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Wilson, NC
Lisa J. Stith Register of Deeds

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Prepared by and return after recording to:

Jordan Price Wall Gray Jones & Carlton, PLLC
P.O. Box 10669, Raleigh, NC 27605

STATE OF NORTH CAROLINA

AMENDMENT TO DECLARATION OF
PROTECTIVE COVENANTS,
CONDITIONS, EASEMENTS AND
RESTRICTIONS FOR SOUTHPOINTE

WILSON COUNTY

THIS AMENDMENT to the DECLARATION OF PROTECTIVE COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR SOUTHPOINTE (the "Amendment") is made this 1st day of FEBRUARY, 2023 by not less than sixty-seven percent (67%) of the Lot Owners in the Southpointe Homeowners Association of Wilson, Inc., a North Carolina nonprofit corporation (the "Association").

WITNESSETH:

THAT WHEREAS, Southpointe Capital, Inc., a North Carolina corporation, in its role as Declarant caused to be recorded that certain Declaration of Protective Covenants, Conditions, Easements and Restrictions for Southpointe, in Book 2334, Page 645 of the Wilson County Registry, which was thereafter supplemented and amended (as amended and/or supplemented of record, collectively, the "Declaration"); and

WHEREAS, Declarant also caused to be incorporated a non-profit corporation known as Southpointe Homeowners Association of Wilson, Inc.; and

WHEREAS, Article XIV, Section 5 of the Declaration provides that the Declaration covenants and restrictions may be amended with the consent of the Lot Owners entitled to cast at least sixty-seven percent (67%) of the votes of the Association; and

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

submitted electronically by "Jordan Price Wall Gray Jones & Carlton"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Wilson County Register of Deeds.

WHEREAS, at least sixty-seven percent (67%) of the Lot Owners desire to amend the Declaration as set forth below, and have voted in the affirmative as evidenced by the attached certification; and

NOW, THEREFORE, the undersigned does hereby declare that the Declaration of Protective Covenants, Conditions, Easements and Restrictions for Southpointe is amended as follows:

1. Article VII, Section 12 of the Declaration is deleted in its entirety and inserted in lieu thereof is the following:

“Section 12. Comment Elements Use. The Common Elements shall be used only for the purposes for which they are intended and reasonably suited, and which are incident to the use and occupancy of the property., subject to any rules or regulations that may be adopted by the Association pursuant to its Bylaws. No ATVs or other off-road vehicles are permitted on the public or private roads located on the Property, and no ATVs or other off-road vehicles are permitted on any Common Property. Golf carts may be permitted on any private roads subject to any rules and regulations of the Association. Golf carts may also be permitted on any public roads subsequent to and upon the North Carolina Department of Transportation’s acceptance of the subdivision roads for ownership and future maintenance thereof, as long as operated in compliance with all applicable North Carolina Department of Motor Vehicles regulations and State of North Carolina statutes as well as any rules and regulations of the Association.”

2. Article VII, Section 13 of the Declaration is deleted in its entirety and inserted in lieu thereof is the following:

“Section 13. Parking. No boats, trailers, campers, motor homes, trucks (larger than half-ton load capacity pickups), commercial vehicles or tractors shall be parked on any Lot, on the Common Elements, or in any right- of-way of any roads or streets within the Property or adjoining the Property of a Lot Owner, its family members, tenants or contract purchasers, except inside an enclosed garage located on a Lot or in a specified storage area established by the Association or except as otherwise may be permitted by the Rules and Regulations of the Association. Delivery and maintenance vehicles, which are not owned by a Lot Owner, are permitted. Notwithstanding the foregoing, this prohibition shall not apply to contractor’s trucks and vehicles during the construction of any dwelling, garage, or accessory building, it being clearly understood that contractor’s trucks and vehicles shall be permitted to park on the roads and streets within the Property until completion of any dwelling, garage, or accessory building.

No cars or other vehicles are to be parked on the grass on any Lot or of the Common Elements; they must be parked on paved surface areas. There is a limit of two motor vehicles per Lot that may be parked consistently outside of an enclosed garage or building, and the vehicle(s) shall have a valid license plate and be in operable condition with no damage to the body of the vehicle. An exception shall be made for

currently employed law enforcement personnel to park a third car outside of an enclosed garage or building on the lot.”

3. All remaining provisions of the Declaration with the exception of the herein stated amendments shall remain in full force and effect.

4. The foregoing amendment shall become effective as of the date it is recorded in the Office of the Register of Deeds, Wilson County, North Carolina.

WHEREFORE, the President of the Association has hereunto affixed the corporate certification for the purpose of enacting the foregoing amendment.

[Signature pages to follow]

By authority of its Board of Directors, the undersigned President of Southpointe Homeowners Association of Wilson, Inc. hereby certifies that the foregoing instrument has been duly approved and adopted unanimously by the vote of all directors at a duly called meeting, as reflected in the minutes of said meeting, all of whom had all been duly elected and qualified as, and are at the date hereof, directors of the Association.

SOUTHPOINTE HOMEOWNERS ASSOCIATION OF WILSON, INC.

By: *Tracy W. Anderson*
President

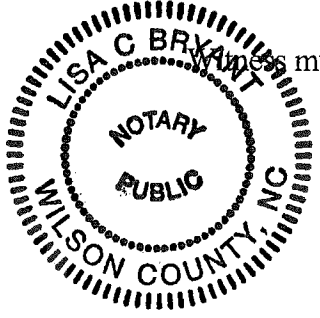
ATTEST:

M. E. Tyner
Secretary

STATE OF NORTH CAROLINA
COUNTY OF WILSON

ACKNOWLEDGMENT

I, Lisa C. Bryant, a Notary Public of the County and State aforesaid, certify that Tracy W. Anderson, personally came before me this day and acknowledged that he/she is Secretary of Southpointe Homeowners Association of Wilson, Inc. and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President and attested by Marshall E. Tyner its Secretary/Assistant Secretary.



Witness my hand and official stamp or seal, this 1st day of February, ²⁰²³~~2022~~

Lisa C. Bryant
Notary Public

Lisa C. Bryant
Printed Name

My commission expires: 5/25/24