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PRESENTED  
FOR  
REGISTRATION

Mail to: BRADY, SCHILAWSKI, EARLS AND INGRAM  
102-A Commonwealth Center  
Cary, North Carolina 27511

94 SEP 13 PH 4:36

KENNETH C. WILKINS  
REGISTER OF DEEDS  
WAKE COUNTY

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

AMENDMENT TO MASTER DECLARATION  
OF COVENANTS AND RESTRICTIONS  
OF WESTPARK COMMUNITY  
ASSOCIATION, INC.

THIS AMENDMENT TO THE MASTER DECLARATION OF COVENANTS AND RESTRICTIONS OF WESTPARK COMMUNITY ASSOCIATION, INC., is made and entered into this 16th day of August, 1994, by WESTPARK COMMUNITY ASSOCIATION, INC, a North Carolina Non-Profit Corporation (hereinafter referred to as "Association").

W I T N E S S E T H

WHEREAS, pursuant to the Master Declaration of Covenants and Restrictions of Westpark Community Association, Inc. as recorded in Book 4715, Page 407 of the Wake County Register of Deeds (hereinafter referred to as "Master Declaration"), certain properties described therein were made subject to said declaration; and

WHEREAS, the Association desires to amend said Master Declaration as provided by Article VIII, Section 2; and

WHEREAS, notice was given to the members of the Association on July 11, 1994 of a meeting of the Association for the purposes of voting on the proposed amendment; and

WHEREAS, said meeting was held on August 16, 1994; and

WHEREAS, a total number of 172 Class A votes was required at said meeting to constitute a quorum; and

WHEREAS, a total number of 58 Class B votes was required at said meeting to constitute a quorum; and

WHEREAS, a total number of 204 Class A votes was present at said meeting; and

WHEREAS, a total number of 96 Class B votes was present at said meeting; and

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WHEREAS, a total number of 136 Class A votes was required to adopt said amendment; and

WHEREAS, a total number of 64 Class B votes was required to adopt said amendment; and

WHEREAS, a total number of 204 Class A votes was cast in favor of said amendment; and

WHEREAS, a total number of 96 Class B votes was cast in favor of said amendment; and

WHEREAS, a total number of 0 Class A votes was cast against the adoption of said amendment; and

WHEREAS, a total number of 0 Class B votes was cast against the adoption of said amendment; and

WHEREAS, the requisite number of votes necessary to adopt said amendment was cast in favor thereof.

NOW, THEREFORE, the Association hereby declares that the real property described in the Master Declaration as recorded in Book 4715, Page 407 of the Wake County Registry, and such additions thereto as may hereinafter be made pursuant to Article II thereof, is and shall be held, transferred, sold, conveyed, given, donated, leased, occupied and used subject to the covenants, restrictions, conditions, easements, charges, assessments ("Assessments"), affirmative obligations, and liens (all therein sometimes referred to as the "Covenants" or the "Covenants and Restrictions") set forth in Book 4715, Page 407 of the Wake County Public Registry all as amended as therein set forth.

AMENDMENT 1

Article V, Section 3 shall be and is hereby amended by adding thereto a subparagraph (f) which shall read as follows:

(f) Notwithstanding anything to the contrary herein provided, no dues shall be assessed against any Residential Unit until a building permit has been issued for such Unit by the Town of Cary.

Except as expressly or by necessary implication amended hereby, the remaining terms, conditions and provisions of the Master Declaration of Covenants and Restrictions of Westpark Community Association, Inc. shall remain in full force and effect.

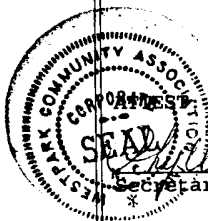
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IN WITNESS WHEREOF, the Association has caused this document to be executed this the 16th day of August, 1994.

WESTPARK COMMUNITY ASSOCIATION, INC.

BY: *James D. Anderson*  
President



*William J. Jacobs*  
Secretary

BRADY, SCHILAWSKI,  
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TEXAS  
STATE OF NORTH-CAROLINA  
COUNTY OF WAKE- HARRIS

I, the undersigned, a Notary Public in and for the County and State aforesaid, do hereby certify that Phyllis J. Jacobs personally appeared before me this day and acknowledged that she is the Secretary of Westpark Community 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 xxxxxxxxxxxxxxxxxx President, sealed with its seal and attested by Phyllis J. Jacobs as its xxxxxxxxxxxxxxxxxx Secretary. Witness my hand and official seal this 6th day of August, 1994.  
September

*Martha Hickman*  
Notary Public

My Commission Expires: October 8, 1998



NORTH CAROLINA — WAKE COUNTY

The foregoing certificate \_\_\_ of \_\_\_\_\_

*Martha Hickman*  
Notary Public is

(are) certified to be correct. This instrument and this certificate are duly registered at the date and time and in the book and page shown on the first page hereof.

KENNETH C. WILKINS, Register of Deeds

By *Kenneth C. Nelson*  
Asst. Deputy Register of Deeds

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