

This document presented and filed:
10/15/2020 01:08:15 PM

Fee \$26.00



Caldwell County North Carolina
Wayne L. Rash, Register of Deeds

✓ Greta Wilson

STATE OF NORTH CAROLINA

AMENDED & RESTATED AMENDMENT
TO DECLARATION OF CONDOMINIUM
OF PINNACLE WOODS
CONDOMINIUM

COUNTY OF CALDWELL

This *Amended and Restated* Amendment to the Declaration of Condominium of Pinnacle Woods Condominium (the "Declaration") shall be effective on the date of recordation in the Caldwell County Register of Deeds and shall serve to amend the Declaration

BACKGROUND STATEMENT

WHEREAS, Paragraph 17 of the Declaration states that the declaration may be amended upon the affirmative vote of unit owners entitled to vote at least two thirds (2/3) of the total votes of the condominium at a regular or special meeting or by the written consent of said portion of the unit owners, evidenced by a certificate thereof by any officer of the Board recorded in the office of the register of deeds of the county in which the Condominium is located, and all parties dealing with any of the Condominium property are hereby authorized to rely on each said certificate; and,

WHEREAS, the Pinnacle Woods Condominium Owners Association, Inc. (the "Association") held a special meeting on August 1, 2020 and 100% of the total votes of the condominium consented via email vote or written proxy to amending the Declaration as set forth more particularly below:

NOW THEREFORE, to provide notice to all present and future members of the Pinnacle Woods Condominium Owners Association, Inc. owning property within Pinnacle Woods Condominium, the Association hereby amends the Declaration as follows:

1. By amending Article 18. "Miscellaneous Provisions" by adding thereto the following Article 18(f):

Rentals. The members desire to amend the Declaration to add a term to be new **Article 18 (f) "Property Rentals"**, which will regulate and reasonably limit rentals of property within The Pinnacle Woods Condominiums as follows:

(f) Property Rentals. No rental or lease of any unit within Pinnacle Woods Condominiums for a duration less than ninety (90) days is permitted. The purpose of this "Short Term Rental Restriction" is to further the purpose(s) set forth in the Declaration including to

circumvent this restriction. Property owners must inform the Association in writing of the name, phone number, and mailing address of the tenant(s) within one week of commencement of the lease term. Property owners understand that they are ultimately responsible for maintaining their and their tenant(s)' compliance with the Declaration, as amended.

2. Reaffirmation of Existing Covenants. Except as set forth herein above, the remaining provisions of the Declaration and the owners' obligation to comply therewith are hereby reaffirmed. Any failure by the Association or original Declarant to enforce a remedy contained in the Declaration, as amended, or the Act does not constitute a waiver thereof.

IN WITNESS WHEREOF, this Notice of Amendment to Declaration by the Pinnacle Woods Condominium Owners Association, Inc. is executed by its secretary upon the vote of one hundred percent (100%) of the members entitled to vote at the October 15 2020 special meeting of the Association and shall have an effective date as of the recordation hereof in the Caldwell County Register of Deeds.

PINNACLE WOODS ~~CONDOMINIUM~~ OWNERS
ASSOCIATION, INC. ~~CONDOMINIUM~~

By: Greta H. Wilson
Greta H. Wilson, Secretary

STATE OF NORTH CAROLINA

Watauga
COUNTY OF ~~CALDWELL~~

I, Margaret M. Wultz, notary public, certify that **Greta H. Wilson** personally came before me this day and acknowledged that she is the Secretary of Pinnacle Woods Condominium Association Inc., a North Carolina Nonprofit Corporation, and that she, as Secretary, being authorized to do so, executed the foregoing on behalf of the corporation.

Witness my hand and official seal, this the 15 day of Oct., 2020.

Margaret M. Wultz (SEAL)

My commission expires: Jan. 8, 2022

