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NON-STANDARD DOC FEE

PRESENTED & RECORDED:  
07-25-2018 10:49:21 AM  
TONIA R HAMPTON  
REGISTER OF DEEDS  
BY: KIMBERLY HATT  
DEPUTY REGISTER OF DEEDS  
BK: CRP 1250  
PG: 440-441

**SECOND AMENDMENT TO  
DECLARATION OF  
COVENANTS, CONDITIONS, AND RESTRICTIONS  
OF  
THE ARBOR AT LAKE JAMES SUBDIVISION**  
By  
**The Arbor at Lake James Property Owners Association, Inc.**

WITNESSETH:

WHEREAS, the Arbor at Lake James subdivision and The Arbor at Lake James Property Owners Association, Inc. are governed by certain documents including declarations of covenants, conditions and restrictions on record, including without limitation recorded documents found in:

- Deed Book 666, Page 468; Book 666, Page 476;
- Deed Book 687, Page 282; Book 687, Page 294; Book 687, Page 301;
- Deed Book 687, Page 308; Book 687, Page 717;
- Deed Book 704, Page 645;
- Deed Book 714, Page 108; Book 714, Page 116;
- Deed Book 745, Page 246;
- Deed Book 758, Page 344;
- Deed Book 787, Page 89;
- Deed Book 790, Page 177;
- Deed Book 1066, Page 243;
- Deed Book 1077, Page 464; Book 1077, Page 479;
- Deed Book 1034, Page 369; and
- Deed Book 1142, Page 547; of the McDowell County Registry; and

WHEREAS, the Arbor at Lake James subdivision is subject to the North Carolina Planned Community Act, Chapter 47F of the North Carolina General Statutes; and

WHEREAS, at or before a Board Meeting on April 7, 2018 of the members of The Arbor at Lake James Property Owners Association, Inc., and after affirmative vote by ballots of the lot owners of lots to which at least sixty-seven percent (67%) of the votes in the association are allocated, the membership decided to:

Amend the Declaration of Covenants, Conditions and Restrictions and The Arbor on Lake James Subdivision for all phases to allow the designation of all past, present, and future purchases of real property by The Arbor POA as POA Common Area. (NOTE: The purpose of this amendment is to prevent The Arbor POA board and future Arbor POA Boards from selling property purchased by the POA to third-parties for other, non-common area uses or purposes).

John Leon

THEREFORE:

Pursuant to the North Carolina Planned Community Act, and specifically, N.C. Gen. Stat. § 47F-2-117, and after affirmative vote of the lot owners of lots to which at least sixty-seven percent (67%) of the votes in the association are allocated, the Declaration of The Arbor At Lake James subdivision, for all phases, is hereby amended, as follows:

A new Article is added at the end of the Declaration, to wit:

ARTICLE XI

Designation of property purchased by  
The Arbor at Lake James Property Owners Association, Inc. as Common Area

All past, present, and future purchases of real property by The Arbor at Lake James Property Owners Association, Inc. shall be deemed for all purposes as Common Area. It is the stated purpose of this Article XI to prevent current and future Association Boards from selling any lot that the Association has purchased, to a third party. This prohibition applies to real property purchased by the Association in the future.

All other covenants, conditions, and restrictions, as amended, of The Arbor at Lake James subdivision are hereby restated and re-affirmed.

The Arbor at Lake James Property Owners Association, Inc.



William M. Adams, President

North Carolina  
Mecklenburg County.

I, a Notary Public of the County and State aforesaid, certify that WILLIAM M. ADAMS personally appeared before me this day, acknowledged to me that he is the President of The Arbor at Lake James Property Owners Association, Inc., a North Carolina non-profit corporation, that the foregoing amendment was duly adopted by the members of the Association, and he acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 20 day of July, 2018.

 Peter A. McCranie Jr.  
Signature Name Printed/Typed Notary Public

My commission expires: 09/09/2022

