



FOR REGISTRATION REGISTER OF DEEDS  
Willie L. Covington  
DURHAM COUNTY, NC  
2009 FEB 19 01:34:03 PM  
BK:6146 PG:687-689 FEE:\$17.00  
NS:\$25.00  
INSTRUMENT # 2009004848

Mail after recording to Philip S. Adkins, PO Box 52393, Durham, NC 27717

**SECOND AMENDMENT TO THE HICKORY DOWNS  
DECLARATION OF UNIT OWNERSHIP UNDER PROVISIONS OF CHAPTER  
47A OF THE GENERAL STATUTES OF NORTH CAROLINA AND OF  
COVENANTS, CONDITIONS AND RESTRICTIONS**

WHEREAS, by authority provided in Article 19 of the DECLARATION OF UNIT OWNERSHIP UNDER PROVISIONS OF CHAPTER 47A OF THE GENERAL STATUTES OF NORTH CAROLINA AND OF COVENANTS, CONDITIONS AND RESTRICTIONS (hereinafter "Declaration") recorded in Book 1012, Page 73, Durham County Registry, the unit owners owning seventy-five (75%) percent of the aggregate interest in the common areas and facilities affirmatively voted at a meeting duly held for the purpose of amending the Declaration as follows:

1. By adding to Paragraph 12 A of the Declaration the following: Unit owners shall within thirty (30) days of written notification, reimburse the Association a sum equal to their unit's pro rata share of the total premium the Association paid for the insurance coverage required by the Declaration. In the event any unit owner fails to pay their proportionate share of the insurance premium within thirty (30) days of receiving written notice, the Association may deem the unpaid amount to be assessments secured by liens under G.S. 47C-3-116 and proceed to foreclose said liens pursuant to the Declaration, the Bylaws of Hickory Downs and NCGS § 47C.

2. By deleting Paragraph 12C in its entirety and substituting in lieu thereof the following: Premiums: The Board of Directors shall pay the premiums for the said insurance policies when due and notify, in writing, each of the unit owners of their proportionate share of the premium and their responsibility to pay their share within thirty (30) days of the written notice.

3. Effect of Amendment. Except as amended herein, the Declarations and previous Amendments remain in full force and effect. The Amendment provides that the

Association will acquire liability and all perils insurance on behalf of the individual unit owners and the unit owners are to pay their proportionate share of the premiums for said insurance, pursuant to paragraph 12A as amended.

Pursuant to the provisions of Article 19 of the Declaration, the Association held a meeting of the unit owners for the purpose of amending the Declaration on the 22nd day of October, 2008. The unit owners of at least seventy-five (75%) percent of the aggregate interest in the common areas and facilities voted in favor of this Second Amendment.

IN WITNESS WHEREOF, the President of Hickory Downs Owners Association, has caused this Second Amendment to UNIT OWNERSHIP UNDER PROVISIONS OF CHAPTER 47A OF THE GENERAL STATUTES OF NORTH CAROLINA AND OF COVENANTS, CONDITIONS AND RESTRICTIONS to be executed on this the 24<sup>th</sup> day of November, 2008.

HICKORY DOWNS OWNERS ASSOCIATION, INC.

By: Aaron Thomas Bednar  
Aaron Thomas Bednar, its President

NORTH CAROLINA  
ALAMANCE COUNTY

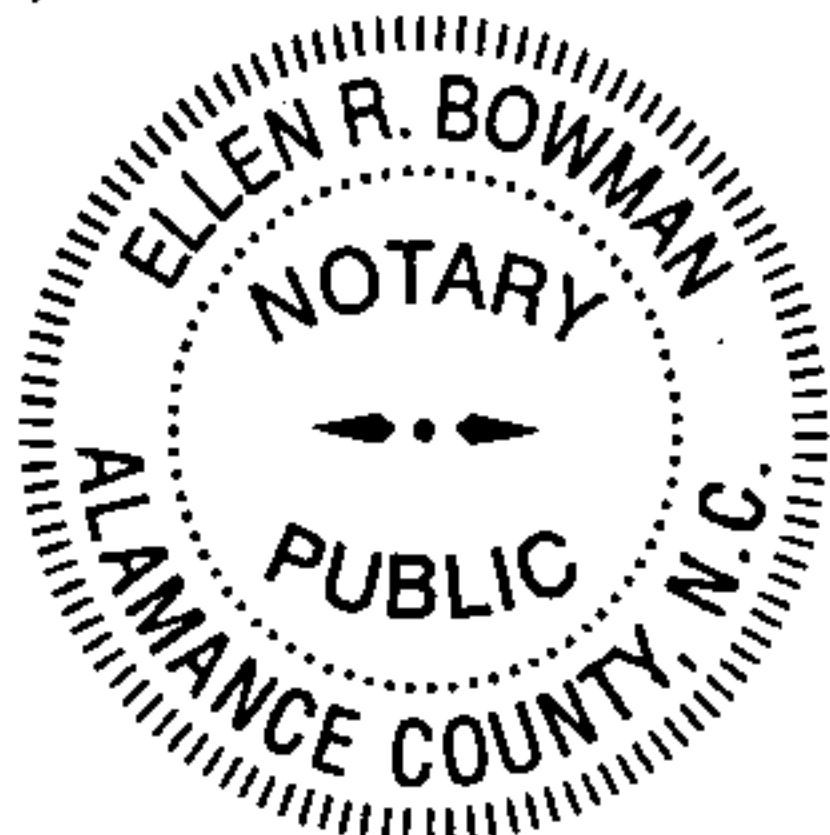
I, Ellen R. Bowman, a Notary Public of the State and County aforesaid, hereby certify that Aaron Thomas Bednar personally appeared before me this day and acknowledged the execution of the foregoing instrument.

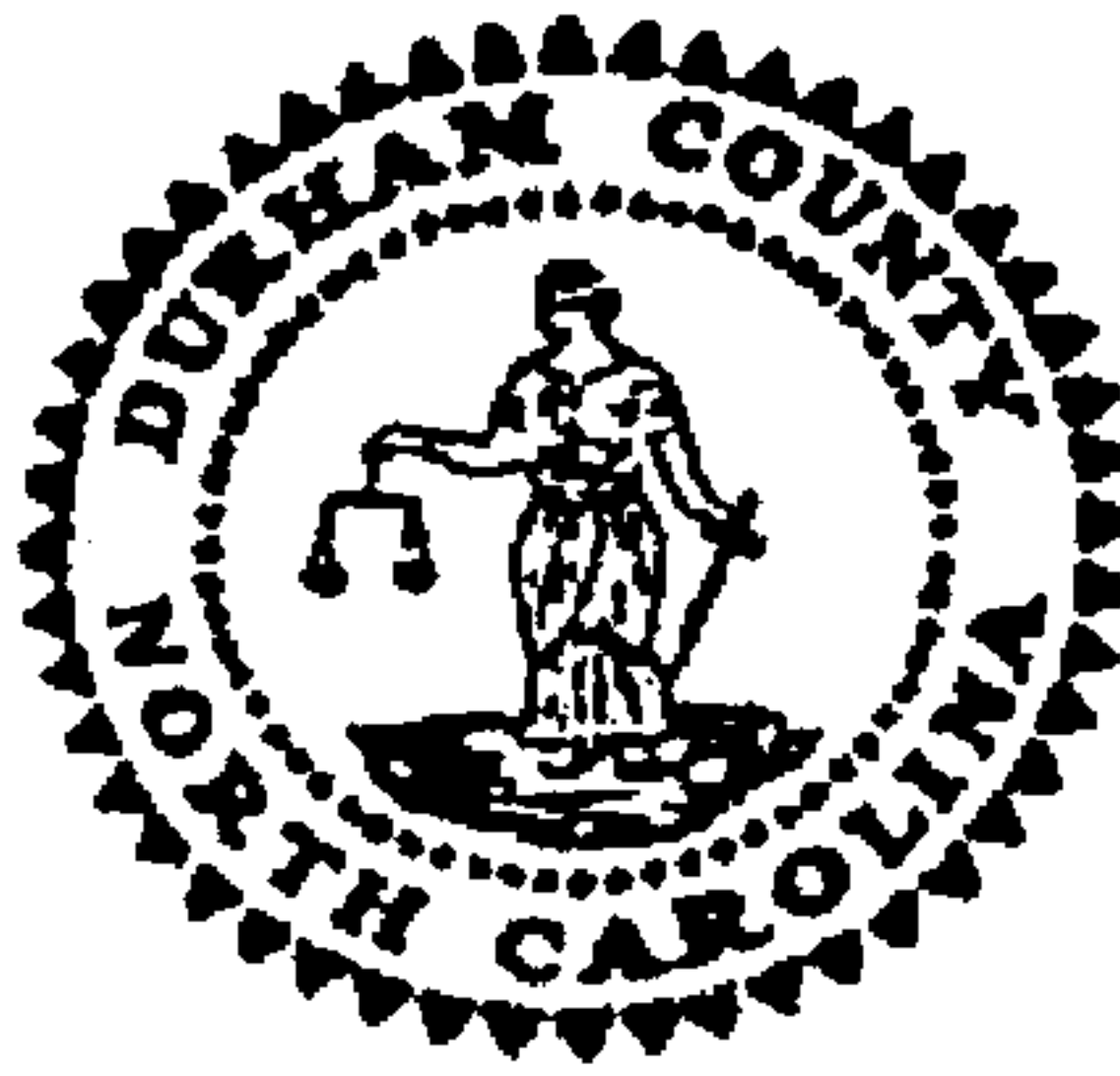
Witness my hand and official stamp or seal this 24<sup>th</sup> day of November, 2008.

Ellen R. Bowman  
Notary Public  
Print Name: Ellen R. Bowman

My Commission expires:

5/24/2009





WILLIE L. COVINGTON  
REGISTER OF DEEDS, DURHAM COUNTY  
DURHAM COUNTY COURTHOUSE  
200 E. MAIN STREET  
DURHAM, NC 27701

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