

Prepared by and return to:

Michael R. Ganley, Attorney, Bagwell Holt Smith P.A.
111 Cloister Court, Ste. 200, Chapel Hill, NC 27514

**FIRST AMENDMENT TO
DECLARATION OF COVENANTS
PARTIN PLACE SUBDIVISION**

This First Amendment to Declaration of Covenants Partin Place Subdivision (this "First Amendment") is made this 20th day of March, 2018, by Partin Place Subdivision Homeowner's Association, Inc., a North Carolina non-profit corporation, hereinafter referred to as the "Association." The Association hereby states and declares as follows:

A. WHER DEV, Inc. previously made a Declaration of Covenants Partin Place Subdivision, recorded at Book 15692 Page 650, Wake County Registry (as amended and supplemented, the "Declaration").

B. Section 17.3 of the Declaration provides that the Declaration may be amended only by a written instrument executed by the Association and authorized by the affirmative vote of at least sixty-seven percent (67%) of all Lots, cast in person or by proxy at a meeting held in accordance with the Bylaws of the Association.

C. Sixty-seven percent (67%) or greater of the Lots subject to the Declaration have provided their consent to this First Amendment to the Association.

D. The Association desires to amend the Declaration for the purpose of amending certain provisions and incorporating new provisions in the Community.

NOW THEREFORE, the Association hereby amends the Declaration as follows:

1. Notwithstanding anything in the Declaration to the contrary, any Owner who acquired their Lot prior to the date of this First Amendment shall be permitted to pay a lesser rate of Base Assessments reduced by the costs incurred by the Association for amenities constructed on Common Property shown on any plat of the Property recorded after the date of this First Amendment (the "Amenity Parcels"). However, any Owner who pays a lesser rate of Base Assessments due to their non-usage of the Amenity Parcels shall not be permitted to access or make use of the Amenity Parcels. Notwithstanding the foregoing, any Owner may submit a request to the Association to be permitted access to the Amenity Parcels upon said Owner's consent to pay the standard annual Base Assessment.

2. The terms and provisions of this First Amendment shall not apply to any Owner who acquires their Lot following the date of this First Amendment.

IN WITNESS WHEREOF, the Association has caused this instrument to be executed by its duly authorized President, all by order and authority duly granted by Sixty-seven percent (67%) or greater of the Lots subject to the Declaration, as of the day and year first above written.

Partin Place Subdivision Homeowner's Association, Inc.,
a North Carolina non-profit corporation

By: _____

Gray Methven, President

STATE OF North Carolina
COUNTY OF Wake

I, Rachel Cavalear, a Notary Public of the County and State aforesaid, certify that Gray Methven personally appeared before me this day and acknowledged that he is President of Partin Place Subdivision Homeowner's Association, Inc., a North Carolina non-profit corporation, and that he, being duly authorized to do so, executed the foregoing for and on behalf of said non-profit corporation.

Rachel Cavalear
Official Signature of Notary Public

Date: March 20, 2018

Rachel Cavalear
Notary's Printed or Typed Name, Notary Public

My commission expires: April 15, 2022

