

WAKE COUNTY, NC 466
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
05/16/2007 AT 15:05:38

BOOK:012550 PAGE:01561 - 01565

PREPARED BY: J Kenneth Edwards, Gwynn & Edwards, PA
HOLD FOR: ~~Gwynn & Edwards, PA #256~~ *Harris & Hiltz, PA # 197*

STATE OF NORTH CAROLINA
COUNTY OF WAKE

**THIRD AMENDMENT TO DECLARATION OF COVENANTS
CONDITIONS AND RESTRICTIONS FOR
MAISONS EN MER TOWNHOMES**

THIS THIRD AMENDMENT TO DECLARATION, made on the date hereinafter set forth by the Board of Directors (hereinafter collectively referred to as the "Board") of Maisons en Mer Townhome Homeowners Association, Inc., a North Carolina non-profit corporation (hereinafter collectively referred to as the "Association");

WITNESSETH:

WHEREAS, the Board consists of all those persons elected or appointed and acting collectively as the Directors of the Association;

AND WHEREAS, the Directors of the Association are responsible for management, preservation and enhancement of certain real property described on Exhibit "A" of the below described Declaration (hereinafter referred to as the "Property") and the Property has previously been subjected to certain easements, covenants and restrictions pursuant to a Declaration of Covenants, Conditions and Restrictions ("Declaration") recorded in Book 8871, Page 770, First Amendment in Book 9275, Page 758, corrected in Book 9545, Page 916 and Book 9545, Page 941, Second Amendment in Book 10917, Page 1003, Wake County Registry;

AND WHEREAS, the Board is granted the power to amend and modify certain provisions of the above referenced Declaration, without the consent of the Owners, to correct any obvious error or inconsistency in drafting, typing or reproduction of the Declaration in accordance with Article XIII, Sections 7-8 of the Declaration;

AND WHEREAS, the Declaration previously set out an inconsistency in the manner by which the dues were assessed on either a monthly or annual basis, it being the intent of the Board to correct the Declaration to bring all terms into compliance with the established manner of collecting dues.

NOW, THEREFORE, the Board hereby declares that the Declaration shall hereby be amended as follows.

Article VI, COVENANT FOR MAINTENANCE ASSESSMENTS, Section 4. Amount of Assessment, shall be modified as follows

**ARTICLE VI
COVENANT FOR MAINTENANCE ASSESSMENTS**

Section 4. Amount of Assessment.

(a) Initial Assessment. To and including December 31, 2002, the initial monthly assessment shall not be in excess of One Hundred and Ten and no/100 Dollars (\$110.00) per Lot in Use, the exact amount of which shall be determined from time to time as provided in subsection (d) of this Section 4;

(d) Criteria for Establishing Monthly Assessment. The initial monthly assessment shall not exceed One Hundred and Ten and no/100 Dollars (\$110.00) as set forth in subsection a of this Section 4. In establishing the monthly assessment for any subsequent assessment year, the Board of Directors shall consider all current costs and expenses of the Association, any accrued debts, and reserves for future needs, but it may not increase the monthly assessment in an amount in excess of the greater of ten percent (10%) or the sums derived by application of the Consumer Price Index formula provided in subsection (b) of this Section 4, without the consent of the Members required in subsection (c) of this Section 4; and

Except as expressly modified above, the Declaration shall otherwise remain in full force and effect.

IN WITNESS WHEREOF, the undersigned, being the President of the Association and Chairman of the Board of Directors, has executed this instrument this the 21st day of February, 2007.

MAISONS EN MER TOWNHOME
HOMEOWNERS ASSOCIATION, INC.

By Ronald L. Garland

As its: President and Chairman of the
Board of Directors

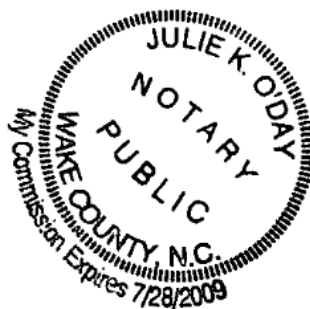
STATE OF NORTH CAROLINA
COUNTY OF WAKE

I, Julie K O'Day, Notary Public, certify that Ronald L. Garland personally came before me this day and acknowledged that (s)he is President and Chairman of the Board of Directors of Maisons en Mer Townhome Homeowners Association, Inc., a corporation, and that being authorized to do so, executed the foregoing on behalf of the corporation.

Witness my hand and official seal, this the 21st day of February, 2007.

My commission expires: _____

(SEAL)



Julie K O'Day
Notary Public

CERTIFICATION OF VALIDITY OF AMENDMENT TO COVENANTS, CONDITIONS
AND RESTRICTIONS OF MAISONS EN MER TOWNHOME
HOMEOWNERS ASSOCIATION, INC.

By authority of its Board of Directors, Maisons en Mer Townhome Homeowners Association, Inc., hereby certifies that the foregoing instrument has been approved by the Directors Maisons en Mer and is, therefore, a valid amendment to the existing Covenants, Conditions and Restrictions of Maisons en Mer.

MAISONS EN MER TOWNHOME
HOMEOWNERS ASSOCIATION,

INC.

By: Ronald L. Garland

As its: President

STATE OF NORTH CAROLINA
COUNTY OF WAKE

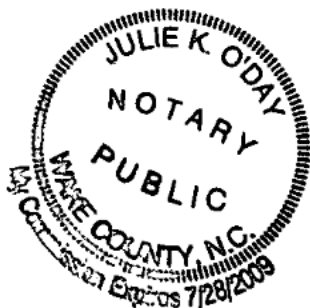
I, Julie K O'Day, Notary Public, certify that Ronald L. Garland personally came before me this day and acknowledged that (s)he is President of Maisons En Mer Townhome Homeowners Association, Inc., a corporation, and that being authorized to do so, executed the foregoing on behalf of the corporation.

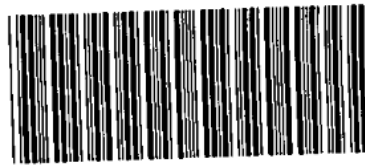
Witness my hand and official seal, this the 21st day of February, ²⁰⁰⁷~~2003~~.

My commission expires: _____

Julie K O'Day
Notary Public

(SEAL)





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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**