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Prepared by and return after recording to:

Hope Derby Carmichael  
Jordan Price Wall Gray Jones & Carlton, PLLC  
P.O. Box 10669, Raleigh, NC 27605

STATE OF NORTH CAROLINA

FORTY-FIRST AMENDMENT TO THE  
DECLARATION OF COVENANTS  
AND RESTRICTIONS FOR  
GOVERNORS CLUB

CHATHAM COUNTY

This FORTY-FIRST AMENDMENT TO THE DECLARATION OF COVENANTS AND RESTRICTIONS FOR GOVERNORS CLUB is made as of this 29th day of October, 2018, by owners to which at least sixty-seven percent (67%) of the votes in the Governors Club Property Owners Association, Inc. ("Master Association") are allocated.

WITNESSETH:

WHEREAS, Governors Club Development Corporation joined by Governors Club Property Owners Association, Inc. and Governors Club, Inc. recorded a Declaration of Covenants and Restrictions for Governors Club in Book 538, Page 505 of the Chatham County Registry, which was thereafter amended and restated in amendments numbered One through Thirty-Nine as well as that Restated Declaration of Covenants and Restrictions recorded in Book 868, Page 995 of the Chatham County Registry (collectively, as amended, the "Declaration"); and

WHEREAS, the Declaration was further amended by instrument recorded on 27 December 2013 in Book 1724, Page 368 of the Chatham County Registry, which amendment provides, in part, that the Declaration may be amended by the approval of Owners to which at least sixty-seven percent (67%) of the votes of the Association are allocated; and

WHEREAS, pursuant to Article 3.6 of the Declaration, and the Notice of Turnover recorded in Book 770, Page 58 and Book 770, Page 976 of the Chatham County Registry, the declarant control of the Master Association has terminated and joinder of the original declarants in this amendment is not required; and

WHEREAS, the Owners to which at least sixty-seven percent (67%) of the votes of the Association are allocated, including the Owners of more than sixty-seven percent (67%) of the Club Cottage lots, desire to amend the Declaration as set forth below;

NOW, THEREFORE, the undersigned do hereby declare that the Declaration is amended as follows:

1. Article 1.36 of the Declaration is deleted in its entirety, and the following is inserted in lieu thereof:

“1.36 “Member” shall mean and refer to the record Owner, whether one or more persons or entities, of the fee simple title to any Unit, as such term is defined herein. and the Declarant. Declarant shall be a Member of the Master Association from and after the date of recordation of this Declaration in the public records of the County.”

2. Article 3.2.2 of the Declaration shall be deleted in its entirety, and the following is inserted in lieu thereof:

“3.2.2 Classes of Membership. There shall be one class of membership in the Master Association, which class shall include all Members.”

3. Article 3.3 of the Declaration shall be deleted in its entirety, and the following is inserted in lieu thereof:

“3.3 Voting. The Master Association shall have one (1) class of voting membership, and all Members shall be entitled to vote on all matters coming before the membership, including election for the Board of Directors.”

4. Article 13.2.1 of the Declaration shall be deleted in its entirety, and the following is inserted in lieu thereof:

“13.2.1 Pursuant to Section 47F-2-117(a) of the North Carolina General Statutes (NC Planned Community Act), this Declaration may be amended only by the affirmative vote or written agreement signed by the Owners of Lots to which sixty-seven percent (67%) of the votes of the Master Association are allocated. Provided, however, that any amendment which would change the use restrictions on the Club Cottage Lots set forth in this Declaration shall also require the affirmative vote or written agreement signed by the Owners of sixty-seven percent (67%) of the Club Cottage Lots.”

5. All remaining provisions of the Declaration with the exception of the amendments herein stated shall remain in full force and effect.

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CERTIFICATION OF VALIDITY OF AMENDMENT TO DECLARATION  
OF COVENANTS AND RESTRICTIONS FOR GOVERNORS CLUB

By authority of its Board of Directors, Governors Club Property Owners Association, Inc. hereby certifies that the foregoing instrument has been duly approved by the Written Consent of Owners to which at least sixty-seven percent (67%) of the votes of the Association are allocated and is, therefore, a valid amendment to the existing Declaration of Covenants and Restrictions.

GOVERNORS CLUB PROPERTY OWNERS ASSOCIATION, INC.

By:   
President

STATE OF NORTH CAROLINA

ACKNOWLEDGMENT

COUNTY OF WAKE

I, LAUREN MCCLOY COLVARD, a Notary Public of the County and State aforesaid, certify that John Schwab, personally came before me this day and acknowledged that he/she is President of Governors Club Property Owners Association, Inc., and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by him with full authority and in the capacity stated.

Witness my hand and official stamp or seal, this 29 day of October, 2018.

  
Notary Public

LAUREN MCCLOY COLVARD  
NOTARY PUBLIC  
WAKE COUNTY, N.C.

LAUREN MCCLOY COLVARD  
Printed Name

My commission expires: 9/18/2022