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FOR REGISTRATION REGISTER OF DEEDS
JENNIFER H. MACNEISH
NEW HANOVER COUNTY, NC
2009 SEP 18 02:51:55 PM
BK: 5438 PG: 1916-1923 FEE: \$32.00

INSTRUMENT # 2009032885

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

Amendment to the Declaration – Covil
Estates Amenities

Amendment to the By-Laws for Covil
Estates Amenities, Inc.

This Amendment is made this, the 3rd day of December, 2008, to the Declaration – Covil Estates Amenities, recorded at Book 2053 Page 0825 in the New Hanover County register of Deeds and rerecorded at Book 2182 Page 0571 in order to add Attachment “A”.

Whereas, Covil Estates Amenities, Inc. was established as a non-profit corporation on or about September 24, 1993 for the purpose of meeting the purposes and intents set forth in the Declaration.

Whereas, the Declaration – Covil Estates Amenities recorded in the New Hanover County Register of Deeds at Book 2053 Page 0825 and rerecorded at Book 2182 Page 0571 in order to add Attachment “A”, imposes certain covenants, restrictions and conditions on the Members of Covil Estates Amenities, Inc.

Whereas, on or about July 22, 1999, Covil Estates Amenities, Inc. undertook a corporate name change to Covil Estates Amenities Common Area, Inc., such that Covil Estates Amenities, Inc. and Covil Estates Amenities Common Area, Inc. are one and the same entity.

Whereas, the Declaration – Covil Estates Amenities, as initially filed, provided in Article 3, Section 3.2 (2) for an “initial assessment” to be levied against each Owner “to provide for working capital for the period ending on the last day of the current fiscal year”.

RETURN TO
Chleborowicz & Theriault
720 N. 3rd, Suite 201
Wilm, NC 28401

Whereas the current Members of the Covil Estates Amenities Common Area Inc. wish to Amend the Declaration – Covil Estates Amenities, with regard to the initial assessment and further wish to amend the By-law of Covil Estates Amenities, Inc. (now Covil Estates Amenities Common Area, Inc.)

Whereas a meeting was noticed in accordance with the relevant provisions of the Declaration – Covil Estates Amenities, the By-laws and Articles of Incorporation for Covil Estates Amenities, Inc., with proper notice being provided, which notice included a Motion to Amend the Declarations – Covil Estates Amenities and Motion to Amend the By-Laws of Covil Estates Amenities Common Area, Inc., and included a copy of said proposed Amendments.

Whereas at the meeting held for the purpose of amending the Declaration – Covil Estates Amenities and the By-Laws of Covil Estates Amenities Common Area, Inc., a quorum of Members was present, a discussion was allowed and vote was taken.

Whereas the Motion to Amend the Declaration – Covil Estates Amenities and the Motion to Amend the By-Laws of Covil Estates Amenities Common Area, Inc. received a 2/3 (67%) affirmative vote such that the same passed in accordance with the relevant voting procedures set forth in Article 8 Section 8.2 of the Declarations – Covil Estates Amenities and Article XII of the By-Laws of Covil Estates Amenities Common Area, Inc.

Now therefore the Declaration – Covil Estates Amenities are hereby Amended as follows:

1. Article 3 Section 3.2 (2) is amended to read at the end of the Paragraph:

The Board of Directors shall assess, and each Lot/Owner, not a Member of the Covil Estates Amenities Common Area, Inc. as of the time of the filing of this Amendment, shall pay, an initial assessment in the amount of \$1200.00, which shall be used for working capital or reserves for the maintenance, upkeep, repair or replacement of the facilities delineated and established in Declaration – Covil Estates Amenities. This initial assessment shall not apply to re-sales of Lots which are currently members of the Covil Estates Amenities Common Area, Inc.

2. Article 3, Section 3.2 (1) is amended to add the following subsection (c):

(c) The Board of Directors may change the amount of the initial assessment established by the amendment to the Declarations – Covil Estates Amenities by a majority vote of the members of the Board of Directors.

Now therefore the By-Laws of Covil Estates Amenities Common Area, Inc., are hereby Amended as follows:

1. Article IV Section 1 is amended to read at the end of the paragraph:

In the event that the number of the Board of Directors shall be an even number of members, then those members of the Board of Directors may elect an "at large" member from any of the Covil Estates associations by a plurality vote.

Except as specifically Amended herein, the Declarations – Covil Estates Amenities shall remain in full force and effect. If any aspect of these Amendments are found to be void or unenforceable the remaining amendments shall survive and remain in full force and effect.

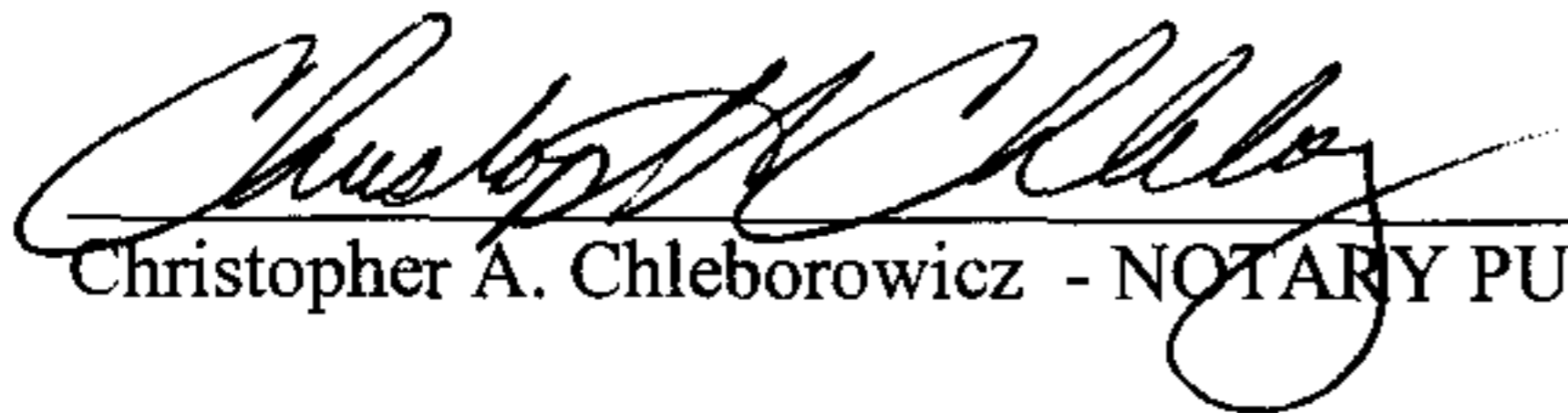
In Testimony hereof, the Board Of Directors for Covil Estates Amenities Common Area, Inc. has caused this Amendment to be recorded this the 13th day of September, 2009.

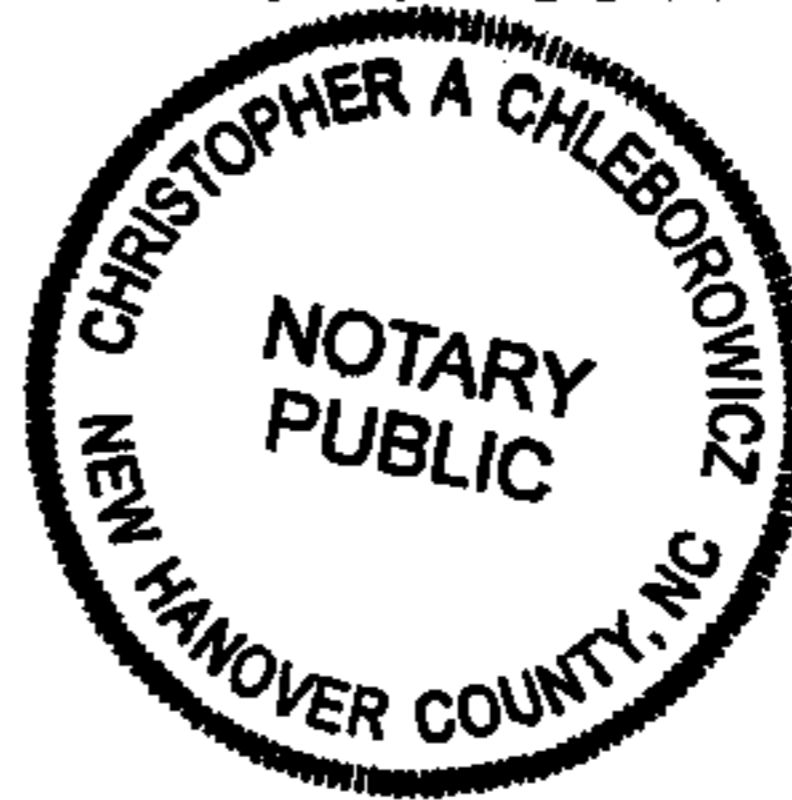
Covil Estates Amenities Common Area Inc. Board of Directors:

Four (4) signature pages follow:

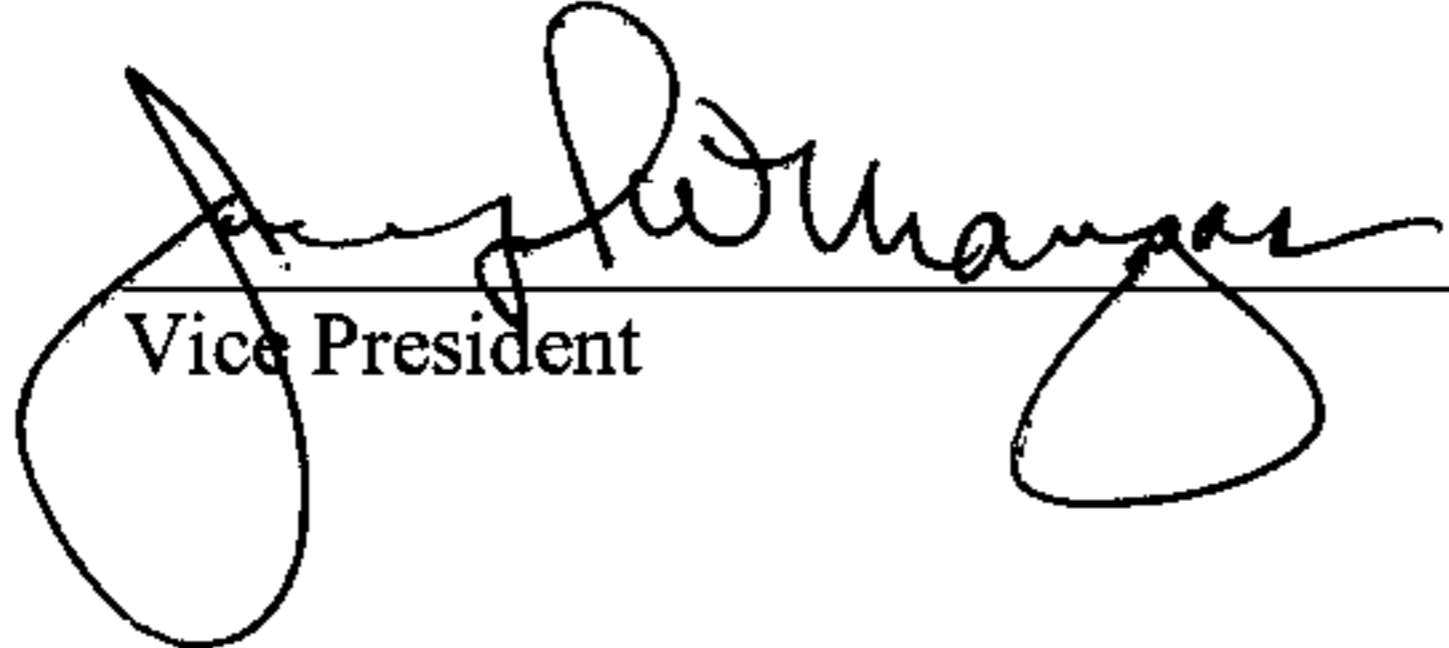
By: DALE WILLIAMS 9-17-09
President

On this 17th day of September, 2009 the above named individual appeared before me and identified themselves by way of lawful photo identification and/or are known to me and signed this AMENDMENT TO DECLARATIONS – COVIL ESTATES AMENITIES and AMENDMENT TO BY-LAWS FOR COVIL ESTATES AMENITIES, INC. in my presence.

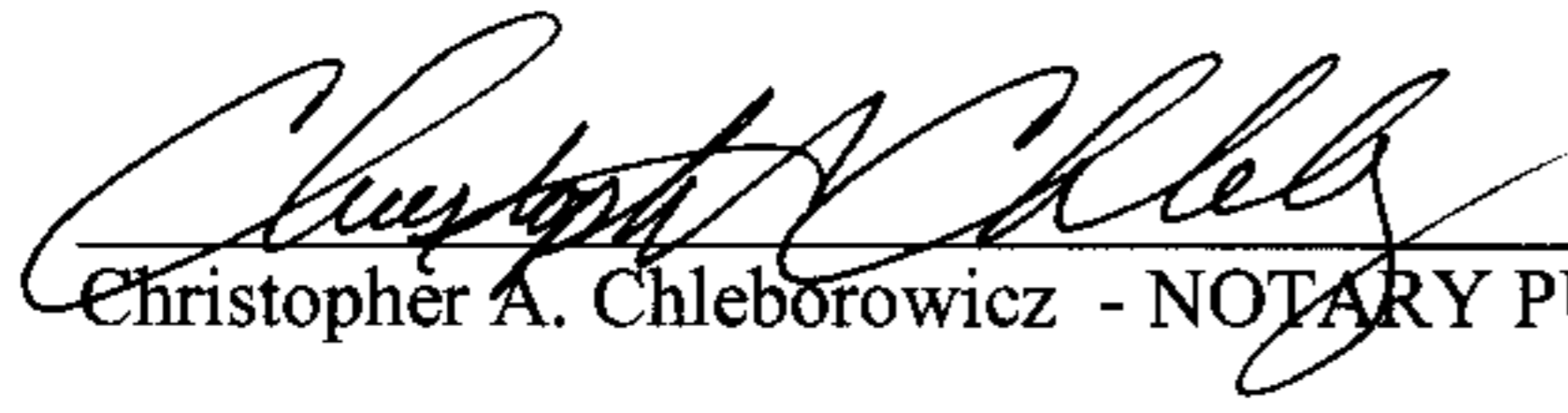

Christopher A. Chleborowicz - NOTARY PUBLIC

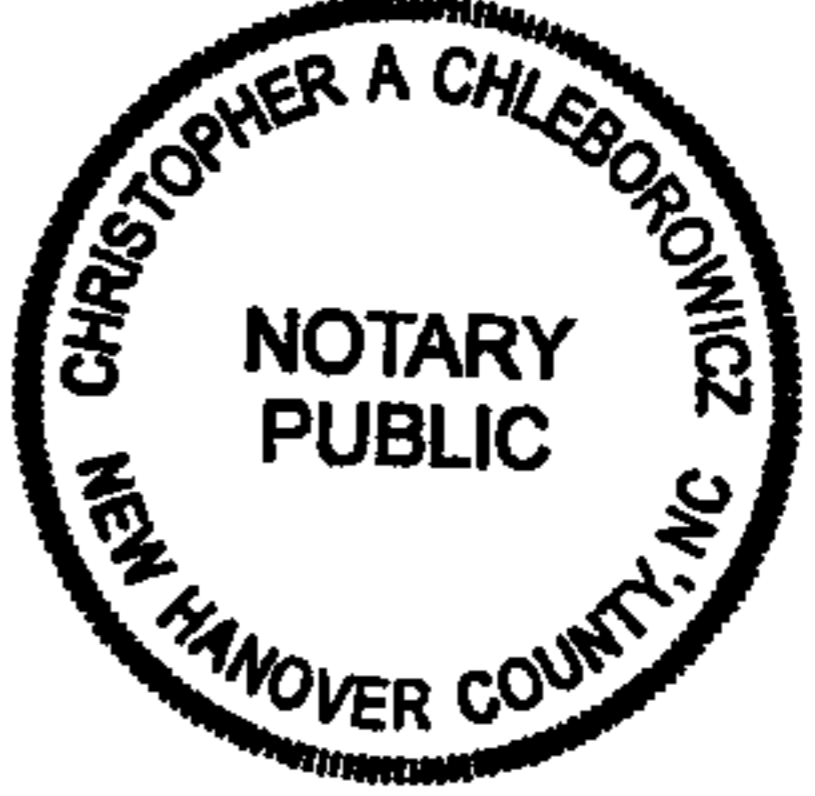


My commission expires: August 27, 2014

By: 
Vice President

On this 16th day of September, 2009 the above named individual appeared before me and identified themselves by way of lawful photo identification and/or are known to me and signed this AMENDMENT TO DECLARATIONS – COVIL ESTATES AMENITIES and AMENDMENT TO BY-LAWS FOR COVIL ESTATES AMENITIES, INC. in my presence.


Christopher A. Chleborowicz - NOTARY PUBLIC



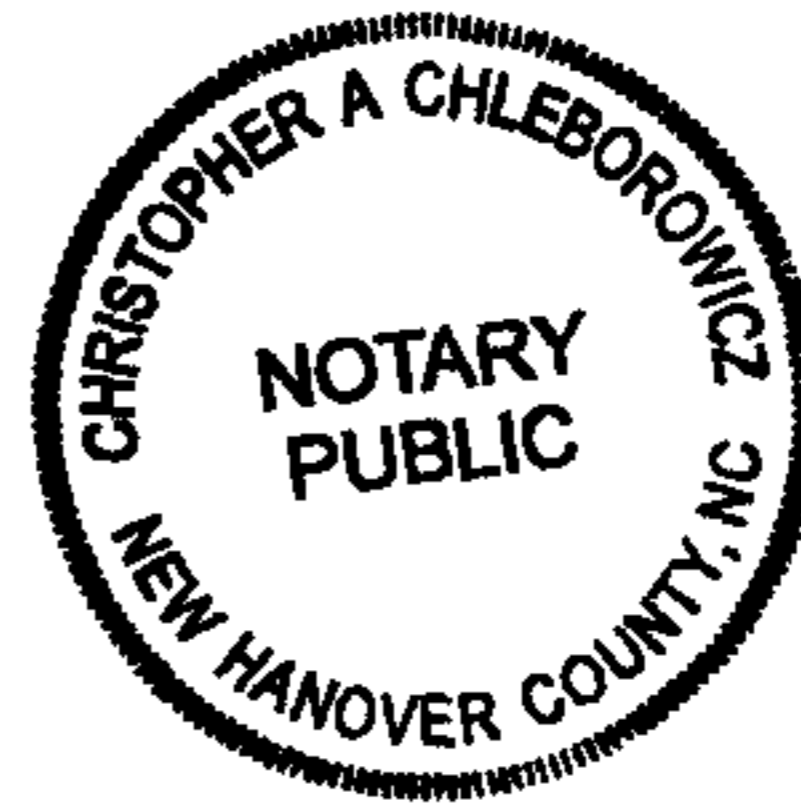
My commission expires: August 27, 2014

By: Stephen Witley
Treasurer

On this 16th day of September, 2009 the above named individual appeared before me and identified themselves by way of lawful photo identification and/or are known to me and signed this AMENDMENT TO DECLARATIONS – COVIL ESTATES AMENITIES and AMENDMENT TO BY-LAWS FOR COVIL ESTATES AMENITIES, INC. in my presence.

Christopher A. Chleborowicz
Christopher A. Chleborowicz - NOTARY PUBLIC

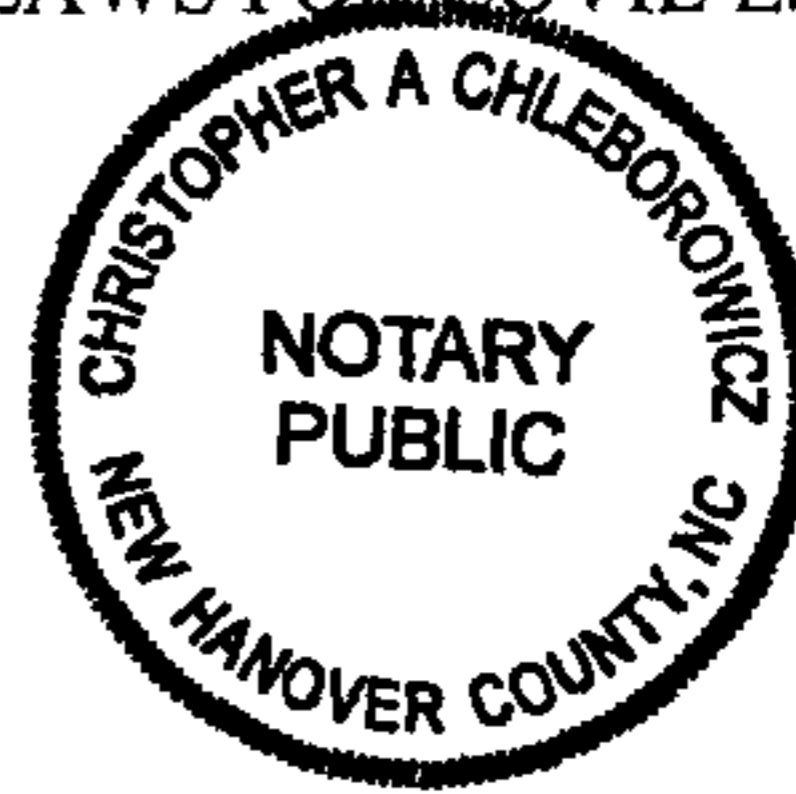
My commission expires: August 27, 2014



By: Eileen M. Sullivan
Secretary

On this 16th day of September, 2009 the above named individual appeared before me and identified themselves by way of lawful photo identification and/or are known to me and signed this AMENDMENT TO DECLARATIONS – COVIL ESTATES AMENITIES and AMENDMENT TO BY-LAWS FOR COVIL ESTATES AMENITIES, INC. in my presence.

Christopher A. Chleborowicz
Christopher A. Chleborowicz - NOTARY PUBLIC



My commission expires: August 27, 2014



JENNIFER H. MACNEISH
REGISTER OF DEEDS, NEW HANOVER
216 NORTH SECOND STREET

WILMINGTON, NC 28401

Filed For Registration: 09/18/2009 02:51:55 PM

Book: RE 5438 Page: 1916-1923

Document No.: 2009032885

8 PGS \$32.00

Recorder: JOHNSON, CAROLYN

State of North Carolina, County of New Hanover

PLEASE RETAIN YELLOW TRAILER PAGE WITH ORIGINAL DOCUMENT.

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