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BK: RB 6394

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12-23-2020

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BY: SAMANTHA SPEAKER
DEPUTY



2020055499

NEW HANOVER COUNTY, NC

TAMMY THEUSCH PIVER

REGISTER OF DEEDS

NC FEE \$26.00

Prepared by: Hewlett's Run HOA, Inc.
After Recording, Mail to: Stephen J. Sulkey, Manager
114 N. 6th Street
Wilmington, NC 28401

STATE OF NORTH CAROLINA

AMENDMENT TO THE
DECLARATION OF
COVENANTS, CONDITIONS,
AND RESTRICTIONS OF
HEWLETT'S RUN

COUNTY OF NEW HANOVER

WHEREAS, The DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS OF HEWLETT'S RUN, a.k.a. Hewlett's Run HOA, Inc. was recorded on October 9th 1997, in Book 1976 at page 0830, in the office of the Register of Deeds, New Hanover County, State of North Carolina; and

WHEREAS, such Declaration under ARTICLE XIII, Section 5, provides that, "*The covenants and restriction of this Declaration may be amended by an instrument duly recorded in the Office of the Register of Deeds of New Hanover County signed by not less than two-thirds (2/3's) of the Owners of the Lots within the Properties; provided that no amendment shall alter any obligation to pay ad valorem taxes or assessments for public improvements, as herein provided, or affect any lien for the payment thereof established herein..*"; and

WHEREAS, such Declaration under ARTICLE VI, Section 12 provides that, "*At the time title is conveyed to an owner, each owner shall contribute to the association as a working capital reserve the amount of Two Hundred Dollars (\$200.00). Such Funds shall be used solely for initial operating and capital expenses of the Association, such as pre-paid insurance, supplies, and the Common Area and facilities, furnishings, and equipment, etc. Amounts paid into the working capital fund are not to be considered as advance payment of regular assessments. Any working capital funds remaining at the end of the first full operating year shall be transferred to and become part of the general funds of the Association, in the discretion of the Board of Directors.*" and

WHEREAS, the members and Board of Directors of Hewlett's Run desires to modify ARTICLE VI, Section 12; and

WHEREAS, to accomplish this purpose ARTICLE VI, Section 12, shall read, "At the time title is conveyed to a new owner, each new owner shall contribute to the association as a working capital the amount of two months of the current annual assessment. Amounts paid into the working capital fund are not to be considered as advance payment of regular assessments." and

WHEREAS, the signatures of two-thirds (2/3rds) of each class of the members of the Association have been obtained in accordance with ARTICLE XIII, Section 5, as attested to by the Association President and Secretary;


NOW, THEREFORE, IT IS RESOLVED, that ARTICLE VI, Section 12, is hereby amended to read as follows: "At the time title is conveyed to a new owner, each new owner shall contribute to the association as a working capital the amount of two months of the current annual assessment. Amounts paid into the working capital fund are not to be considered as advance payment of regular assessments."

IN WITNESS WHEREOF, I attest that this amendment has been passed by the signatures of at least two-thirds (2/3rds) of each class of the members of Hewlett's Run Townhouse Subdivision, Phase I., as per ARTICLE XIII, Section 5 of the Declaration, this the 22nd day of December, 2020.

 (SEAL)
Margaret Anne Pearce, President
Hewlett's Run

I ATTEST, that the above signature and matter is true and correct this the 22nd day of December, 2020.

[CORPORATE SEAL]

 (SEAL)
Sonya Beacham, Secretary
Hewlett's Run

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

I, Benjamin Spruill, a Notary Public of the County and State aforesaid, certify that **Sonya Beacham**, either being personally known to me or proven by satisfactory evidence, personally came before me this day and acknowledged that she is the Secretary of Hewlett's Run HOA, 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, sealed with its corporate seal and attested by Sonya Beacham as Secretary.

WITNESS, my hand and official seal this 22 day of December, 2020.





Notary Public

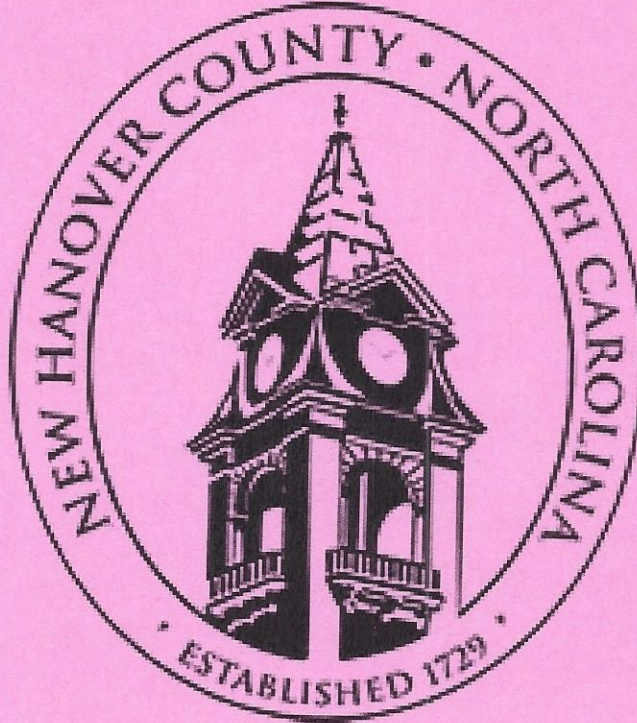
My Commission Expires: December 30, 2024

COPY OF VOTES ATTACHED

TAMMY THEUSCH
PIVER
Register of Deeds

New Hanover County Register of Deeds

320 CHESTNUT ST SUITE 102 • WILMINGTON, NORTH CAROLINA 28401
Telephone 910-798-4530 • Fax 910-798-7716



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