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Lincoln County, North Carolina  
Danny R. Hester, Register of Deeds

RECORDING COVERSHEET  
AMENDMENT TO BYLAWS

GRANTOR:

3 CHERRY WAY HOMEOWNERS ASSOCIATION, INC.

GRANTEE:

3 CHERRY WAY HOMEOWNERS ASSOCIATION, INC.

DRAWN BY AND RETURN TO:  
ZACHARY M. MORETZ  
MORETZ LAW GROUP, PA  
POST OFFICE BOX 446  
CONCORD, NC 28026

STATE OF NORTH CAROLINA

**AMENDMENT TO THE BYLAWS OF  
3 CHERRY WAY HOMEOWNERS**

COUNTY OF LINCOLN

**ASSOCIATION**

THIS AMENDMENT TO THE BYLAWS OF 3 CHERRY WAY HOMEOWNERS ASSOCIATION, INC. ("Amendment") is effective the first day of January 2023, by 3 CHERRY WAY HOMEOWNERS ASSOCIATION, INC., a North Carolina nonprofit corporation ("Association"), which does hereby adopt the following amendments to its Bylaws as set forth below.

The Association operates under Bylaws which were effective May 10, 2022 ("Bylaws"). Pursuant to Article 11, Section 11.1 of the Bylaws, the Bylaws may be amended by a majority vote of the Membership. To that end, on or about October 15, 2022, a written notice and sample ballot was mailed and emailed to all Members of the Association proposing certain amendments to the Bylaws. On November 15, 2022, at the Annual General Meeting of the 3 Cherry Way Homeowners Association was held, at which a majority of such ballots and in excess of a quorum were tallied, voting in favor of the amendments to the Bylaws set forth herein.

NOW, THEREFORE, the Members and the Association do hereby adopt these amendments to the Bylaws of the Association in order to implement the amendments approved by the Members.

1. Article 4, Section 4-2, paragraph 1 of the Bylaws, is hereby replaced in its entirety with the following:

The initial Board of Directors shall begin their term on May 1, 2022 and serve until the Association election of board members per N.C Gen. Stat §47F-3-103(e), not later than the termination of any period of declarant control.

2. Article 4, Section 4-2(c) of the Bylaws, is hereby replaced in its entirety with the following:

Hold an election for the Architectural Control Committee as per Article 9, Section 9.02 of the 3 CHERRY WAY HOMEOWNERS ASSOCIATION.

3. Article 4, Section 4-4, paragraph 1 of the Bylaws, is hereby replaced in its entirety with the following:

Not later than the termination of any period of declarant control, lot owners shall elect an executive board. The two (2) members receiving the first and second largest number of votes the Board of Director shall be elected for a two (2) year term. The remaining three (3) members receiving the next highest number of votes shall serve a one (1) year term.

4. Article 9, Section 9.3, paragraph 4 of the Bylaws, is hereby replaced in its entirety with the following:

The Architectural Control Committee shall consist of three (3) Members, who shall be elected by a majority vote of the Voting Members.

5. Article 9, Section 9.4, paragraph 3, of the Bylaws shall be removed from the Bylaws.

IN WITNESS WHEREOF, the Association has executed these amendments to the Declaration and the Bylaws by authority duly granted.

3 CHERRY WAY HOMEOWNERS ASSOCIATION, a North Carolina nonprofit corporation

By: [Signature]  
Curtis Hendricks, President

ATTEST: [Signature]

Printed name: Charles W. Melenthien  
VP 3 Cherry Way Bld

STATE OF NORTH CAROLINA  
Lincoln COUNTY

I certify that the following person(s) personally appeared before me this day, each duly acknowledging to me that he or she executed the foregoing document in the capacities noted therein: Curtis Hendricks.

Date: February 8, 2023

**LAUREN BARKLEY**  
Notary Public  
Gaston Co., North Carolina  
My Commission Expires Aug. 29, 2026

[Signature]  
Notary Public  
My Commission Expires: August 29, 2026