

**FIRST AMENDMENT  
TO THE BYLAWS  
OF  
HIGHLAND FOREST OF FUQUAY-VARINA  
HOMEOWNERS ASSOCIATION, INC.**

WHEREAS, Brad Nelson is currently the sole Director (the "Director") for the Board of Directors of the Highland Forest of Fuquay-Varina Homeowners Association, Inc. (the "Association").

WHEREAS, the Director wishes to amend Article V, Section 5.1 of the Bylaws.

NOW, THEREFORE, it is agreed and declared that the Bylaws are amended so that Article V, Section 5.1 is hereby deleted in its entirety and replaced with the following:

**ARTICLE V  
BOARD OF DIRECTORS**

5.1. Number, Term and Qualification. The Association shall be governed by a Board of Directors. The Articles of Incorporation shall name the initial Director(s). Upon the recordation of the Declaration, the Board shall be increased to three (3) members until the expiration of the Declarant Control Period, as defined in the Declaration, and three (3) members thereafter. The term of such Directors is to be determined in accordance with the provisions of these Bylaws. There shall be two (2) classes of Directors: Class I Directors shall be elected by the Class A Members, and Class II Directors shall be elected by the Class B Members. All of the Directors shall be Class II Directors until the expiration of the Declarant Control Period, as defined in the Declaration. So long as the Class B membership remains in existence, the Class B member shall have the sole right to remove all directors, with or without cause, and to appoint the successors. After the expiration of the Declarant Control Period, all of the Directors shall be Class I Directors.

Each director shall hold office for his or her term limit (as set forth herein), or until his death, resignation, removal, disqualification, or his successor shall have been elected and qualified. Directors need not be residents of the State of North Carolina or Members of the Association. The terms of the Directors shall be staggered so that two (2) Directors shall serve for two year terms each, and one (1) Director shall serve for a one year term.

Adopted this 20<sup>th</sup> day of November, 2023 by the undersigned Director.

HIGHLAND FOREST OF FUQUAY-VARINA HOMEOWNERS  
ASSOCIATION, INC.



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Director – Brad Nelson