



2018001923

TRANSYLVANIA CO, NC FEE \$26.00
PRESENTED & RECORDED:

04-25-2018 11:10:15 AM

CINDY M OWNBEY
REGISTER OF DEEDS
BY: BETH C LANDRETH
ASSISTANT

BK: DOC 839

PG: 562-564

Please return to Erin F. Dunnuck, Esq., Dunnuck Law Firm, P.L.L.C., 16 Broad Street, Asheville, North Carolina 28801

STATE OF NORTH CAROLINA
COUNTY OF TRANSYLVANIA

References:

- Deed Book 384, Page 311
- Deed Book 392, Page 512
- Deed Book 408, Page 402
- Deed Book 651, Page 274

**AMENDMENT TO THE DECLARATION OF
RESTRICTIVE COVENANTS FOR MOUNTAIN BROOK**

THIS AMENDMENT made this the 27 day of February, 2018.by
Mountain Brook;

WITNESSETH

WHEREAS, Mountain Brook Property Owners Association, Inc., ("Mountain Brook") a real property development established as a planned community to be organized, controlled and governed by that certain Declaration of Restrictive and Protective Covenants for Mountain Brook ("Declaration"), as amended, recorded at Deed Book 384, Page 311 of the Transylvania County Registry on December 15, 2006; and

WHEREAS, Mountain Brook has been submitted and subjected to the provisions and terms of the North Carolina Planned Community Act (North Carolina Gen. Stat. §47F-1-101 et seq.; and

WHEREAS, in accordance with the provisions of Article 29 of the Declaration and Section 47F-2-117 of the North Carolina Planned Community Act, the owners of lots to which at least sixty-seven percent (67%) of the votes are allocated voted in favor of the adoption of this Amendment; and

NOW THEREFORE, the Declaration is hereby amended by striking Article 16 of the Declaration and replacing it with the following Article 16:


ARTICLE 16
SIGNS

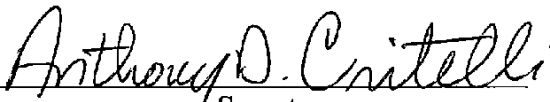
With the exception of those lots owned by Developer on which Developer may in its absolute discretion erect such signs as it may deem appropriate, no signs shall be placed on any lot without prior Board approval. Notwithstanding anything hereinabove set forth to the contrary, the Association shall have the right to erect reasonable and appropriate signs on the common area, and each lot owner shall have the right to erect a mailbox on his or her lot with the property address inscribed thereon provided that the type of mailbox, the manner that the property address has been inscribed thereon and the support post for such mailbox has been approved by the Architectural Control Committee which shall have the right to specify standards for mailboxes and support posts which shall be applicable to all lots.

IN WITNESS WHEREOF, the undersigned officers of Mountain Brook Property Owners Association, Inc. hereby certify that the above amendment to the Declaration of Restrictive and Protective Covenants for Mountain Brook is duly adopted by the Association and its membership in accordance with and pursuant to the Declaration.

This 27 day of February, 2018.

Mountain Brook Property Owners Association, Inc.

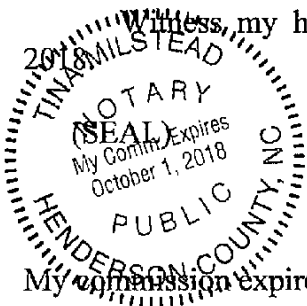
By: 
President

Attest: 
Secretary

STATE OF NORTH CAROLINA
COUNTY OF Henderson

I Tina Milstead, Notary Public for Henderson County,
North Carolina, certify that Anthony D. Critelli personally came before me this day
and acknowledged that she/he is Secretary of Mountain Brook Property Owners Association,
Inc., a nonprofit corporation, and that by authority duly given and as the act of the corporation,
the foregoing instrument was signed in its name by its President and attested by herself/ himself
as its Secretary.

Witness, my hand and official seal, this the 27th day of February.



[Signature]
Notary Public

My commission expires 10.01.18.