

STATE OF NORTH CAROLINA

AMENDMENT TO DECLARATION OF
COVENANTS, CONDITIONS AND
RESTRICTIONS FOR QUARTERPATH
VILLAGE, SECTION ONE, RECORDED
IN BOOK OF MAPS 1984, PAGE 1711,
WAKE COUNTY REGISTRY

COUNTY OF WAKE

THIS DECLARATION OF AMENDMENT is made this _____ day of _____, 2026, by obtaining the affirmative approval of the Owners of not less than seventy-five percent (75%) of the Lots in the Quarterpath Village Homeowners Association, Inc., a North Carolina nonprofit corporation (the "Association"), pursuant to the authority contained in Article XIII of the Declaration described below.

WITNESSETH:

WHEREAS, Quarterpath Village Partners, a North Carolina general partnership, the ("Original Declarant") caused to be recorded at Book 3449, Page 65 of the Wake County Registry on March 22, 1985, an instrument entitled, "Declaration of Covenants, Conditions and Restrictions for Quarterpath Village, Section One, recorded in Book of Maps 1984, Page 1711 Wake County Registry", ("the Original Declaration"); and

WHEREAS, the Original Declaration has been amended, modified, and supplemented thereafter by various recorded instruments including those entitled: "Amendment to Declaration of Covenants, Conditions and Restrictions For Quarterpath Village" recorded at Book 3961, Page 48 of the Wake County Registry on March 13, 1987; and Cities Development Company of Raleigh, Inc., a North Carolina Corporation, as successor Declarant ("Declarant") caused to be recorded instruments entitled: "Declaration of Annexation, Amendment, And Additional Covenants, Quarterpath Village As Recorded in Book of Maps 1989, Page 123 Wake County Registry" recorded at Book 4432, Page 785 of the Registry on February 02, 1989; "Amendment to Declaration of Annexation, Amendment And Additional Covenants, Quarterpath Village As Recorded in Book of Maps 1989, Page 123 and Book of Maps 1993, Page 946, Wake County Registry" recorded at Book 5722, Page 867 of the Registry on August 04, 1993; and "Amendment to Declaration of Covenants, Conditions and Restrictions For Quarterpath Village" recorded at Book 5935, Page 836 on December 22, 1993 (all of the foregoing instruments, as amended, collectively, the "Declaration"); and

WHEREAS, Article VII of the Declaration establishes certain exterior maintenance obligations of the Association, including the obligation to replace the roofs of certain Townhomes;

and

WHEREAS, pursuant to the “Declaration of Annexation, Amendment, And Additional Covenants, Quarterpath Village As Recorded in Book of Maps 1989, Page 123 Wake County Registry”, recorded in Book 4432, Page 785 of the Registry on February 02, 1989, the Declarant divided the development into two classifications of Townhomes consisting of (1) Attached Townhomes, whose exterior and grounds are maintained by the Association and (2) Detached Townhomes whose exterior and grounds are not be maintained by the Association; and

WHEREAS, Article III thereof, further provides that the costs associated with the Association’s exterior maintenance of the Attached Townhomes shall be borne solely by the Owners of the Attached Townhomes; and

WHEREAS, N.C. Gen. Stat. § 47F-3-117 provides that a declaration may be amended only by affirmative vote or written agreement signed by lot owners of lots to which at least sixty seven percent (67%) of the votes in the association are allocated, or any larger majority the declaration specifies; and

WHEREAS, Article XIII, Section 6 of the Declaration states that the Declaration may be amended after a (20) year period by an instrument approved by not less than ninety percent (90%) of the Lot Owners, and thereafter by an instrument approved by not less than seventy-five percent (75%) of the Lot Owners; and

WHEREAS, the first twenty (20) year period has expired and now the Owners of not less than seventy-five percent (75%) of the Lots desire to amend the Declaration as set forth below; and

WHEREAS, the requisite number of Lot Owners desire to amend Article VII of the Declaration to remove roof replacement language from the Association’s exterior maintenance obligations with respect to the Attached Townhomes, such that the individual, respective Owners of the Attached Townhomes shall thereafter be responsible for the maintenance, repair, and replacement of their respective gutters, downspouts, and roofs; and

NOW, THEREFORE, the undersigned does hereby declare that the Declaration of Covenants, Conditions, and Restrictions for QuarterPath Village, Second One recorded in Book of Maps 1984, Page 1711 Wake County Registry” is amended as follows:

1. Article VII of the Declaration entitled, “Exterior Maintenance” is hereby amended by deleting the words “replace roofs” and “clean and repair gutters” from the first paragraph of Article VII so that the paragraph shall read as follows: **(new language shown in bold)**

“The Association shall provide maintenance of all amenities and structures located in the Common Areas, including, but not limited to, sidewalks, lighting fixtures, parking areas, private drives, and utility and drainage facilities. The Association shall also provide exterior maintenance upon each Townhome which is subject to assessment hereunder, as follows: stain and/or paint all exteriors, replace, repair and care for walks, and other such

exterior improvements, and maintain individual lots including those which have been fenced in. Such exterior maintenance or replacement shall not include glass surfaces, gutters, downspouts, or **roofs.**”

2. Except as amended herein, the remaining portions of the Declaration remain unchanged and in full effect, together with all prior amendments thereto.

3. This Amendment shall be effective upon recordation in the Office of the Wake County Registry of Deeds.

4. The foregoing Amendment has been submitted to the Raleigh City Attorney as required by Article VIII, Section 7 of the Declaration. Upon recordation, this Amendment shall either be approved as provided in the Certification attached hereto or be conclusively deemed approved if not approved or disapproved within twenty (20) days from the date of its submission to the City Attorney in accordance with Article VIII, Section 7.

WHEREFORE, the President and Secretary of the Association have hereunto affixed the corporate certification for the purpose of enacting the foregoing Amendment to the Declaration.

[Signature Page to Follow]

CERTIFICATION OF VALIDITY OF AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR
QUARTERPATH VILLAGE, SECTION ONE, RECORDED IN BOOK OF MAPS 1984, PAGE
1711, WAKE COUNTY REGISTRY

By authority of its Board of Directors, the undersigned President of Quarterpath Village Homeowners Association, Inc., a North Carolina nonprofit corporation, hereby certifies that the foregoing instrument has been duly approved by Owners to which at least seventy-five percent (75%) of the votes in the Association are allocated, and is therefore, a valid amendment to the existing Declaration of Covenants, Conditions, and Restrictions for Quarterpath Village.

QUARTERPATH VILLAGE HOMEOWNERS ASSOCIATION,
INC.,

By: _____
PRESIDENT

ATTESTED BY: _____
Secretary

STATE OF NORTH CAROLINA
COUNTY OF WAKE

ACKNOWLEDGEMENT

I, _____, a Notary Public of the County and State aforesaid, certify that _____, of whose identity I have personal knowledge, personally appeared before me and acknowledged that the signature on the record presented is his/her signature and that he/she voluntarily executed the foregoing instrument for the purpose stated therein and in the capacity indicated and with full authority to do so.

Witness my hand and official stamp or seal, this ___ day of _____, 2026.

Notary Public

Printed Name

My Commission Expires: _____

CERTIFICATE OF APPROVAL BY THE CITY ATTORNEY
FOR THE CITY OF RALEIGH

The foregoing Amendment has been submitted to the office of the Raleigh City Attorney or his or her deputy and the same has been approved, as provided in Article XIII, Section 7 of the Declaration.

This the _____ day of _____, 2026.

By: _____
City Attorney for the City of Raleigh