

WAKE COUNTY, NC 279
 LAURA M RIDDICK
 REGISTER OF DEEDS
 PRESENTED & RECORDED ON
 12/19/2013 AT 15:17:42

BOOK:015536 PAGE:02027 - 02030

Prepared by and return to: Brian S. Edlin, P.O. Box 10669, Raleigh, NC 27605 *PO Box #39*

STATE OF NORTH CAROLINA
 COUNTY OF WAKE

AMENDMENT TO BYLAWS FOR
 THE WESTPARK COMMUNITY
 ASSOCIATION, INC.

THIS AMENDMENT to the Bylaws for the Westpark Community Association, Inc. is made this 6th day of November 2013 by the lot owners and members of Westpark Community Association, Inc. (hereinafter, "the Association") and the Association,

WHEREAS, the original developer caused to be recorded that certain Master Declaration of Covenants and Restrictions of Westpark Community Association, Inc. on 1 June 1990 with the Wake County Register of Deeds at book 4715, page 407 (hereinafter, "Declaration");

WHEREAS, the Association was incorporated on 28 June 1990 and shortly thereafter the developer adopted the Bylaws for the Association;

WHEREAS, when the developer turned over control of the Association to the Owners, an executed copy of the Bylaws was not found so the then Board for the Association ratified the Bylaws, nunc pro tunc, on 6 January 2000;

WHEREAS, the Westpark Subdivision is comprised of eight (8) different sections, to wit: Parkarbor, Parkmeadow, Parkknoll, Parkgate, Parkcanyon, Parkcrest, Parkoaks and Parkroyale;

WHEREAS, the Association has operated with an eight (8) member Board for over ten (10) years, however, the legal documents for the Association reflect that the Association is to be governed by a Board of Directors consisting of three (3) Members;

WHEREAS, there is a need to amend the Bylaws to make the Bylaws consistent with current practice for the Association with respect to the election and number of Board members;

WHEREAS, it is the intent that this amendment to the Bylaws shall be applicable to all Owners, and this amendment shall remain in effect until otherwise rescinded, modified, or amended by the Owners and the Association pursuant to the Bylaws;

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

1. To amend Article IV, Section 1, of the Bylaws by deleting that section in its entirety and inserting in lieu thereof the following:

“Section 1. Number. The Association shall be governed by a Board of Directors consisting of no less than three (3) Members and no more than eight (8) Members. In the event of an eight (8) Member Board, there shall be one (1) Board member elected from each of the eight sections in the Westpark Subdivision: Parkarbor, Parkmeadow, Parkknoll, Parkgate, Parkcanyon, Parkcrest, Parkoaks and Parkroyale. In the event a Member from a particular section cannot be found to serve on the Board, then the Board member may come from any of the sections in the Westpark Subdivision.”

2. To amend Article IV, Section 2, of the Bylaws by deleting that section in its entirety and inserting in lieu thereof the following:

“Section 2. Term of office. At the first annual meeting the Members shall elect two (2) directors for a term of one (1) year, three (3) directors for a term of two (2) years, and three (3) directors for a term of three (3) years, and at each annual meeting thereafter the Members shall elect directors for the directors whose terms expire that year for a term of three years.”

3. This amendment shall be deemed effective nunc pro tunc 6 January 2000.

4. Except as amended hereinabove, the remaining portions of the Bylaws as originally recorded are hereby restated and reacknowledged.

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 THE BYLAWS OF THE WESTPARK COMMUNITY ASSOCIATION, INC.

By authority of its Board of Directors, the Westpark Community Association, Inc. hereby certifies that the foregoing instrument has been duly adopted and approved by the affirmative vote of two-thirds (2/3) of the votes of its Members cast at a lawfully convened and duly noticed meeting of the membership where quorum was present held on April 3, 2013. Notice of such meeting was given on March 4, 2013; the total number of votes required to constitute a quorum at said meeting was 32; the total number of votes necessary to adopt the Amendment was 22; the total number votes cast in favor of the Amendment was 96; and the total number of votes cast against the Amendment was 0. This Amendment is, therefore, a valid amendment to the existing Bylaws of Westpark Community Association, Inc.

WESTPARK COMMUNITY ASSOCIATION, INC.

By [Signature] President

ATTEST:

[Signature] Secretary

STATE OF NORTH CAROLINA

ACKNOWLEDGMENT

COUNTY OF WAKE

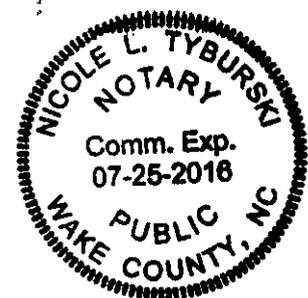
I, Nicole L. Tyburski, a Notary Public of the County and State aforesaid, certify that Mark Howard personally came before me this day and acknowledged that he/she is Secretary/Assistant Secretary of Westpark Community Association, Inc., a North Carolina non-profit corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President and attested by Cheryl Smyth as its Secretary/Assistant Secretary.

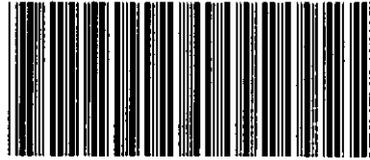
Witness my hand and official stamp or seal, this 6th day of November, 2013.

Notary Public

My commission expires:

7-25-2016





BOOK:015536 PAGE:02027 - 02030



Please retain yellow trailer page

It is part of the recorded document and must be submitted with the original for re-recording.

**Laura M. Riddick
Register of Deeds**

Wake County Justice Center
300 South Salisbury Street, Suite 1700
Raleigh, NC 27601

New Time Stamp

\$25 Non-Standard Fee

Additional Document Fee

Additional Reference Fee

This Customer Group

____ # of Time Stamps Needed

This Document

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