

Drawn by and HOLD FOR: Brian S. Edlin,  
JORDAN PRICE WALL GRAY JONES & CARLTON

**STATE OF NORTH CAROLINA**  
  
**COUNTY OF WAKE**

**THIRD AMENDMENT TO  
DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS  
FOR STAFFORD TOWNHOMES**

THIS AMENDMENT to the Declaration of Covenants, Conditions and Restrictions for Stafford Townhomes (hereinafter, "Amendment"), made this 17 day of NOVEMBER, 2015 by the requisite number of members as outlined in Article X, Section 4 of the Declaration of Covenants, Conditions and Restrictions for Stafford Townhomes.

WITNESSETH:

THAT WHEREAS, in 1984 the original Heritage Green Associates ("Declarant") caused to be recorded a Declaration of Covenants, Conditions and Restrictions for Stafford Townhomes in Book 3284, Page 87 in the Wake County Registry, as amended in that First Amendment to Declaration of Covenants, Conditions and Restrictions for Stafford Townhomes recorded at book 3325, page 525 of the Wake County Registry, Second Amendment to Declaration of Covenants, Conditions and Restrictions for Stafford Townhomes recorded at book 3397, page 589 of the Wake County Registry, (hereinafter collectively called, "Declaration"); and

WHEREAS, the Stafford Townhomes Association, Inc. ("Association") is the non-profit corporate entity formed for managing the affairs of the Stafford community;

WHEREAS, Article X, Section 4 of the Declaration provides that such Declaration may be amended with an instrument signed by not less than seventy five percent (75%) of the Lot Owners during the second twenty (20) year period of the Declaration;

WHEREAS, not less than seventy five percent (75%) of the Lot Owners at this time have approved this Amendment as set forth in the Certificate of Amendment attached hereto. This Amendment shall become effective upon recordation of this amendment in the Wake County Registry.

NOW, THEREFORE, the undersigned does hereby declare that the Declaration for Stafford Townhomes shall be amended as follows:

1. To amend Article IX, of the Declaration by adding a new Section 20 to the Declaration:

Section 20. Leasing. "No home on a Lot may be leased for a period of less than six (6) months. Each lease must provide that it is subject to this Declaration and the Bylaws of the Association, that any failure by the tenant to comply with such shall be default under the lease and that the Association may enforce the provisions of this Declaration and the Bylaws against the tenant and the Owner. In addition to the foregoing, the number of non-Owner occupied Lots (i.e. leased) at any given time will not be above seven (7) of the total number of Lots in Stafford. It being the intention of this Amendment that, at times, the Board may, but shall not be required to, promulgate or amend its rules and regulations to allow in excess of seven (7) Lots in Stafford Townhomes to be non-Owner occupied (i.e. 8, 9, 10, etc.), however, may not promulgate or amend its rules and regulations to set the number of non-Owner occupied Lots below seven (7) (i.e. 6, 5, 4 etc.). The Board may, but shall not be required to, adopt rules and regulations that set the limit at a permissible number of Lots in Stafford Townhomes which exceed the set limit for unforeseen circumstances and hardships by any Owner. All leases of Lots for residential purposes must be pre-approved in writing by the Board of Directors. Approval by the Board of Directors will not be unreasonably withheld, provided however, that the Board of Directors reserves the right to promulgate rules and regulations with respect to leases of lots, including, without limitation, the requirement of all leases to require a criminal background check for the lessee. All leases shall require that the tenant provide written acknowledgment of receipt of a copy of the Declaration of Covenants, Conditions and Restrictions for Stafford Townhomes and shall comply with the foregoing, provided as a remedy to the Owner for failure to comply eviction from the Lot.

2. This amendment shall be effective upon recordation in the Office of the Wake County Registry.

3. Except as amended hereinabove, the remaining portions of the Declaration as originally recorded are hereby restated and reacknowledged.

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

CERTIFICATION OF VALIDITY OF THE AMENDMENT TO COVENANTS, CONDITIONS AND RESTRICTIONS FOR STAFFORD TOWNHOMES

By authority of its Board of Directors of the Stafford Townhomes Homeowners Association, Inc., the undersigned hereby certify that the foregoing instrument has been signed by not less than seventy-five percent (75%) of the Owners in Stafford Townhomes and is, therefore, a valid amendment to the existing Declaration of Covenants, Conditions and Restrictions for Stafford Townhomes, pursuant to the requirements of Article XI, Section 4 of the Declaration.

STAFFORD TOWNHOMES HOMEOWNERS ASSOCIATION, INC.

By: James Powell  
President

ATTEST:

Alfred Hamilton  
Secretary

Ruby M. Camp  
vice president

STATE OF NORTH CAROLINA

ACKNOWLEDGMENT

COUNTY OF WAKE

I, Nancy S. Tidwell, a Notary Public of the County and State aforesaid, certify that Alfred Hamilton personally came before me this day and acknowledged that he is Secretary/Assistant Secretary of Stafford Townhomes Association, Inc., a North Carolina non-profit 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 Alfred Hamilton as its Secretary/Assistant Secretary.

Witness my hand and official stamp or seal, this 17<sup>th</sup> day of November, 2015.

Notary Public

My commission expires:

**NANCY S. TIDWELL**  
Notary Public, North Carolina  
Wake County  
My Commission Expires  
**January 14, 2019**