

STATE OF NORTH CAROLINA  
COUNTY OF BERTIE

DECLARATION OF TURNOVER AND TERMINATION OF  
CLASS B AND CLASS C MEMBERSHIPS

THIS DECLARATION OF TURNOVER AND TERMINATION OF CLASS B  
AND CLASS C MEMBERSHIPS ("Declaration of Turnover and Termination") is made this  
23rd day of December, 2013, by BLACK ROCK DEVELOPMENT CORPORATION, a North  
Carolina corporation, and WANDA H. BELL, Executor of the Estate of WILLIAM M. BELL  
(collectively, the "Declarant").

RECITALS:

- A. Declarant is the developer of a certain tract of land in Bertie County  
known as Black Rock Farm.
- B. Declarant caused to be recorded the Declaration of Covenants, Conditions  
and Restrictions of Black Rock Farm in Book 773, at Page 96 in the office of the Register of  
Deeds of Bertie County (as amended and supplemented, the "Declaration"). The terms of this  
Declaration of Turnover and Termination shall have the same meaning as set forth in the  
Declaration unless otherwise defined herein.
- C. Declarant caused to be incorporated Black Rock Development Owners  
Association, Inc., a North Carolina nonprofit corporation ("Association"), for the purpose of  
maintaining, operating, and administering the Community Properties in Black Rock Farm and  
otherwise operating and managing Black Rock Farm.

Prepared by Ward and Smith, P.A., 127 Racine Drive, University Corporate Center (28403), Post  
Office Box 7068, Wilmington, NC 28406-7068  
Please return to Ward and Smith, P.A., 127 Racine Drive, University Corporate Center (28403),  
Post Office Box 7068, Wilmington, NC 28406-7068  
Attention: Justin M. Lewis

D. The Association is governed pursuant to the Articles of Incorporation of Black Rock Development Owners Association, Inc. ("Articles") and the Bylaws of Black Rock Development Owners Association, Inc. ("Bylaws").

E. Section 3.4 of the Declaration provides that Declarant shall turn over control of the Association to the Owners other than Declarant, as evidenced by a written document delivered to the President of the Association ("Turnover").

F. The Declarant desires to turn over control of the Association to the Owners other than Declarant.

G. The Articles and Bylaws establish two classes of members of the Association, Class A members and Class B members. The Declaration purportedly establishes three classes of members of the Association, Class A, Class B, and Class C members.

H. Declarant desires to terminate the Class B membership described in the Articles and Bylaws and the Class B membership and Class C membership described in the Declaration.

**Turnover**  
NOW THEREFORE, pursuant to Section 3.4 of the Declaration, the Declarant hereby turns over control of the Association to the Owners in Black Rock Farm other than Declarant. Declarant has delivered a copy of this executed Declaration of Turnover and Termination to the President of the Association to serve as written evidence of Turnover. Turnover shall be effective as of the date this Declaration of Turnover and Termination is recorded in the office of the Register of Deeds of Bertie County.

**Termination of Class B Membership and Class C Membership**

FURTHERMORE, the Declarant hereby terminates the Class B membership and Class C membership as follows:

1. The Class B membership described in Article IV, Section C of the Articles and Article II, Section C of the Bylaws is hereby terminated and converted to Class A membership to the extent said termination and conversion did not already take place on January 1, 2003 pursuant to the terms of the Articles and Bylaws.

2. The Class B membership and Class C membership described in Sections 3.2.2 and 3.2.3 of the Declaration, respectively, are hereby terminated.

3. To the extent necessary, the Declaration is hereby amended to provide that there shall only be one class of members in the Association, Class A Members, and each Class A member shall be entitled to one (1) vote for each Lot owned.

IN TESTIMONY WHEREOF, Declarant has caused this Declaration of Turnover and Termination to be executed under seal and in such form as to be legally binding all by authority duly given this the day and year first above written.

BLACK ROCK DEVELOPMENT CORPORATION  
(SEAL)

By:

Wanda H. Bell (SEAL)  
Wanda H. Bell

President

STATE OF North Carolina  
COUNTY OF Bertie

I certify that the following person personally appeared before me this day, acknowledging to me that he signed the foregoing document for the purpose(s) stated therein, in the capacity indicated therein: Wanda H. Bell

Date: 12/23/13

Hood Ellis  
Signature of Notary Public

Hood Ellis

Notary's printed or typed name

My commission expires: 4/17/17

**HOOD ELLIS**  
Notary Public  
Chowan County, NC

(Official Seal)



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Wanda H. Bell (SEAL)

Wanda H. Bell, Executor of the Estate of  
William M. Bell

UNOFFICIAL

STATE OF North Carolina  
COUNTY OF Bertie

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