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Pitt County, NC  
Lisa P. Nichols REG OF DEEDS

**BK 3414 PG 451 - 454**

**Return to:**

Jon P. Carr, Esq.  
Jordan Price Wall Gray Jones & Carlton, PLLC  
1951 Clark Avenue  
Raleigh, NC 27605

**Grantee Index:**

Cedar Ridge Subdivision

**Grantor Index:**

Cedar Ridge of Winterville Owners' Association, Inc.

STATE OF NORTH CAROLINA

COUNTY OF PITT

AMENDMENT TO RESTRICTIVE COVENANTS  
OF CEDAR RIDGE, PHASE I & PHASE II

THIS AMENDMENT TO RESTRICTIVE COVENANTS OF CEDAR RIDGE, PHASE I & PHASE II, is made by the Cedar Ridge of Winterville Owners' Association, Inc. (hereinafter, "Association").

WHEREAS, Restrictive Covenants of Cedar Ridge Subdivision, Phase I, is recorded in Book 1331, Page 68 of the Pitt County Registry, as was amended by the Amendment to Restrictive Covenants of Cedar Ridge Subdivision, Phase II, recorded in Book 1742, Page 78 of the Pitt County Registry (collectively, hereinafter, the "Declaration");

WHEREAS, the Declaration provides that the Declaration may be amended by an instrument signed by not less than ninety percent (90%) of the Lot Owners;

WHEREAS, the North Carolina Planned Community Act, specifically, G.S. 47F-2-117, provides that, a "declaration may be amended only by affirmative vote or written agreement signed by lot owners of lots to which at least sixty-seven percent (67%) of the votes in the association are allocated, or any larger

Submitted electronically by "Jordan Price Wall Gray Jones & Carlton"  
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and the terms of the submitter agreement with the Pitt County Register of Deeds. **Book: 3414 Page: 451 Seq: 1**

majority the declaration specifies or by the declarant if necessary for the exercise of any development right."

WHEREAS, North Carolina's Nonprofit Corporation Act provides that any action that may be taken at a meeting of members may be taken without a meeting if approved by written ballot;

WHEREAS, the Association mailed a ballot to each member of the Association entitled to vote proposing to amend the Declaration to permit the Declaration to be thereafter amended by an instrument signed by not less than sixty-seven percent of the Lot Owners; and

WHEREAS, as more specifically set forth in Exhibit A, which is attached hereto and incorporated by reference herein, more than ninety percent (90%) of the Lot Owners voted in favor of the amendment to the Declaration.

NOW THEREFORE, the Association declares as follows:

1. The second sentence of Paragraph 1 of the Declaration, is amended to read as follows:

"This Declaration may be amended in full or part during the first twenty (20) year period by an instrument signed by not less than ~~ninety percent (90%)~~ sixty-seven percent (67%) of the Lot Owners provided that no amendment shall alter any obligation to pay assessments to benefit the Common Use Areas, as herein provided."

2. The above-stated amendment becomes effective upon recordation with the Pitt County Register of Deeds. Except as specifically amended herein, the Declaration remains in full force and effect.

This the 10<sup>th</sup> day of March, 2016.

Cedar Ridge of Winterville Owners' Association, Inc.

By: Kristi J. Wolford  
President

ATTEST:  
[Signature]  
Secretary

STATE OF NORTH CAROLINA

ACKNOWLEDGEMENT

COUNTY OF PITT

I, Brooke Baker, a Notary Public of the County and State aforesaid, certify that Jerome Hightower & Kristi Womack, of whose identity I have personal knowledge, or of whose identity has been proven to me by the presentation of a drivers license, personally came before me this day and acknowledged that he/she is Secretary of Cedar Ridge of Winterville Owners' Association, Inc., a North Carolina 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, sealed with its corporate seal and attested by its Secretary. Witness my hand and official stamp or seal, this 10 day of March, 2016.

Brooke Baker  
 Notary Public

My commission expires: August 14 2018

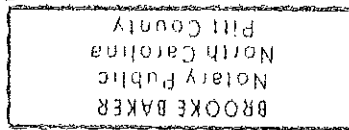


EXHIBIT A

Certificate of Adoption

The Cedar Ridge of Winterville Owners' Association, Inc. by the authority of its Board of Directors, hereby certifies that the foregoing amendment to the Declaration was approved by a vote of the Lot Owners pursuant to a written ballot. The total number of Lot Owners is 152, there were 143 ballots returned to the Association by the date of mandatory return stated in the ballot, there were 140 votes cast by ballot in favor of the amendment and there were 3 votes cast by ballot against the amendment, and therefore, the amendment to the Declaration was properly approved by the Lot Owners.

This the 10<sup>th</sup> day of March, 2016.

Cedar Ridge of Winterville Owners' Association, Inc

By: Kristi L. Woodard  
President

ATTEST: [Signature]  
Secretary