

Prepared by and return to: Brian S. Edlin, P.O. Box 10669, Raleigh, NC 27605

STATE OF NORTH CAROLINA
COUNTY OF WAKE

AMENDMENT TO BYLAWS FOR THE
TRAEMOOR VILLAGE COTTAGES
OWNERS ASSOCIATION, INC.

THIS AMENDMENT to the Bylaws for the Traemoor Village Cottages Owners Association, Inc., is made this _____ day of _____, 2014 by the Members of the Traemoor Village Cottages Owners Association, Inc. and the Traemoor Village Cottages Owners Association, Inc. (hereinafter, "the Association").

WITNESSETH:

THAT WHEREAS, the original Declarant caused to be recorded a Declaration of Covenants, Conditions, Easements and Restrictions for Traemoor Village Cottages in Book 8592, Page 1329, and re-recorded in Book 8740, Page 117, all in the Wake County Registry (hereinafter, "Declaration");

WHEREAS, the Association was incorporated on 3 March 2000;

WHEREAS, the Bylaws for the Association were enacted on 29 February 2000; and

WHEREAS, the Traemoor Village Cottages community is a "planned community" as defined under the Planned Community Act, N.C.G.S. §47F-1-101 *et seq.*

WHEREAS, Article IX of the Bylaws requires an annual audit to be performed every year, however, N.C.G.S. §47F-3-118 does not require an annual audit of the Association's records unless there is a vote of the majority of the executive board or the affirmative vote of a majority of the lot owners present and voting in person or by proxy at any annual meeting or any special meeting duly called for that purpose; and

WHEREAS, Article XI, Section 1 of the Bylaws allows the Bylaws to be amended by the affirmative vote of the voting members having at least sixty-seven percent (67%) of the aggregate voting interests, cast in person or by proxy at a meeting duly held in accordance with the provisions of the Bylaws; and

WHEREAS, not less than sixty-seven percent (67%) of members of the Association have approved amending the Bylaws to require that audits be conducted less frequently than annually unless the executive board provides otherwise or a majority of lot owners present and voting in person or by proxy at any annual meeting or any special meeting demand such an audit; and

NOW THEREFORE, the undersigned does hereby declare that the Bylaws for the Association shall be amended as follows:

1. To amend Article IX of the Bylaws by deleting this section in its entirety and inserting in lieu thereof the following (new language appears in bold type):

“ARTICLE IX
RECORDS AND AUDITS

The Board of Directors or the manager shall keep detailed records of actions of the Board and the manager, minutes of the meetings of the Board of Directors, minutes of meetings of the Association, and financial records and books of accounts, including a chronological listing of receipts and expenditures, which, among other things, shall contain the amount of each assessment of the Common Expenses against each Lot, the date when due, and amounts paid thereon, and the balance remaining unpaid, and including maintenance and repair expenses of the Cottages Common Properties and any other expenses incurred. The financial record and books of account shall be available for examination by any Lot Owner or his duly authorized agent or attorney at convenient hours on working days by prior arrangement with the Board or the manager. **An audit of the Association's books and records for the current or immediately preceding fiscal year shall be done at least once every three years. A more frequent outside compilation, review, or audit of the Association's books and records may be required by a vote of the majority of the executive board or by the affirmative vote of a majority of the Lot owners present and voting in person or by proxy at any annual meeting or any special meeting duly called for that purpose.** All books and records shall be kept in accordance with good and accepted accounting practices. A copy of any audit shall be furnished to all mortgagees of Lots who have requested the same.”

2. Except as amended hereinabove, the remaining portions of the Bylaws as originally existed are hereby restated and re-acknowledged.

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

CERTIFICATION OF VALIDITY OF AMENDMENT TO BYLAWS
FOR TRAEMOOR VILLAGE COTTAGES OWNERS ASSOCIATION, INC.

By authority of its Board of Directors, the undersigned hereby certify that the foregoing instrument has been duly approved by the voting members having at least sixty-seven percent (67%) of the aggregate voting interests, cast in person or by proxy at a meeting duly held in accordance with the provisions of the Bylaws and is, therefore, a valid amendment to the existing Bylaws for the Traemoor Village Cottages Owners Association, Inc., pursuant to the requirements of Article XI, Section 1 of the Bylaws.

TRAEMOOR VILLAGE COTTAGES OWNERS
ASSOCIATION, INC.

By: _____
President

ATTEST:

Secretary

STATE OF NORTH CAROLINA

ACKNOWLEDGMENT

COUNTY OF WAKE

I, _____, a Notary Public of the County and State aforesaid, certify that _____, personally came before me this day and acknowledged that he/she is Secretary/Assistant Secretary of Traemoor Village Cottages Owners Association, Inc., a North Carolina non-profit corporation, 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 _____ as its Secretary/Assistant Secretary.

Witness my hand and official stamp or seal, this _____ day of _____, 2014.

Notary Public

My commission expires: