

3421-228

\$25.00/M

FOR REGISTRATION REGISTER OF DEEDS  
REBECCA T. CHRISTIAN  
NEW HANOVER COUNTY, NC  
2002 SEP 05 02:22:40 PM  
BK: 3421 PG: 228-232 FEE: \$23.00  
INSTRUMENT # 2002044081

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

AMENDMENT TO BY-LAWS  
OF ASHLEY PARK AT GEORGETOWNE HOMEOWNERS ASSOCIATION, INC.

THIS AMENDMENT to the By-Laws of Ashley Park at Georgetowne Homeowners Association, Inc. dated this 27 day of August, 2002 by the Ashley Park at Georgetowne Homeowners Association, Inc., a North Carolina non-profit corporation, with the Articles of Incorporation recorded in Book 2507, at Page 969, et seq. of the New Hanover County Registry.

WITNESSETH:

WHEREAS, the Declarations of Covenants, Conditions and Restrictions for Ashley Park at Georgetowne Section I are recorded in Book 2507, at Page 976 with the By-Laws of the Ashley Park at Georgetowne Homeowners Association, Inc. being a part of said Declaration, said By-Laws being recorded in Book 2507, at Page 991, all of the New Hanover County Registry; and

WHEREAS, the Declarations of Covenants, Conditions and Restrictions for Ashley Park at Georgetowne Section II are recorded in Book 2602, at Page 757 together with the Amended and Restated By-Laws of the Ashley Park at Georgetowne Homeowners Association, said By-Laws being recorded in Book 2602, Page 757, all of the New Hanover County Registry;

WHEREAS, the By-Laws and Amended and Restated By-Laws as referenced above provide that the By-Laws may be amended at any time prior to December 31, 2003 by the developer/declarant at its discretion, but not to impair the property value of the lot owners

RETURNED TO A. Solara

by an instrument duly recorded in the Office of the Register of Deeds for New Hanover County.

WHEREAS, it is the desire of the to amend and modify the Amended and Restated By-Laws, as follows:

1. All references to the property management company shall mean and refer to the property management company through the Board of Governors representing the homeowners and the homeowners association.
2. All notices to the Association shall be sent to the management company employed by the Association.
3. Article II, Section 2, shall be changed to reference Article IV, Section 9 not Article V, Section 2.
4. Article III shall be amended to include the following provisions:
  - a. The Board of Governors shall be elected at the First Annual Meeting of the association. The initial term of office shall be one (1) year. Subsequent to the initial term for the first Board of Governors, the term of office for the Board Member shall be two years.
  - b. Any vacancies on the Board created shall be filled by appointment by the remaining members of the Board.
  - c. The removal of a Board member shall only be upon majority vote of the membership of the association.
5. Article IV, Section 1 is corrected to read "...provision of Section 9 of this Article IV."
6. Article VII is corrected to read "...as provided in Section 10 of Article IV..."
7. Schedule A shall be amended, as follows:
  - a. Rule #1 shall read: "The Declarant/Developer will serve as sole Architectural Control Authority until January 1, 2003. At that time the Board of Governors will then become the Architectural Control Authority."

- b. Rule #12 shall read: "All propane gas tanks must be located at the rear of the residence. Any other location must be approved by the Architectural Control Authority and remain consistent with the standards of Ashley Park at Georgetowne.

NOW, THEREFORE, the Ashley Park at Georgetowne Homeowners Association, Inc. hereby amends the By-Laws of the Ashley Park at Georgetowne as hereinabove described.

Accept as amended hereby, the By-Laws of the Ashley Park at Georgetowne Homeowners Association, Inc. as hereinabove referenced shall remain in full force and effect.

IN TESTIMONY WHEREOF, the ASHLEY PARK AT GEORGETOWNE HOMEOWNER ASSOCIATION, INC. has caused this AMENDMENT TO THE BY-LAWS to be signed in its corporate name and duly attested and sealed with its corporate seal on the day and year first above written.



DECLARANT:

ASHLEY PARK DEVELOPMENT, INC.

By

ATTEST:

STATE OF NORTH CAROLINA

COUNTY OF New Hanover

I, Wendy M. Melville, a Notary Public in and for the State and County aforesaid, hereby certify that Landon Weinbach personally appeared before me this day and acknowledged that s/he is Asst. Secretary of Ashley Park Development, Inc., a North Carolina Corporation, and that by authority duly given and as the act of the Corporation, the foregoing instrument was signed in its name by its Asst. President, sealed with its corporate seal and attested by her as its Asst. Secretary.

WITNESS my hand and notarial stamp or seal, this the 20<sup>th</sup> day of August, 2002.

Wendy M. Melville  
Notary Public

My Commission Expires: 2/28/06



OFFICIAL SEAL  
North Carolina • New Hanover County  
**WENDY M. MELVILLE**  
NOTARY PUBLIC  
My Commission Expires 2-28-2006

3421-252



REBECCA T. CHRISTIAN  
REGISTER OF DEEDS, NEW HANOVER  
JUDICIAL BUILDING  
316 PRINCESS STREET  
WILMINGTON, NC 28401

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Filed For Registration: 09/05/2002 02:22:40 PM  
Book: RE 3421 Page: 228-232  
Document No.: 2002044081  
AMEND 5 PGS \$23.00

Recorder: KAREN D GALLOWAY

.....  
State of North Carolina, County of New Hanover

The foregoing certificate of WENDY M MELVILLE Notary is certified to be correct. This 5TH of September 2002

REBECCA T. CHRISTIAN, REGISTER OF DEEDS

By: Karen Galloway  
Deputy/Assistant Register of Deeds

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