

**NORTH CAROLINA**

**WAKE COUNTY**

**SECOND AMENDMENT TO THE BYLAWS  
OF  
THE ORCHARD VILLAS CONDOMINIUM UNIT OWNERS ASSOCIATION, INC.**

THIS AMENDMENT TO THE DECLARATION AND BYLAWS OF THE ORCHARD VILLAS CONDOMINIUM UNIT OWNERS ASSOCIATION, INC., made this 19 of July, 2021, by the undersigned Directors on behalf of the Orchard Villas Condominium Unit Owners Association, Inc., a North Carolina non-profit corporation, hereinafter referred to as the "Association."

WHEREAS, the Declarant, Apex OV, LLC, a Virginia corporation, hereinafter referred to as the "Declarant", executed and caused to be recorded in the office of the Register of Deeds of Wake County, North Carolina, in Book 13231, Page 01555 through page 01626, the Declaration of the Orchard Villas, a Condominium and attached thereto and therein incorporated by reference were the Bylaws of The Orchard Villas Condominium Unit Owners Association, Inc.; and

WHEREAS, the Declarant executed and caused to be recorded in the office of the Register of Deeds of Wake County, North Carolina, in Book 13753, Page 00995 through page 00998, the first Amendment to the Declaration and Bylaws of The Orchard Villas Condominium Unit Owners Association, Inc.; and

WHEREAS, contained in said Bylaws are certain provisions relating to the audit of the Association's account and financial records found specifically in paragraph 7.3; and

WHEREAS, the Association, acting within the provisions of Article VIII, does hereby wish to amend the Bylaws; and

WHEREAS, Members of The Orchard Villas Condominium Unit Owners Association, Inc. have voted to amend a provision of the Bylaws, described below.

submitted electronically by "Hopler, Wilms & Hanna, PLLC"  
in compliance with North Carolina statutes governing recordable documents  
and the terms of the submitter agreement with the Wake County Register of Deeds.

NOW, THEREFORE, IT IS RESOLVED AND AGREED, as indicated by the signatures appended hereto of not less than two-thirds (67%) of the members present at the vote or present via proxy:

1. That Paragraph 7.3 entitled "Audits" contained in Article VII of the Bylaws is hereby amended as follows:

**7.3 Audits.** All books of account and financial records shall be kept in accordance with good and acceptable accounting practices. The Board shall have a review or audit of the books of account and financial records of the Association made by an independent certified public accountant following the close of each fiscal year and the report of such accountant shall be received by the Board and made available for inspection by all Unit Owners and all mortgage holders within the following year.

2. That the Bylaws shall otherwise remain unchanged by this Second Amendment.

3. That this Second Amendment to the Bylaws is effective upon the signature of the undersigned Directors, following a vote of approval of at least two-thirds of the members present at the regular or special meeting to consider the amendment of the Bylaws.

IN WITNESS WHEREOF, the undersigned, have set unto their hand and seal, the day and year first above written.

*[the remainder of this page is intentionally left blank]*

**CERTIFICATION OF VALIDITY OF AMENDMENT TO THE BYLAWS OF THE  
ORCHARD VILLAS CONDOMINIUM UNIT OWNERS ASSOCIATION, INC.**

By authority of its Board of Directors, the undersigned hereby certifies that the foregoing instrument has been duly executed by Sixty-Seven (67%) of the Unit Owner votes of the Association and is, therefore, a valid amendment to the existing Bylaws for The Orchard Villa Condominium Unit Owners Association, Inc., recorded on August 29, 2008 in Book 013231 Page 01597, Wake County Register of Deeds.

**HOA:**

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**THE ORCHARD VILLAS  
CONDOMINIUM UNIT OWNERS  
ASSOCIATION, INC.**

A North Carolina non-profit Corp.

By: 

Print Name: Peter H. Walker

Title: Chairman

ATTEST:

By:

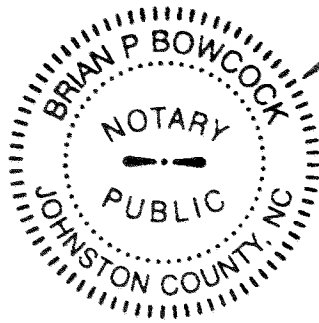
  
Secretary of the Association

Secretary

STATE OF NORTH CAROLINA  
COUNTY OF WAILE

I, a Notary Public of the County and State aforesaid, certify that PETER H. WALKER / BETTY J. HIZEL personally came before me today and acknowledged the due execution of the foregoing instrument.

Witness my hand and official stamp or seal, this the 19 day of JULY, 2021.



*[Handwritten Signature]*  
Notary Public  
My Commission Expires: 10/18/2025