

Prepared by and return to:  
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STATE OF NORTH CAROLINA

COUNTY OF JOHNSTON

FIRST AMENDMENT TO THE  
DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS  
FOR THE PINEVILLE EAST  
COTTAGES @ THE VILLAGE

THIS FIRST AMENDMENT TO THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE PINEVILLE EAST COTTAGES @ THE VILLAGE, made this 17<sup>th</sup> day of March, 2014, by Pineville East Cottages, Inc., a North Carolina not for profit corporation organized to perform all of the duties and obligations of the Association as set forth in the said Declaration, as amended (hereinafter, the "Association").

WITNESSETH:

WHEREAS, DWF Development, Inc., as Declarant, recorded that certain Declaration of Covenants, Conditions and Restrictions for The Pineville East Cottages @ The Village in Book 3341, Page 575, Johnston County Registry (hereinafter, the "Declaration"); and

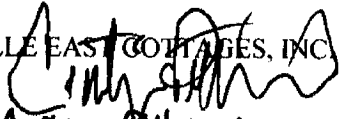
WHEREAS, The Pineville East Cottages @ The Village is a planned community created within this State on or after January 1, 1999, and is therefore a "planned community" as that term is defined in Chapter 47F of the North Carolina General Statutes, commonly known as the "North Carolina Planned Community Act" (hereinafter, the "Planned Community Act" or the "Act"); and

WHEREAS, the Association wishes to revise and amend the Declaration (and, to the

IN WITNESS WHEREOF, the Association has caused this instrument to be executed in its corporate name by authority duly given and has attached hereto its "Certificate of Validity of Amendment" in accordance with provisions of the Act, all as of the date and year first above written.

This the 1<sup>st</sup> day of March, 2014.

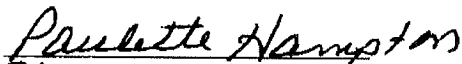
PINEVILLE EAST COTTAGES, INC

By:   
Name: CURTIS PITTMAN  
Title: President

CERTIFICATE OF VALIDITY OF AMENDMENT TO  
DECLARATION FOR THE PINEVILLE EAST COTTAGES  
@ THE VILLAGE

By authority of its Board of Directors, and pursuant to N. C. Gen. Stat. Sec. 47F-2-117, the undersigned Secretary of the Board of Directors of the Association does hereby certify that the Association has reasonably assured itself that this Amendment has in fact been duly approved and adopted by a vote and/or written consent of not less than two-thirds (2/3) of the total Class "A" Members of the Association, and that the foregoing Amendment is therefore a valid amendment to the Declaration.

PINEVILLE EAST COTTAGES, INC.

By:   
Name: PAULETTE HAMPTON  
Title: Secretary

extent necessary to accomplish the same results, the Association's By-Laws), in the following respect: (1) to exclude maintenance, repair or replacement of any Unit's Yard Improvements from being an Area of Common Responsibility of the Association, making each Unit Owner responsible for maintaining, repairing and replacing the grass, plants, shrubs, trees and landscaping on the Unit;

WHEREAS, Section 47F-2-117(a) of the Act provides that each Declaration may be amended by affirmative vote or written agreement signed by lot owners of lots to which at least sixty-seven percent (67%) of the votes in each Association are allocated, or any larger majority the Declaration specifies; and

WHEREAS, Article XVII, Section 17.2 of the Declaration provides that the Declaration may be amended by the affirmative vote or written consent, or any combination thereof, of two-thirds (2/3) of the total Class "A" votes held by Members other than the Declarant, and the consent of the Declarant, so long as the Declarant owns any property subject to the Declaration; and

WHEREAS, no property subject to the Declaration is owned by the Declarant; and

WHEREAS, during the month of March 2014, the Association's Board of Directors circulated a written ballot to all Members of the Association and held a special meeting of the Members of the Association on March 17, 2014, at which meeting a vote was taken, with the result that not less than twelve (12) of the eighteen (18) Members, or not less than two-thirds (2/3) of the total Class "A" Members agreed to all of the revisions and amendments to the Declaration contained herein; and

WHEREAS, the Association's Board of Directors has attached hereto a Certificate of Validity of Amendment by the Association;

NOW, THEREFORE, the Association, upon the affirmative vote or written consent of not less than two-thirds (2/3) of the total Class "A" Members of the Association subject to the Declaration, does hereby declare that the following amendment shall be binding upon all parties having or acquiring any right, title or interest in the real property subject to the Declaration or any part thereof, and shall inure to the benefit of each lot Owner or successor in interest or assignee thereof:

1. Article V, Section 5.3 of the Declaration, captioned "Yard Improvements" is amended and restated as follows:

*Each Owner shall be responsible for maintaining the grass, plants, shrubs, trees, landscaping, walks and parking areas (hereinafter Yard Improvements) on said Owner's Unit(s). No Owner or Occupant shall plant any vegetation in the front yard or along the front facade of the Unit except with the prior written approval of the Association.*

2. This Amendment shall be effective from the date of recordation in the Johnston County Registry.

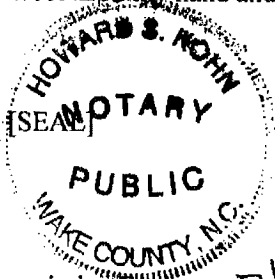
3. Except as specifically amended hereinabove, the remaining provisions of the Declaration are ratified and affirmed and shall remain in full force and effect in all respects.

STATE OF NORTH CAROLINA

COUNTY OF WAKE

I, Howard S Kohn the undersigned Notary Public of the State and County aforesaid, do hereby certify that Curtis Pittman personally appeared before me this day and acknowledged that he/she is President of Pineville East Cottages, Inc., a North Carolina not for profit corporation (the "Corporation") and that by authority duly given and as the act of the Corporation, the foregoing instrument was signed in its name by him/her as its President.

WITNESS my hand and notarial stamp/seal, this the 17<sup>th</sup> day of March, 2014.



[Signature]  
Official Signature of Notary Public  
Howard S Kohn  
Typed or Printed Name of Notary Public

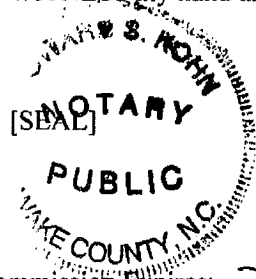
My Commission Expires: 7/13/14

STATE OF NORTH CAROLINA

COUNTY OF WAKE

I, Howard S Kohn, the undersigned Notary Public of the State and County aforesaid, do hereby certify that Vanette Hampton personally appeared before me this day and acknowledged that he/she is Secretary of Pineville East Cottages, Inc., a North Carolina not for profit corporation (the "Corporation") and that by authority duly given and as the act of the Corporation, the foregoing Certificate was signed in its name by him/her as its Secretary.

WITNESS my hand and notarial stamp/seal, this the 17<sup>th</sup> day of March, 2014.



[Signature]  
Official Signature of Notary Public  
Howard S Kohn  
Typed or Printed Name of Notary Public

My Commission Expires: 7/13/14