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**PREPARED BY AND RETURN TO:**

✓ Ruth O'Donnell, 69 Brown St., Weaverville, NC 28787

STATE OF NORTH CAROLINA  
COUNTY OF BUNCOMB

**FIRST AMENDMENT TO DECLARATION OF COVENANTS,**  
**CONDITIONS & RESTRICTIONS**  
**FOR LAKESIDE MEADOWS**

THIS AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS FOR LAKESIDE MEADOWS is made and entered into effective this 24<sup>th</sup> day of April, 2017 by the Lakeside Meadows Homeowners' Association, Inc., a North Carolina nonprofit corporation (hereinafter referred to as the "Association").

WHEREAS, Windsor Built Homes, Inc., a South Carolina corporation authorized to transact business in North Carolina (hereinafter referred to as "Windsor") previously executed and recorded the Declaration of Covenants, Conditions and Restrictions for Lakeside Meadows, the same having been recorded in Book 5404, Pages 152 -172, Buncombe County Register of Deeds (hereinafter referred to as the "Declaration"); and,

WHEREAS, said Declaration provides in Article XI, Section 2. B. that the Declaration may be amended "By the Association by a vote of at least sixty-seven percent (67%) of all votes entitled to be cast by the Association Members, which vote is taken at a duly held meeting of the Association at which a quorum is present, all in accordance with the Bylaws"; and,

WHEREAS, in conformance with those requirements in Article XI, Section 2.B. an election was held at the Association's Annual Meeting on April 22, 2017, at which a quorum

was present, to amend Article VII, Protective Covenants, Section 7 Fences of the Declaration; and,

WHEREAS, there are twenty-five (25) lots in Lakeview Meadows and a sixty-seven percent (67%) is necessary for the adoption of amendments to the Declaration; and,

WHEREAS, the Amendment to Article VII, Section 7 was approved by a vote of eighteen (18) in the affirmative and four (4) in the negative.

NOW, THEREFORE in consideration of the Amendment to the Declaration set forth herein, passing to themselves and all present and future owners of property in Lakeside Meadows, and pursuant to the Declaration of Covenants, Conditions and Restrictions of Lakeside Meadows For Lakeside Meadows recorded in Book 5404 at Pages 152-172 at the Buncombe County, North Carolina Register of Deeds, the Association does hereby make, declare, modify and amend such Declaration in manner and form as follows:

Article VII, Section 7 is deleted in its entirety and the following amendment is substituted.

Fences are to be either wood, aluminum or powder coated aluminum or steel. Homeowners are responsible for fence maintenance. Fences may be four or six feet in height.

1. Wood fences are to:
  - have arched tops from post to post;
  - have pressure treated lumber with both sides smooth;
  - have line posts that are 4"x 4" and inset;
  - have black iron gate hardware;
  - be coated with clear, semi-transparent or solid stain preservative within thirty days after installation. Subsequent application should be done as needed to maintain the fence in very good condition.
  - Dog ear style wood fencing cannot be used.
2. Metal Fences must:
  - have a racking design to accommodate inclines, if needed;
  - be powder-coated aluminum or steel;
  - be post & rail style;
  - have a flat top; and
  - be black or brown in color.

All of the other provisions of the Declaration of Covenants, Conditions and Restrictions For Lakeside Meadows as recorded in Book 5404, Pages 152-172 at the

Buncombe County, North Carolina Register of Deeds are incorporated herewith by reference in the same manner as if set out in full.

IN WITNESS WHEREOF the undersigned have hereunto set their hands and seals on the day and year first above written.

LAKESIDE MEADOWS HOMEOWNERS' ASSOCIATION, INC.

By: Ruth O'Donnell, President  
RUTH O'DONNELL

(Corporate Seal)

STATE OF NORTH CAROLINA  
COUNTY OF BUNOMBE

I, P Cameron Henderson, Notary Public,

certify that Ruth O'Donnell personally came before me this day and acknowledged that she is President of Lakeside Meadows Homeowners' Association, Inc., a corporation, and that she, as President, being authorized to do so, executed the foregoing on behalf of the corporation.

Witness my hand and official seal, the 24<sup>th</sup> day of April, 2017.

J. Cameron H.

My commission expires 7-9-19

