

Prepared by/Return to: Sellers, Ayers, Dortch & Lyons, P.A.
301 S. McDowell Street, Suite 410
Charlotte, NC 28204

**CERTIFICATION OF AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR
HIGHLAND CREEK**

This **CERTIFICATION OF AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR HIGHLAND CREEK** ("Amendment") is made pursuant to N.C.G.S. § 47F-2-117(a) and Article XVI, Section 2 of the DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR HIGHLAND CREEK recorded in the Mecklenburg County Public Registry in Book 6730 at Page 17 and in the Cabarrus County Public Registry in Book 3410 at Page 153 (as amended and supplemented, the "Declaration"), and is effective upon recordation in the Mecklenburg County and Cabarrus County Public Registries.

Statement of Purpose

Pursuant to Article XVI, Section 2 of the Declaration, the Declaration may be amended at any time with the affirmative vote or written consent of Voting Members representing seventy-five percent (75%) of the total Class "A" votes. In accordance with the requirements of the Declaration, as well as the provisions set forth in N.C.G.S. § 55A-7-08, consent and approval were obtained from the requisite percentage of Voting Members. Accordingly, this Amendment to the Declaration, as set forth herein, is hereby certified by the President and Secretary of Highland Creek Community Association, Inc. ("Association") for recordation in the Mecklenburg County and Cabarrus County Public Registries.

NOW, THEREFORE, the Declaration is hereby amended as follows:

Article XII, Section 27 ("Leasing of Units") is amended to add the following as a new subsection (d) immediately following existing subsection (c):


(d) Mandatory Waiting Period. Notwithstanding anything else to the contrary, no Owner shall be permitted to rent or lease his Unit until twelve (12) months have elapsed since the date on which the deed conveying said Unit to such Owner was recorded in the Public Registry of the county in which the Unit is located. In the event that a Unit is leased for any period of time in violation of this

mandatory twelve (12) month "waiting period," the waiting period shall be immediately tolled and any time which elapses while the unpermitted lease remains in effect shall not count toward satisfaction of the twelve (12) month "waiting period" described herein.

The undersigned, as President and Secretary of the Association, do hereby certify that approval of this Amendment was obtained as required by the Declaration and in accordance with North Carolina law and that this Amendment to the Declaration has been duly adopted to be effective upon the recordation thereof.

**HIGHLAND CREEK COMMUNITY
ASSOCIATION, INC.**

By:



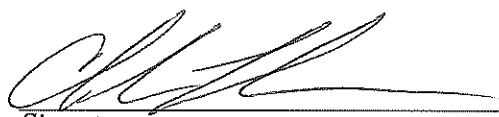
Signature

ROBERT VALENCIA

Printed Name

President of the Association

By:



Signature

Charles Lechner

Printed Name

Secretary of the Association

NOTARY ACKNOWLEDGEMENTS ON FOLLOWING PAGE

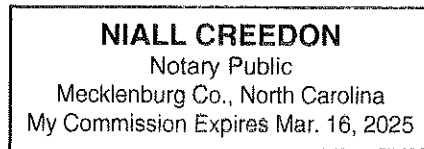
STATE OF NORTH CAROLINA
COUNTY OF Mecklenburg

I, NIALL CREEDON, a NOTARY PUBLIC of the aforesaid County and State, do hereby certify that ROBERT VALENCIA personally appeared before me this day and acknowledged that s/he is the **PRESIDENT** of **HIGHLAND CREEK COMMUNITY ASSOCIATION, INC.**, a North Carolina corporation, and that s/he, as **President**, being authorized to do so, executed the foregoing on behalf of the corporation.

Witness my hand and official stamp or seal, this the 4th day of Aug, 2021.

Niall Creedon
Notary Public
Print Name: NIALL CREEDON
My commission expires: 3-16-2025

NOTARY SEAL



STATE OF NORTH CAROLINA
COUNTY OF Mecklenburg

I, NIALL CREEDON, a NOTARY PUBLIC of the aforesaid County and State, do hereby certify that Charles Lechner personally appeared before me this day and acknowledged that s/he is the **SECRETARY** of **HIGHLAND CREEK COMMUNITY ASSOCIATION, INC.**, a North Carolina corporation, and that s/he, as **Secretary**, being authorized to do so, executed the foregoing on behalf of the corporation.

Witness my hand and official stamp or seal, this the 4th day of Aug, 2021.

Niall Creedon
Notary Public
Print Name: NIALL CREEDON
My commission expires: 3-16-2025

NOTARY SEAL

