

Prepared by/mail to: Harmony W. Taylor, Law Firm Carolinas 1927 S. Tryon St. Suite 100 Charlotte NC 28203

WAKE COUNTY

NORTH CAROLINA

**AMENDMENT TO THE DECLARATION
OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR TOWNES AT
BUCKHAVEN TOWNHOMES**

This AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR TOWNES AT BUCKHAVEN TOWNHOMES is made this 21st day of August, 2024, by TOWNES AT BUCKHAVEN HOMEOWNERS ASSOCIATION, INC.

WITNESSETH:

WHEREAS, the Declarant subjected TOWNES AT BUCKHAVEN (the "Property") to the Declaration of Covenants, Conditions and Restrictions for Townes at Buckhaven Townhomes recorded in Deed Book 12166, Page 1553 of the Wake County Registry and amendments to the same, including but not limited to the following (collectively, the "Declaration"):

- a) Book 12647, Page 890;

WHEREAS, the Declaration applies to and runs with the land described in the Plat Books and Pages of the Wake County Register of Deeds, including but not limited to the following:

- a) Book of Maps 2000, Page 2289;

WHEREAS, NCGS § 47F-2-117 states that the 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 majority the declaration specifies. The percentage required for passage per the Declaration is ninety percent (90%), and such approval has been obtained.

NOW THEREFORE, the Declaration of Covenants, Conditions and Restrictions for Townes at Buckhaven Townhomes is amended as follows:

Submitted electronically by "Black, Slaughter & Black, PA"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Wake County Register of Deeds.

Article VI (“Covenant for Maintenance Assessments”), Section 5 (“Special Assessments for Capital Improvements”) is amended to read as follows (additions indicated in bold and underline, deletions struck through):

Section 5. Special Assessments for Capital Improvements. In addition to the annual assessments authorized above, the Association may levy in any assessment year, a special assessment applicable to that year only; **Such special assessment may be levied** for the purpose of defraying, in whole or in part, the cost of any construction or reconstruction, unexpected repair or replacement of: **(i) a described capital improvement upon the Common Area, including the necessary fixtures and personal property related thereto, or (ii) any item of maintenance located upon a Lot for which the Association bears maintenance responsibility under the terms of Article IX of this Declaration.** ~~provided that a~~Any such assessment shall have the assent of two-thirds (2/3) of the votes of each class of members who are voting in person or by proxy at a meeting duly called for this purpose, written notice of which shall be sent to all members not less than thirty (30) days nor more than sixty (60) days in advance of the meeting setting forth the purpose of the meeting.

All other terms and conditions contained in the Declaration shall remain unchanged.

[Remainder of page intentionally left blank.]

**TOWNES AT BUCKHAVEN HOMEOWNERS
ASSOCIATION, INC.,**

a North Carolina nonprofit corporation.

By:

Carol Weisman
Carol Weisman, President

**STATE OF NORTH CAROLINA
COUNTY OF WAKE**

I, a Notary Public of the County and State aforesaid, certify that Carol Weisman personally came before me this day and acknowledged that she is **TOWNES AT BUCKHAVEN HOMEOWNERS ASSOCIATION, INC.**, and that she, President, being authorized to do so, executed the foregoing on behalf of **TOWNES AT BUCKHAVEN HOMEOWNERS ASSOCIATION, INC.**

WITNESS my hand and official stamp or seal, this 21st day of August, 2024.



Maleah Ingram
Notary Public

Maleah Ingram
Printed Name

My commission expires: May 09, 2028