me this day and acknowledged that he/she is the President of the Country Club Heights Homeowners Association, Inc., a North Carolina non-profit corporation, and that by authority duly given and as the act of the corporation, the foregoing Amendment to the First Supplementary Declaration of Protective Covenants for the Country Club Heights Homeowner's Association, Inc. was signed in its name by JOHN SZUCHAN its President.

Witness my hand and official stamp or seal this 15th day of February, 2010.

[Signature]
Notary Public

My Commission Expires: 4-31-2011



IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal this 9th day of February, 2010.

**THE COUNTRY CLUB HEIGHTS
HOMEOWNER'S ASSOCIATION, INC.**

By: Andrea Havel (SEAL)
Secretary

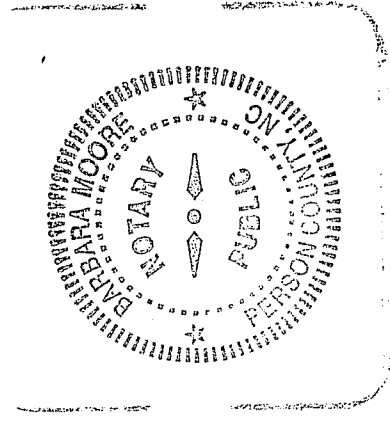
STATE OF NORTH CAROLINA
COUNTY OF Durham

ACKNOWLEDGMENT

I, a Notary Public of the County and State aforesaid, certify that Andrea Havel personally came before me this day and acknowledged that he/she is the 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 Amendment to the First Supplementary Declaration of Protective Covenants for the Country Club Heights Homeowner's Association, Inc. was attested by Andrea Havel its Secretary.

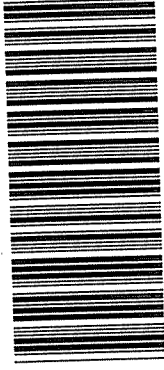
Witness my hand and official stamp or seal this 9th day of Feb., 2010.

Barbara Moore
Notary Public



My Commission Expires:
6/23/2014

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Yellow probate sheet is a vital part of your recorded document.
Please retain with original document and submit for rerecording.



Wake County Register of Deeds
Laura M. Riddick
Register of Deeds

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