

STATE OF NORTH CAROLINA  
COUNTY OF ONSLOW

AMENDMENT TO BY-LAWS OF RIVER BLUFF HOMEOWNERS' ASSOCIATION, INC.  
A Non-Profit Corporation

THIS AMENDMENT TO BY-LAWS OF RIVER BLUFF HOMEOWNERS' ASSOCIATION, INC. made and entered into this the 28<sup>th</sup> day of February, 2022, by and between the Board of Directors, and Bluff Homeowners' Association, Inc.,

WITNESSETH:

WHEREAS, Article XII of the By-Laws for the River Bluff Homeowners' Association, Inc. provides that the By-Laws may be altered or amended at any duly called meeting of members provided: (i) that the notice of the meeting shall contain a full statement of the proposed alteration or amendment and (ii) that the amendment shall be approved by vote of Fifty-One Percent (51%) of the Members. No amendment, however, shall affect or impair the validity or priority of the Members' interests and the interests of holders of a mortgage encumbering a Lot. Notwithstanding anything contained herein, so long as the Developer, or its successor or assignee, controls the Architectural Committee, no amendment affecting the Architectural Committee may be made without the written approval of the Developer or such successor or assignee, and

WHEREAS, the Declarant does not maintain control of the Association; and

WHEREAS, this Amendment was voted on at a duly called meeting by the Members, and was approved by vote of at least Fifty-One Percent (51%) of the Members;

NOW, THEREFORE, for and in consideration of the premises, the undersigned current duly elected Board of Directors hereby amends the By-Laws recorded in Book 3490, Page 282-300 in the office of the Register of Deeds of Onslow County in the following respects:

1. Section 11 of Article XI of said By-Laws is hereby amended and replaced with the following paragraph:

Section 11. Reserve or Contingency Funds. The Board may at its discretion establish a Reserve or Emergency Contingency Fund and allocate a portion of the regular annual assessment to fund the Reserve, which shall not have an annual cap amount which may be deposited into the Contingency Fund. The Reserve or Emergency Contingency Fund shall be used to fund unexpected costs related to the annual operating costs of the Association. The Reserve or Emergency Contingency Fund shall be capped at \$200,000/00, unless amended by a two-thirds (2/3) majority vote of Property Owners, which will only allow breaching the cap for one (1) year and must be voted again the following year.

Reserve or Emergency Contingency Fund moneys shall be held in the same depository account as the regular operating fund, so long as proper documentation is present and maintained by the Board.

The undersigned hereby certifies that the foregoing amendment to the bylaws have been adopted and incorporated with the first By-Laws of the Corporation, pursuant to the requirements of the North Carolina Business Corporation Act.

IN TESTIMONY WHEREOF, the Board has caused this instrument to be signed and sealed in a manner as to be binding, this the day and year first above written.

Michelle Delargy (SEAL)  
President: Michelle Delargy

Robert S. Larimore (SEAL)  
Vice President: Robert Larimore

Walter Villalta (SEAL)  
Treasurer: Walter Villalta

Chino Levia (SEAL)  
Secretary: Chino Levia

\_\_\_\_ (SEAL)  
Member at Large: Vacant

State of North Carolina  
County of Onslow



I, Courtney Kieweg a notary public of the State of North Carolina, County of Onslow, do hereby certify that Michelle Delargy, Robert Larimore, Walter Villalta and Chino Levia personally appeared before me this day and acknowledged that they voluntarily executed this instrument for the purposes stated therein.  
Witness my hand and official seal, this the 10<sup>th</sup> day of March 2024.  
My commission expires 11/01/2024. Courtney Kieweg