

After recording, return to: Brian S. Edlin, P.O. Box 10669, Raleigh, NC 27605

STATE OF NORTH CAROLINA

COUNTY OF WAKE

AMENDMENT TO DECLARATION
OF COVENANTS, CONDITIONS AND
AND RESTRICTIONS FOR RIVERWALK
TOWNS

THIS AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR RIVERWALK ("Amendment") is made and entered into this 30th day of April 2025 by the **RIVERWALK TOWNS HOMEOWNERS ASSOCIATION OF CARY, INC.**, a North Carolina non-profit corporation (hereinafter referred to as the ("Association"), and the requisite number of Owners and Members of the Association voting in favor of the Association.

RECITALS:

A. The Declarant caused to be recorded the Declaration of Covenants, Conditions and Restrictions for Riverwalk Towns recorded in Book 4289, Page 367 of the Wake County Registry as amended in that certain First Amendment recorded in Book 13528, Page 1556 of the Wake County Registry as may have been amended from time to time (collectively "Declaration");

B. The Riverwalk Towns Homeowners Association of Cary, Inc. ("the Association") was incorporated on 28 June 1988;

C. Article XII, Section 3 of the Declaration allows the Declaration to be amended by not less than sixty-seven percent (67%) of the Lot Owners.

D. Not less than sixty-seven percent (67%) of the Lot Owners in the Association have approved this Amendment.

NOW, THEREFORE, the undersigned does hereby declare that the of Covenants, Conditions and Restrictions for Riverwalk Towns shall be amended as follows:

1. Incorporation of Recitals. The foregoing Recitals are incorporated by this

reference as if fully set forth herein.

2. To add a new Section 9 to Article X as follows:

No Lot shall be leased, rented, assigned, sub-leased, or licensed for transient or hotel purposes, including without limitation, through such online platforms as Homeaway, Airbnb or VRBO. Subject to the limitations set forth above, an Owner may nevertheless lease the entire Lot provided that each lease (i) must be in writing, (ii) must be for a period of not less than six (6) months, and (iii) must provide that it is subject to this Declaration and the Bylaws and that any failure by a tenant to comply with such shall be a default under the lease. The Owner shall provide the Association with a copy of any and all leases entered into by the Owner within five (5) days after the lease commencement date.

3. This amendment shall be effective upon recordation in the Office of the Wake County Register of Deeds.

4. Except as amended hereinabove and heretofore, the remaining portions of the Declaration as originally recorded are hereby restated and reacknowledged.

IN TESTIMONY WHEREOF, the Association has caused this instrument to be executed in their individual and corporate names as of the day and year first above written.

[Signature Page Follows]

CERTIFICATION OF VALIDITY
OF AMENDMENT TO COVENANTS, CONDITIONS AND RESTRICTIONS FOR
RIVERWALK

By authority of its Board of Directors, the undersigned officers of the Riverwalk Towns Homeowners Association of Cary, Inc., hereby certify that the foregoing instrument has been duly adopted and approved by the requisite percentage of Owners of Lots in Riverwalk Towns Homeowners Association of Cary and is, therefore, a valid amendment to the existing Declaration of Covenants, Conditions and Restrictions for Riverwalk Towns.

RIVERWALK TOWNS HOMEOWNERS' ASSOCIATION OF CARY, INC.

By: *John C. Kettenhofen*
President

ATTEST:

Sandra V. Allen
Secretary

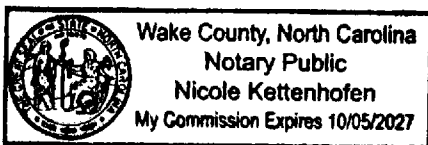
STATE OF NORTH CAROLINA
COUNTY OF WAKE

ACKNOWLEDGMENT

I, *Nicole Kettenhofen*, a Notary Public of the County and State aforesaid, certify that *Sandra Allen* personally came before me this day and acknowledged that he/she is Secretary/Assistant Secretary of Riverwalk Towns Homeowners Association of Cary, 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 and attested by as its Secretary/Assistant Secretary.

Witness my hand and official stamp or seal, this 7 day of May, 2025.

(Stamp or Seal)



4860-9578-1363, v. 1

Nicole Kettenhofen
Notary Public
Printed Name: *Nicole Kettenhofen*
My commission expires: 10/05/2027