

Prepared By/Return To: Brian S. Edlin
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Raleigh, NC 27605

WAKE COUNTY, NC 468
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
04/10/2007 AT 15:32:45

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AMENDMENT TO BYLAWS OF JAMISON PARK COMMUNITY
ASSOCIATION, INC.

(Prepared for and Return to: Brian S. Edlin, Jordan Price Wall Gray Jones & Carlton, PLLC, P.O. Box 10669, Raleigh, NC 27605)

STATE OF NORTH CAROLINA
WAKE COUNTY

AMENDMENT TO BYLAWS OF
JAMISON PARK COMMUNITY
ASSOCIATION, INC.

THIS AMENDMENT to the Bylaws of Jamison Park Community Association, Inc. is made this 19 day of March, 2007, by the members of the Jamison Park Community Association, Inc.

WITNESSETH:

WHEREAS, the Covenants, Conditions and Restrictions for Jamison Park was recorded on 1 August 2000 in the Wake County Register of Deeds at book 8647, page 1136 ("Covenants");

WHEREAS, the Covenants subjected certain property more specifically described in Exhibit "A" to the Covenants to certain terms and conditions within the Covenants;

WHEREAS, the Covenants called for all owners of Lots within the Jamison Park Subdivision to be members of the Jamison Park Community Association, Inc. which entity was incorporated as a non-profit corporation on 3 August 2000. The Bylaws for the Jamison Park Community Association, Inc. were adopted on 3 August 2000;

WHEREAS, the Article XI for the Bylaws for the Jamison Park Community Association, Inc. state that the Bylaws can be amended by affirmative vote of the voting members having at least sixty seven percent (67%) of the aggregate voting interests, cast in person or by proxy at a meeting duly held in accordance with the provisions of the Bylaws;

WHEREAS, the voting members having at least sixty seven percent (67%) of the aggregate voting interests have voted, in person or by proxy at a meeting duly held in accordance with the provisions of the Bylaws, in favor of this amendment calling for staggered terms for the Board of Directors for the Jamison Park Community Association, Inc.; and

NOW THEREFORE, the undersigned does hereby declare that the Bylaws for the Jamison Park Community Association, Inc. shall be amended as follows:

1. To amend Article V, Section 3 of the Bylaws by deleting this Section in its entirety and inserting in lieu thereof the following:

"Section 3. Subsequent Number and Qualification. Until such time as the Class B Membership shall terminate, Declarant shall be the only member to select, or elect the Board of Directors.

Notwithstanding the foregoing, the Declarant may, at any time, voluntarily surrender its right as a Class B Member and appoint member of the Board of Directors before the occurrence of

those events of termination set forth in the Articles of Incorporation.

At such time as Declarant's Class B Membership rights to appoint the members of the Board of Directors expires or is surrendered, the terms of the directors appointed by Declarant shall thereupon immediately terminate. At such time, the number of members of the Board of Directors shall automatically increase from three (3) to five (5) as decided by the members of the Association upon a meeting called for that purpose to serve until the expiration of such directors' term as set forth in Article V, Section 4 of the Bylaws. At the end of such period where the Declarant's Class B Membership rights have terminated or upon surrender of those rights and if all Lots have not been transferred by Declarant, the Declarant for all purposes shall be deemed a Lot Owner and shall be entitled to vote in such elections as any other Lot Owner. During the time when it has the right to designate Directors, the Declarant shall have the right in its sole discretion to replace any Director or Directors it appointed and to designate their successors."

2. To amend Article V, Section 4 of the Bylaws by deleting this Section in its entirety and inserting in lieu thereof the following:

"Section 4. Election of Directors, Terms of Office. Except for the appointed directors provided for in Section 3 of this Article while Declarant is a Class B Member, and as otherwise provided in Section 5 of this Article, the directors shall be elected at the annual meeting of the Association; and those candidates who receive the highest number of votes shall be elected.

At the first annual meeting following adoption of this amendment, the Members shall elect two (2) directors for a term of one (1) year and three (3) directors for a term of two (2) years, and at each annual meeting thereafter the Members shall elect directors for the terms expiring that year for a term of two (2) years. Each director shall hold office for his or her term, or until his or her death, resignation, removal or disqualification and his or her successor is appointed or elected and qualifies. The Board of Directors' terms shall be staggered with two (2) directors serving a one (1) year term and three (3) directors serving a two (2) year term in duration or three (3) directors serving a one (1) year term and two (2) directors serving a two (2) year term in duration (as the case may be) at any given time in order to insure the continuity of experience and wisdom on the Board."

3. The remaining provisions of the Bylaws and all previous amendments thereto shall remain unchanged and in full force and effect.

CERTIFICATION OF VALIDITY OF AMENDMENT TO BYLAWS OF
JAMISON PARK COMMUNITY ASSOCIATION, INC.

By authority of its Board of Directors, Jamison Park Community Association, Inc. hereby certifies that the foregoing instrument has been duly authorized by affirmative vote of the voting members having at least sixty seven percent (67%) of the aggregate voting interests, in person or by proxy at a meeting duly held in accordance with the provisions of the Bylaws, and is, therefore, a valid amendment to the existing Bylaws for Jamison Park Community Association, Inc.

JAMISON PARK COMMUNITY ASSOCIATION, INC.

By: [Signature]
President

ATTEST:

[Signature]
Secretary

STATE OF NORTH CAROLINA

ACKNOWLEDGMENT

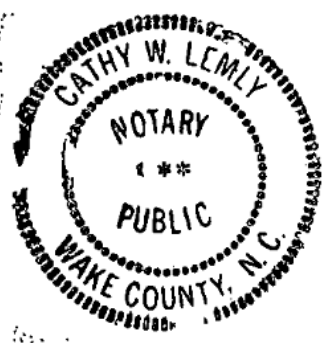
COUNTY OF WAKE

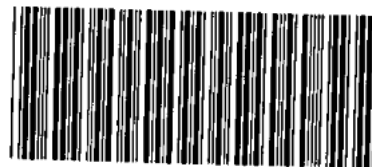
I, Cathy W. Lemly, a Notary Public of the County and State aforesaid, certify that Mary L. Beach personally came before me this day and acknowledged that he/she is Secretary/Assistant Jamison Park Community Association, Inc., a North Carolina non-profit corporation, and that by authority duly given and 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 as its Secretary/Assistant Secretary.

7 Witness my hand and official stamp or seal, this 19 day of March,
2008.

My commission expires:
9-11-10

Notary Public
[Signature]





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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**