

STATE OF NORTH CAROLINA
DAVIDSON COUNTY

AMENDMENT TO DECLARATION OF
RIGHTS, RESTRICTIONS, CONDITIONS,
ETC., which constitute covenants
running with certain lands of the New
Harborage Subdivision.

The undersigned being the duly elected President of the Harborage Property Owners Association, Inc. within a certain subdivision know as New Harborage do hereby amend, as follows, the Declaration of Rights, Restrictions, and Conditions dated June 14, 1990 and recorded June 14, 1990 in Book 743, page 1231, in the Office of the Register of Deeds for Davidson County North Carolina

Article V, Section 4 has been revised, as follows, to reduce the percentage presence required to establish a quorum at a Membership Meeting. Approval was granted by the HPOA Membership at its Annual Meeting on October 14, 1995.

Article V, Section 4 Notice and Quorum for Any Action Authorized. Written notice of any meeting called for the purpose of taking any action authorized shall be sent to all members not less than 30 days nor more than 60 days in advance of the meeting. At the first such meeting called, the presence of members or of proxies entitled to cast fifty (50) percent of all votes shall constitute a quorum. If the required quorum is not present, another meeting may be called subject to the same notice requirement, and the required quorum at the subsequent meeting will be one-half (1/2) of the required quorum at the preceding meeting. No such subsequent meeting shall be held more than 60 days following the preceding meeting.

Article III, Section 6 and Article V, Sections 3a, 3b, and 5 have been revised, as follows, to allow dues and assessments to be billed and collected on an annual basis; and, to establish October as the benchmark month for the annual CPI adjustment. Approval was granted by the HPOA Membership at its Annual Meeting on September 10, 2010.

Article III, Section 6. Board of Directors Shall Have the Authority to Establish the Means of Billing and Collecting Dues and Assessments. Such dues and assessments shall be billed and collected in advance on either a monthly, quarterly, or annual basis in the discretion of the Board of Directors. The Board may establish, as an alternative method

for the collection of dues, a bank draft plan under the terms of which members of the Corporation may, on a voluntary basis, authorize in writing on a periodic basis drafts upon their individual bank accounts, utilizing such form of bank draft as shall be established by the Board of Directors.

Article V, Section 3 Annual Assessments.

- a) Until January 1st of the year immediately following the conveyance of the first lot to an owner, the maximum annual assessment shall be Four Hundred Eighty and no/100 Dollars per lot or \$40 per month which may be assessed on a monthly, quarterly, or annual basis.
- b) From and after January 1st of the year immediately following the conveyance of the first lot to an owner, and each year thereafter, the maximum annual assessment for each lot may be Increased by the Board of Directors without a vote of the membership by a percentage equal to the percentage increase of level of the Consumer Price Index Urban Wage Earners and Clerical Workers, U.S. Average—All Items (1967 = 100) published by the Bureau of Labor Statistics of the United States' Department of Labor (or similar statistical standards) over the preceding year. Such percentage Increase shall be determined by comparing the Index level for October immediately preceding the year of adjustment with the Index level for the previous October.

Article V, Section 5. Uniform Rate of Assessment. Both annual and special assessments must be fixed at a uniform rate for all lots, the rate for each type lot to the rate for the other types must be established at the same proportion as is originally stated herein. The said assessments may be collected on a monthly, quarterly, or annual basis and shall be paid to the collection agency as directed by the Board of Directors.


Article VI, Section 2 has been revised, as follows, to allow Notices to be hand delivered or sent by electronic media (fax, e-mail, etc.). Approval was granted by the HPOA Membership at its Annual Meeting on September 10, 2010.

Article VI, Section 2. Notices. Any notice required to be sent to any Member or Owner under the provisions of this Declaration shall be deemed to have been properly sent, and notice thereby given, when mailed postpaid, hand delivered, or sent by electronic media (fax, e-mail, etc.) to the last known address of the person who appears as Member or Owner on the records of the Association at the time of such mailing. Notice to one of two or more co-owners of a Lot shall constitute notice to all co-owners. It shall be the obligation of every member to notify immediately the Secretary of the Association in writing of any change of address.

Except as herein amended all the remaining terms, conditions, and provisions in the Declaration of Rights, Restrictions, Conditions, Etc., as set forth in Book 743, page 1231, in the Office of the Register of Deeds for Davidson County North Carolina are hereby ratified and confirmed.

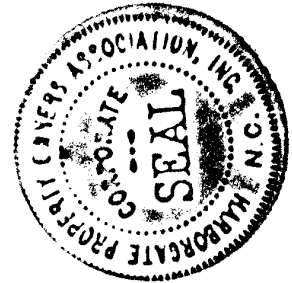
IN WITNESS WHEREOF, we have hereunto set our hands and seal this 6th day of October, 2011.

Harborage Property Owners Association, Inc.

By: 
Ross Whitfield, President

ATTEST:


Lisa Vaughan, Secretary (Corporate Seal)
Harborage Property Owners Association, Inc.

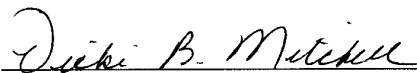


STATE OF NORTH CAROLINA

DAVIDSON COUNTY

I, Vicki B. Mitchell, a Notary Public, do hereby certify that Lisa Vaughan, personally came before me this day and acknowledged that she is Secretary of Harborage Property Owners Association, Inc. and that, by authority duly given and as the act of the Corporation, the forgoing instrument was signed in its name by its President, sealed with its corporate seal, and attested to by her as its Secretary.

Witness my hand and official stamp or seal this 6th day of October 2011.


Notary Public

My commission expires: 4-12-2012

