



2009003733

HAYWOOD CO, NC FEE \$26.00
PRESENTED & RECORDED:

04-21-2009 03:19:54 PM

AMY R. MURRAY
REGISTER OF DEEDS
BY: DEB SCHAEFER
DEPUTY

BK: RB 758

PG: 998-1002

Prepared by:
Clarence H. Dickson, III

STATE OF NORTH CAROLINA
COUNTY OF HAYWOOD

AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS

THIS AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS made and entered into this 20th day of April, 2009, by VALLEY VISTA OWNERS ASSOCIATION, INC., a North Carolina non-profit corporation;

WITNESSETH:

THAT WHEREAS, a Declaration of Covenants and Restrictions is recorded at Book 365 at Page 650, Haywood County Registry, which restricts lots in Valley Vista Subdivision in Ivy Hill Township, as set forth therein; and

WHEREAS, at a regularly scheduled annual meeting of the Valley Vista Owners Association, Inc., on July 5, 2008, the owners agreed to amend said restrictions; and

WHEREAS, said amendment was passed by a vote of 35 in favor and 13 against, said voting being by written ballot; and

IN WITNESS WHEREOF, the Valley Vista Owners Association, Inc. has caused this instrument to be executed, this the day and year first above written.

VALLEY VISTA OWNERS ASSOCIATION, INC.

by: Tranah M. Ward

President

ATTEST:

Andrew A. Riley

Secretary

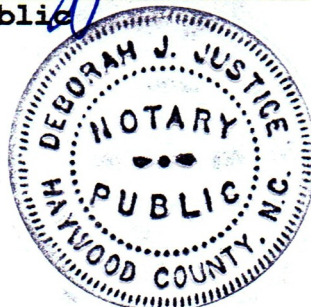
STATE OF North Carolina
COUNTY OF Haywood

I, Deborah J. Justice, a Notary Public of said County and State, certify that Andrew A. Riley personally came before me this day and acknowledged that he/she is Secretary of VALLEY VISTA OWNERS ASSOCIATION, INC., a North Carolina 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 him/~~her~~ as its Secretary.

WITNESS my hand and seal, this 20th day of April, 2009.

Deborah J. Justice
Notary Public

My Commission Expires: 4/9/14



WHEREAS, attached hereto is a copy of the resolution of the Board attesting to the affirmative action of the requisite number of the owners to effect the amendment, certified by the Secretary of the Association;

NOW, THEREFORE, the undersigned Association does hereby set forth the following amendments, which have been agreed to by the owners in said Subdivision, the same to be binding on the heirs, successors and assigns of all owners in the subdivision:

1. Article III, Section 1:

After the sentence ending in "a private garage for not more than two cars." The following shall be added after the words "two cars": "which shall be no smaller than 240 square feet and no larger than 480 square feet and shall be similar in appearance and construction as the detached family dwelling. The structure shall not be prefabricated." The last line of Article III, Section 1 shall be deleted and the following shall be inserted: "An owner's right to lease a residence for residential purposes is hereby prohibited. Owners that are currently leasing, as of July 5, 2008, may continue to lease, as long as they own the property being leased. Members may plea hardship to the Board of Directors for exception to the leasing policy."

2. Article VI, Section 6:

The last paragraph shall be deleted and the following shall be inserted: "The Board of Directors shall be nine (9) in number and shall serve for a period of three (3) years. At each annual meeting, three (3) members of the Board of Directors shall be elected. The Board shall then elect its own President, Vice President, and Secretary-Treasurer."

TO HAVE AND TO HOLD unto each of the owners in said subdivision.

RESOLUTION OF THE BOARD OF DIRECTORS OF VALLEY VISTA OWNERS
ASSOCIATION, INC.

BE IT RESOLVED by the Board of Directors of Valley Vista Owners Association, Inc., that by a meeting held on July 5, 2008, the requisite numbers owners in Valley Vista Subdivision did hereby affirmatively agree to amend the covenants as follows (said vote was 35 in favor and 13 against; the voting being by written ballot):

1. Article III, Section 1:

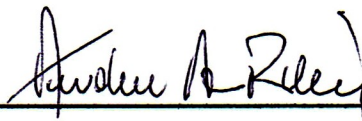
After the sentence ending in "a private garage for not more than two cars." The following shall be added after the words "two cars": "which shall be no smaller than 240 square feet and no larger than 480 square feet and shall be similar in appearance and construction as the detached family dwelling. The structure shall not be prefabricated." The last line of Article III, Section 1 shall be deleted and the following shall be inserted: "An owner's right to lease a residence for residential purposes is hereby prohibited. Owners that are currently leasing, as of July 5, 2008, may continue to lease, as long as they own the property being leased. Members may plea hardship to the Board of Directors for exception to the leasing policy."

2. Article VI, Section 6:

The last paragraph shall be deleted and the following shall be inserted: "The Board of Directors shall be nine (9) in number and shall serve for a period of three (3) years. At each annual meeting, three (3) members of the Board of Directors shall be elected. The Board shall then elect its own President, Vice President, and Secretary-Treasurer."

IT BEING FURTHER RESOLVED that the Secretary is authorized to sign this Resolution and to direct the President to sign an Amendment to the Declaration of Covenants and Restrictions originally recorded in Book 365 at Page 650, Haywood County Registry, and attach a copy of this Resolution to said Amendment.

IN WITNESS WHEREOF, the Secretary of Valley Vista Owners Association, Inc. does hereby certify this Resolution, this 20th day of APRIL, 2009.

A handwritten signature in dark ink, appearing to read "Andrew A. Riley", is written over a horizontal line.

Secretary