

PREPARED BY AND RETURN TO: W. LOCKETT TALLY  
Tally and Tally  
934 Cambridge Street  
Fayetteville, NC 28303

NORTH CAROLINA

AMENDMENT TO COVENANTS AND BYLAWS

WAKE COUNTY

This Amendment to Restrictive Covenants and Bylaws is entered into this 2<sup>nd</sup> day of February, 2018, by and between Copper Pond Developers, LLC, a North Carolina Limited Liability Company of Cumberland County, North Carolina, hereinafter referred to as "DECLARANTS", and all owners and future owners of all numbered lots and real property shown therein COPPER POND SUBDIVISION, as per plat thereof in Map Book 2017, Page 1823, and all amendments thereto, if any, Wake County, North Carolina Registry, party of the second part (the plat shall sometimes hereinafter be referred to as the "subdivision");

Witnesseth:

WHEREAS, Declarants on or about the 4<sup>th</sup> day of October, 2017, executed certain Restrictive Covenants recorded in Book 016937, Pages 01117-01141 of the Wake County, North Carolina Registry; and

WHEREAS, the original covenants provide in Article III, Section 6 that the DECLARANTS have the right to alter or amend those restrictive covenants so long as DECLARANTS own any one lot in the COPPER POND SUBDIVISION as heretofore described; and

WHEREAS, DECLARANTS still own at least one lot in COPPER POND SUBDIVISION and desires to amend the original covenants as they apply to Article III, Section 6;

NOW THEREFORE IN CONSIDERATION OF PREMISES the DECLARANTS hereby declare that the restrictive covenants recorded in Book 016937, Pages 01117-01141, of the Wake County, North Carolina Registry insofar as they relate to COPPER POND SUBDIVISION are hereby amended as follows:

1. Article III, Section 6, Fences is amended as follows: Chain link fences are prohibited.
2. Except as amended or supplemented herein, the original covenants as amended shall remain in full force and effect.

NOW THEREFORE IN CONSIDERATION OF PREMISES the DECLARANTS hereby declare that the restrictive covenants recorded in Book 016937, Pages 01117-01141, of the Wake County, North Carolina Registry insofar as they relate to COPPER POND SUBDIVISION are hereby amended as follows:

3. Article IV, Section 1, of Bylaws of Copper Pond Homeowners Association of Fuquay-Varina, Inc., Number is amended as follows: The affairs of this Association be managed by a Board of three directors, who need not be members of the Association.
4. Article IV, Section 2, of Bylaws of Copper Pond Homeowners Association of Fuquay-Varina, Inc., Term of Office is amended as follows: At the first annual meeting, the members shall elect three directors with the member receiving the first highest number of votes being elected to a three year term, the member receiving the second highest number of votes to a two year term, and the member receiving the third highest number of votes to a one year term. At each annual meeting thereafter members shall elect one director each year for a term of three years.
5. Except as amended or supplemented herein, the original Bylaws as amended shall remain in full force and effect.

SIGNATURE PAGE TO FOLLOW.

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IN WITNESS WHEREOF, the undersigned, being the Declarants have hereunto set his hand and seal, the day and year first above written.

Copper Pond Developers, LLC

BY: [Signature] (SEAL)  
John D. Hornaday, Member Manager

NORTH CAROLINA  
CUMBERLAND COUNTY

I, William Lockett Tally, a Notary Public of said County and State, do hereby certify that John D. Hornaday, MEMBER/MANAGER of COPPER POND DEVELOPERS, LLC, a North Carolina Limited Liability Company, personally appeared before me this day and acknowledged that he voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated.

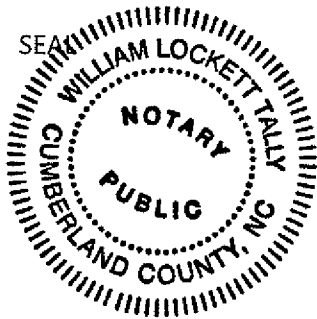
Date: 2/26/2018

[Signature]

Notary Public

My Commission Expires: 11-9-2019

William Lockett Tally  
Printed Name of Notary Public



[Faint signature]