

## Master Dec. Amendment

NOTE: These are not the original governing documents, but are generated from transcriptions that may contain errors or slight changes for readability.

### **AMENDMENT TO THE MASTER DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE COLONY**

#### **STATE OF NORTH CAROLINA COUNTY OF MECKLENBURG**

This is an Amendment to the Master Declaration of Covenants, Conditions, and Restrictions for the Colony, which is recorded in Book 14263 Page 738 of the Mecklenburg County Register of Deeds (hereinafter referred to as the "Declaration"). Article XII GENERAL PROVISIONS Section 12.5 Amendment and Termination provides the Declaration may be amended by written document signed by two-thirds (2/3) of the Owners of the Lots.

#### **WHEREFORE the Declaration is hereby amended as follows:**

1. Article III MEMBERSHIP CLASSIFICATIONS; VOTING RIGHTS; DUES OBLIGATIONS Section 3.2 Classes of Membership II Dues Obligations (a) shall hereby be deleted in its entirety and replaced with the following
  - (a) **Basic Dues:** Basic Dues shall be the pro-rata share of all expenses incurred related to the maintenance of the Common Area, any portions of the Property that are shared by all Owners and maintenance related to the Shops Condominium Association. Basic Dues shall include the administrative costs of maintaining and operating the Association. Basic Dues shall be determined by dividing the total of such expenses by the total number of Lots on the Property (except as to the Lofts Condominium Units, which shall be based on the square footage of each Loft Condominium Unit, as set forth in more detail in the Lofts Condominium Declaration).
2. Article III MEMBERSHIP CLASSIFICATIONS; VOTING RIGHTS; DUES OBLIGATIONS Section 3.2 Classes of Membership II Dues Obligations (d) shall hereby be deleted in its entirety and replaced with the following
  - (d) **Level A3 Dues:** Level A3 Dues shall be Basic Dues and the pro-rata share of expenses related to the Shops Condominium Association, as set forth in the Shops Condominium Declaration not provided for herein. For purposes of determining such pro-rata share, the Level A3 Dues shall be determined by dividing the total square footage in each Retail Condominium Unit by the total square footage of all Retail Condominium Units, as set forth in the Shops Condominium Declaration. Level A3 Dues may be further subdivided to provide for payment of Common Elements and Limited Common Elements (as defined in the Shops Condominium Declaration) as appropriate under the Shops Condominium Declaration.

The undersigned, being the owners of at least two-thirds (2/3) of the Lots hereby certify with their signatures that this Amendment was approved as required in Article XII of the Declaration.

(SIGNATURES ON FOLLOWING PAGES)

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**For Registration** Fredrick Smith

Register of Deeds

Mecklenburg County, NC

Electronically Recorded

2022 Feb 28 02:16 PM

RE Excise Tax: \$0.00

Book 37107 Page: 327 - 350

Fee: \$76.00

Instrument Number 2022031734

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**Drawn by/Mail to:**

William B. Hamel

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