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12/18



FOR REGISTRATION REGISTER OF DEEDS
JENNIFER H. MACNEISH
NEW HANOVER COUNTY, NC
2009 JAN 07 09:17:27 AM
BK:5368 PG:412-415 FEE:\$18.00

INSTRUMENT # 2009000396

Certification of Procedures for
Amendment to the Declaration
Covil Estates Amenities

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

Certification of Procedures for Amendment
to the Declaration – Covil Estates Amenities

RETURN TO Joel Rhine
Lea, Rhine
772 9960

Now Comes the President of the Covil Estates Amenities Common Area, Inc., Board of Directors and hereby makes this certification of procedure pursuant to Article 8, Section 8.2(2) of the Declaration – Covil Estates Amenities (“Declaration”) 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, Declaration requires that written notice of any proposed amendment, modification or restatement of the Declaration shall be sent to every Member and Owner at least thirty days before any action is taken on that amendment.

Whereas, the By-laws for the Amenities Association at section 4 requires a minimum of at least 10 days notice of the meeting for action upon the proposed amendment.

Whereas the Declaration at Article 8, Section 8.2(1) provides that an Amendment can be passed by the Association with a minimum of sixty-seven percent (67%) vote of the members.

Whereas the Bylaws as Section 5 provide that a quorum of over fifty percent (50%) of the total number of members shall be present to conduct business.

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, notice of the intended Amendment was sent to all Owners or Members by no later than October 28, 2008

Whereas, the notice of the meeting date of December 3, 2008, was sent out and postmarked November 6, 2008

Whereas the meeting was held as scheduled on December 3, 2008 with a total of 296 of 324 members or owners represented in person or by proxy at the meeting which exceeds the quorum requirement.

Whereas the vote for the proposed amendment was held and the Amendment passed with a vote of 225 in favor and 71 opposed, which exceeds the 67% requirement for passage of the proposed amendment.

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 President of the Covil Estates Amenities Common Area, Inc., Board of Directors pursuant to Declarations at Article 8 Section 8.2(2) hereby certifies, executes and acknowledges that:

1. All relevant requirements pertaining to the Notice of a proposed Amendment to the Declarations by the Association were followed and achieved;
2. All relevant requirements pertaining to the Notice of a special meeting in order to vote upon a proposed Amendment to the Declarations by the Association were followed and achieved;
3. All relevant requirements pertaining to the passage of a proposed Amendment to the Declarations by the Association were followed and achieved;

Such that the Amendment to the declarations shall become effective upon the filing of this certification.

In Testimony hereof, President the Board Of Directors for Covil Estates Amenities Common Area, Inc. has set its seal below and the same has been attested to by the Secretary or Assistant Secretary of the Association and the same shall be recorded in the office of the Register of Deeds of New Hanover County.

This the ____ day of _____, 2008.

Covil Estates Amenities Common Area Inc. Board of Directors:

By: DALE WILLIAMS 12-19-08
President

Attested to by:

By: 
Secretary/Assistant Secretary



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

WILMINGTON, NC 28401

Filed For Registration: 01/07/2009 09:17:27 AM
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AMEND 4 PGS \$18.00
Recorder: JOHNSON, CAROLYN

State of North Carolina, County of New Hanover

**YELLOW PROBATE SHEET IS A VITAL PART OF YOUR RECORDED DOCUMENT.
PLEASE RETAIN WITH ORIGINAL DOCUMENT AND SUBMIT FOR RE-RECORDING.**

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