



NORTH CAROLINA

Department of the Secretary of State

To all whom these presents shall come, Greetings:

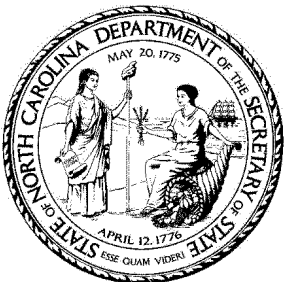
I, Elaine F. Marshall, Secretary of State of the State of North Carolina, do hereby certify the following and hereto attached to be a true copy of

ARTICLES OF AMENDMENT

OF

DALTONS RIDGE HOMEOWNERS ASSOCIATION, INC.

the original of which was filed in this office on the 7th day of December, 2011.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at the City of Raleigh, this 7th day of December, 2011.

Elaine F. Marshall

Secretary of State

SOSID: 0671386
 Date Filed: 12/7/2011 3:44:00 PM
 Elaine F. Marshall
 North Carolina Secretary of State
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State of North Carolina
 Department of the Secretary of State

ARTICLES OF AMENDMENT
 NONPROFIT CORPORATION

Pursuant to §55A-10-05 of the General Statutes of North Carolina, the undersigned corporation hereby submits the following Articles of Amendment for the purpose of amending its Articles of Incorporation.

1. The name of the corporation is: Dalton's Ridge Homeowners Association, Inc.

2. The text of each amendment adopted is as follows (*state below or attach*):

See attached Exhibit A

3. The date of adoption of each amendment was as follows: November 17, 2011

4. (*Check a, b, and/or c, as applicable*)

a. The amendment(s) was (were) approved by a sufficient vote of the board of directors or incorporators, and member approval was not required because (*set forth a brief explanation of why member approval was not required*)

B. X The amendment(s) was (were) approved by the members as required by Chapter 55A.

c. Approval of the amendment(s) by some person or persons other than the members, the board, or the incorporators was required pursuant to N.C.G.S. §55A-10-30, and such approval was obtained.

5. These articles will be effective upon filing, unless a date and/or time is specified: _____

This the 17th day of November, 2011.

Dalton's Ridge Homeowners Association, Inc.

Name of Corporation

Bruce J. Spaulding

Signature

Bruce J. Spaulding - President

Type or Print Name and Title

Notes:

1. Filing fee is \$25. This document and one exact or conformed copy of these articles must be filed with the Secretary of State.

2011 Proposed Amendments to Daltons Ridge ARTICLES OF INCORPORATION (changes are in bold)

Articles p2, Art.IV (b) as amended in 2007 regarding purposes of the Association – (cross reference with Declaration p4, Sect.3.1(a); Declaration p12, Sect.7.1 as amended in 2007; and Declaration p19-20, Sect.10.18)

Change from: “(b) improve, repair, replace, use, operate and maintain any Lot and the Common Area as provided in the Declaration, including but not limited to...pruning, fertilizing, seeding, mulching, preservation of the vegetation and landscaping, and the upkeep and maintenance of sprinklers, sprinkler pumps, wells, signs, lighting, planting boxes and other equipment, apparatus and Improvements located in the Lots and/or Common Area ...”.

Change to: “(b) improve, repair, replace, use, operate and maintain any Lot and the Common Area as provided in the Declaration, including but not limited to... pruning **(including tree roots that surface)**, fertilizing, seeding, mulching, preservation of the vegetation and landscaping, and the upkeep and maintenance of sprinklers, sprinkler pumps, wells, **public sidewalks (to the extent not repaired by the City of Raleigh), drains installed by the Developer**, signs, lighting, planting boxes and other equipment, apparatus and Improvements located in the Lots and/or Common Area ...”.

Reason for Change: (1) to differentiate between public & private sidewalks, and specifically define as Association responsibility, the repair of public sidewalks (if not done by the City) and Developer-installed drains; (2) to state Association responsibility for pruning of tree roots, as determined by the HOA attorney

Articles p 4-5, Art VIII as amended in 2007 – (cross reference with Bylaws p3, Art IV, Sect.1 amended in '07; Bylaws p3, Art V, Sect 1 amended in '07; and with Articles p5, Art IX amended in '07)

Change from: The affairs of the Association shall be managed by a Board of Directors (“the Board”) whose members shall be Members of the Association. The names and addresses of... Not more than one Owner per Lot may serve on the Board at the same time.”

Change to: The affairs of the Association shall be managed by a Board of Directors (“the Board”) a **majority of whose members must be Members of the Association (Lot Owners), but up to one (1) board member may be a non-Owner adult (age 21 or older) whose primary legal residence is in Daltons Ridge, but who is not a renter.** The names and addresses of... Not more than one **person** per Lot may serve on the Board at the same time.”

Reason for Change: To allow some non-Owner residents to serve on the Board, such that the Association may benefit from their talents and contributions. NC Planned Community Act requires a majority of the Board to be owners.

Articles p5, Art IX as amended in 2007 – (cross reference with Articles p4-5, Art VIII as amended in '07, and Bylaws p3, Art IV, Sect1 as amended in '07)

Change from: “...The President shall be elected from among the membership of the Board but no other officer need be a Director, but must be a Member of the Association. ...”

Change to: “...The President shall be elected from among the membership of the Board but no other officer need be a Director, **but at least 50% of principal officers (President, Vice President, Treasurer, and Secretary) must be Members of the Association, and up to two (2) may be non-Owner adults (age 21 or older) whose primary legal residence is in Daltons Ridge, but who are not renters.**”

Reason for Change: To allow some non-Owner residents to serve as principal officers.

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