

For Registration Register of Deeds
Judy D. Martin

Moore County, NC
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Instrument# 2021011467

Prepared by and Return to:
James E. McNeill
Clarke, Phifer, Vaughn, Brenner & McNeill, PLLC
135 Applecross Road
Pinehurst, North Carolina 28374

Please index this instrument, in the grantee and grantor indices, under following entity names:

National Property Owners Association, Inc.
National Golf Club
National Golf Club Development
Pinehurst National #9
Pinehurst #9

AMENDMENT TO THE DECLARATION OF COVENANTS AND RESTRICTIONS OF
THE NATIONAL GOLF CLUB DEVELOPMENT

This Amendment to the Declaration of Covenants and Restrictions of the National Golf Club Development (the "Amendment") is made as of the date on which this instrument is recorded in the Moore County Registry ("Effective Date") by the National Property Owners Association, Inc., A North Carolina Non-Profit Corporation (the "Association") in order to amend the Declaration of The National Golf Club Development originally recorded in Book 599, Page 162, Moore County Registry, as thereafter amended and restated pursuant to all instruments of record in the Moore County, North Carolina Register of Deeds (the "Declaration").

WITNESSETH:

Whereas, pursuant to Article 14.2 of the Declaration and North Carolina General Statute §47F, the Declaration may be amended as approved by the Members of the Association;

submitted electronically by "Clarke, Phifer, Vaughn, Brenner & McNeill, PLLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Moore County Register of Deeds.

Whereas, there are 465 voting Members of the Association¹;

Whereas, The Board of Directors of the Association submitted proposed amendments to the Declaration to all Members entitled to vote thereon by written ballot pursuant to NCGS 55A;

Whereas, pursuant to the Declaration and North Carolina General Statutes, the proposed amendments were approved by the required percentages of affirmative Member votes;

Whereas, the Association certifies i) the vote by written ballot pursuant to North Carolina General Statute 55A was duly and properly held and ii) the Association maintains in its possession the requisite number of written ballots in the affirmative vote, which thereby evidence the Members adoption of the amendments as hereafter set forth;

Whereas, the Association now executes this written Amendment and records the same in the Moore County Registry to effectuate the Member adopted amendments to the Declaration.

Whereas, Capitalized terms used but not otherwise defined herein shall possess the meanings ascribed thereto in the Declaration unless otherwise specified.

NOW THEREFORE, the Association hereby records this Amendment as notice of the amendment of the Declaration as hereinafter set forth:

1. **First Amendment: Article 1. Definitions Section of Covenants.** The term "Bulk Service Agreement" is hereby added to and hereafter included under Article 1-Definitions as follows:

1.37 "Bulk Service Agreement" shall mean any agreement in which the Master Association contracts to pay a service provider to provide a service or basic package of services to a Condominium Residence, a Single Family Residence, a Single Family Lot and/or an Association Member.

2. **Second Amendment: Article 6, Assessments and Lien Section of Covenants; Section 6.4.** Strike Section 6.4 (within Article 6) and insert in lieu thereof the following:

6.4. Special Assessments. The Master Association shall have the power and authority to levy upon and collect special Assessments from: Condominium Residence Owners, Single Family Residence Owners, Single Family Lot Owners, Association Members, and the Golf Club Owner. Without limiting the foregoing, special Assessments shall be used for payment of: a Bulk Service Agreement; the acquisition of property; the cost of construction of capital Improvements to the Common Property or the Master Association Property; the cost of construction, reconstruction, unexpected repair or replacement of a capital Improvement, including the necessary fixtures and

¹ Instrument recorded in Book 3605, Page 314, Moore County Registry, incorrectly states the existence of "471 Lots with Membership in the National Golf Club." On April 2, 2009, pursuant to instrument recorded in Book 3547, Page 354, Moore County Registry, Declarant a) turned over Association control and b) certified (to the Association) 465 voting Members of the Association. Since April 2, 2009, through close of amendment balloting on December 15, 2020, the Association has always, and only, maintained 465 voting Members upon the records thereof.

personal property related thereto, and the expense of indemnification of each director and officer of the Master Association and each member of the A.R.B. All special Assessments shall be assessed at a uniform rate for each Unit assessed. Special Assessments against the Units shall be collected from the individual Unit Owners. Special assessments against Units governed by an Association Member shall be collected from the respective Association Member, based upon the number of Units governed by such Association Member; provided, however, that as additional property is subjected to this Declaration, Declarant shall have the right to determine in its sole discretion, the basis for assessment of such additional property. The Golf Club Owner shall be assessed at such amount as shall be determined by the Board of Directors of the Master Association, in its sole discretion, but shall not exceed five (5%) percent of the total special Assessment. If a special Assessment shall exceed THREE HUNDRED AND NO/100 (\$300.00) DOLLARS, per unit, it shall require the approval of the Members of the Master Association, to be obtained at a duly convened regular or special meeting at which a quorum exists and which is called at least in part to secure this approval. Approval shall be by an affirmative vote of at least sixty (60%) percent of the votes present in person or by proxy. Special Assessments shall be collectible in such manner as the Board of Directors shall determine.

{End of Amendments; the remainder of this page is intentionally left blank}

IN WITNESS WHEREOF, the President of the Association has caused this instrument to be executed on this the 14th day of MAY, 2021.

NATIONAL PROPERTY OWNERS ASSOCIATION, INC.

Josephine S. Cooper (SEAL)
By: Josephine S. Cooper
Title: President

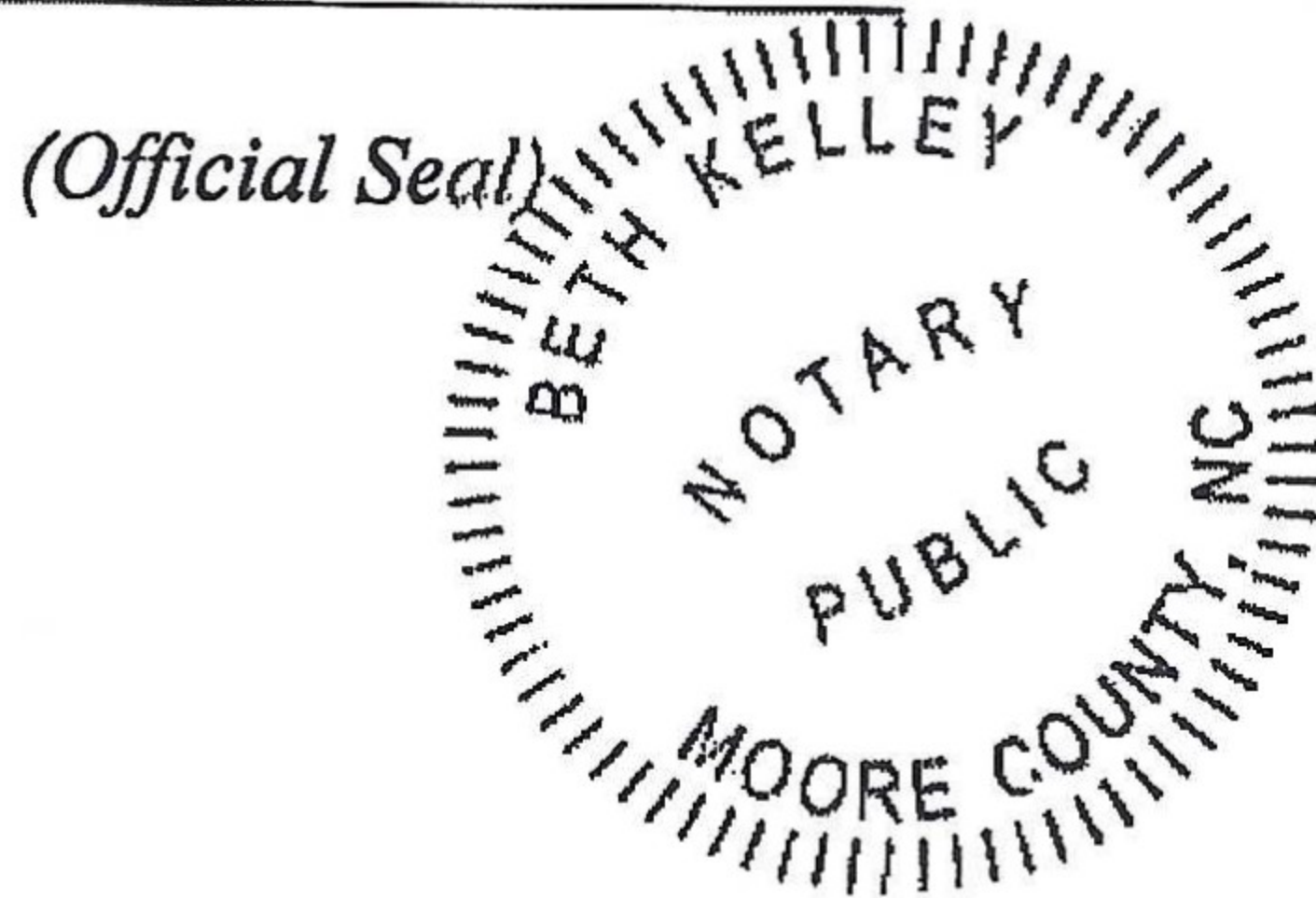
STATE OF NORTH CAROLINA
COUNTY OF MOORE

I certify that the following persons personally appeared before me this day and _____ I have personal knowledge of the identity of the principal OR I have seen satisfactory evidence of principal's identity, by a current state of federal identification with principal's photo in the form of a DL OR _____ a credible witness has sworn to the identity of the principal, each acknowledging to me that she is the President of National Property Owners Association, Inc., a North Carolina Non-Profit Corporation and being authorized by the corporation, voluntarily signed the foregoing document for the purposes stated herein as President: Josephine S. Cooper, President of the National Property Owners Association, Inc.

Date: 5-14-21

[Signature]

Notary Public



My Commission Expires: 11-23-2024