

FILED
 WARREN COUNTY NC
 YVONNE D. ALSTON
 REGISTER OF DEEDS

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EXCISE TAX	(None)
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Prepared by and return after recording to:

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 P.O. Box 10669, Raleigh, NC 27605

STATE OF NORTH CAROLINA

**AMENDMENT TO WILL'S LANDING
 SUBDIVISION RESTRICTIVE COVENANTS**

WARREN COUNTY

This AMENDMENT TO THE WILL'S LANDING SUBDIVISION RESTRICTIVE COVENANTS is made this 19 day of July, 2023, by the consent of the owners of not less than seventy-five percent (75%) of the lots within Will's Landing and the Will's Landing Property Owners Association, Inc.

WITNESSETH:

WHEREAS, John E. Williams Builder, Inc. a North Carolina Corporation (the "Declarant") caused to be recorded the Will's Landing Subdivision Restrictive Covenants in Book 695, Page 0277 of the Warren County Registry on September 15, 2000, which was thereafter amended, including in Book 703, Page 0504; Book 00844, Page 0461; Book 0082, Page 0894, all in the Warren County Registry (collectively, the "Declaration"); and

WHEREAS, the Declaration contains inconsistent and contradictory language, as to the percentage of lot owners necessary to approve an amendment to the Declaration; and

WHEREAS, Subsection (6) of the Road Maintenance Assessments in the Declaration provides that action taken by the Association shall not be by less than fifty percent (50%) of those lots present in person or by proxy and Subsection (11) of the Road Maintenance Assessments in the Declaration, provides that the Declaration may be amended by the consent of the owners of not less than seventy-five percent (75%) of the lots within Will's Landing; and

WHEREAS, the owners of not less than seventy-five percent (75%) of the lots within Will's Landing Subdivision desire to amend the Declaration to adopt the specific amendment procedures of the North Carolina Planned Community Act, to provide for approval by owners of

at least sixty-seven percent (67%) of the lots and to further delete conflicting provisions as to the percentage of lot owners necessary to amend the Declaration;

NOW, THEREFORE, the undersigned do hereby declare that the Declaration is amended by deleting Subsection (11) of the Covenant For Road Maintenance Assessments in its entirety and by deleting Section 1 of the General Provisions Article in its entirety, and inserting in lieu thereof the following:

Section 1. Term; Amendment.

These covenants and restrictions shall run with, burden and bind the land for a term of thirty (30) years from the date this amendment is recorded, after which time they shall be automatically extended for successive periods of ten (10) years. This Declaration may be amended upon the affirmative vote or written consent, or any combination thereof, of the owners of at least sixty-seven percent (67%) of the lots. If amendment to the Declaration is approved by the requisite votes or written consent, or any combination thereof, of the owners, the Board of Directors shall attach to the amendment a certification as to its validity and shall record the amendment in the Office of the Register Deeds of Warren County. No amendment shall be effective until recorded. Amendments to this Declaration shall become effective upon recordation, unless a later effective date is specified therein. Any lawsuit challenging any aspect of an amendment to this Declaration must be filed in the appropriate court and county within one (1) year of the recordation of such amendment in the Warren County Registry.

Except as amended hereinabove, the remaining portions of the Declaration are and shall remain unchanged and in full effect. This Amendment to the Will's Landing Subdivision Restrictive Covenants shall become effective as of the date it is recorded in the Office of the Register of Deeds, Warren County, North Carolina.

[Certification Page Follows]

CERTIFICATION OF VALIDITY OF AMENDMENT

By authority of its Board of Directors, the undersigned President of Will's Landing Property Owners Association, Inc., hereby certifies that the foregoing instrument has been duly approved by the owners of at least seventy-five percent (75%) of the lots within Will's Landing Subdivision and is, therefore, a valid amendment to the existing Will's Landing Subdivision Restrictive Covenants.

WILL'S LANDING PROPERTY OWNERS ASSOCIATION, INC.

By: Brian P. Tobin
President

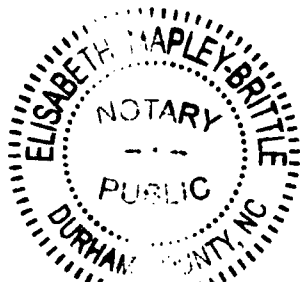
STATE OF NORTH CAROLINA

ACKNOWLEDGMENT

COUNTY OF Wake

I, Elisabeth Mopley-Brittle, a Notary Public of the County and State aforesaid, certify that Brian Tobin, of whose identity I have personal knowledge, personally appeared before me and acknowledged that the signature on the record presented is his/her signature and that he/she voluntarily executed the foregoing instrument for the purpose stated therein and in the capacity indicated and with full authority to do so.

Witness my hand and official stamp or seal, this 19th day of July, 2023.



Elisabeth Mopley-Brittle
Notary Public

Elisabeth Mopley-Brittle
Printed Name

My commission expires: 2-25-26