



2016002956

TRANSYLVANIA CO, NC FEE \$344.00

PRESENTED & RECORDED:

06-29-2016 03:19:05 PM

CINDY M OWNBEY

REGISTER OF DEEDS

BY: BEVERLY MCJUNKIN

DEPUTY REGISTER OF DEEDS

BK: DOC 768

PG: 85-129

STATE OF NORTH CAROLINA

TRANSYLVANIA COUNTY

CERTIFICATE OF
AMENDMENT TO RESTRICTIVE COVENANTS FOR
EAGLE LAKE DEVELOPMENT

NOW COMES THE EAGLE LAKE PROPERTY OWNERS ASSOCIATION, INC., by and through the undersigned Secretary, who hereby certifies that the Amendment to the Restrictive Covenants attached hereto as Exhibit A is applicable to all properties within the Eagle Lake Subdivision for the purposes of PROHIBITING SHORT TERM RENTALS, as defined therein, within the development;

Witnesseth:

Whereas, as stated in Section 14.4 of the EAGLE LAKE DECLARATION OF COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS (herein after, "RESTRICTIVE COVENANTS") on record in Book 325, page 61 through page 90, the said RESTRICTIVE COVENANTS may be amended by an instrument "signed by Owners representing not less than seventy-five percent (75%) of all the votes of the Association;"

Whereas, as stated in Section 3.4 of the said RESTRICTIVE COVENANTS, "[w]henver in this Declaration a proposed action or issue must be approved by a specified percentage of the vote of the Members of the Association, such approval may be obtained by ... (b) the specified percentage of Members ... giving their approval by written consent to approve the action or issue;

Whereas, the actual AMENDMENT TO RESTRICTIVE COVENANTS FOR EAGLE LAKE DEVELOPMENT appears as Exhibit A attached hereto; and

Whereas, the signatures of the following members representing votes for the lot numbers shown below are affixed thereto:

<u>NAME</u>	<u>LOT NO.</u>
Bruce Amig	157
Margaret G. Edmiston	618
W. R. and Karen Alcorn	164
Ronald and Cynthia Allen	804 & 806
Norris Barger	822
Nancy W. Beale	502 & 504
Richard and Sharon Black	268
Karen Clarke & Barbara Bolt	158
Jason and Julie Bowman	105
Tim Brenton	251
David Carlson	269
Patrick & Bridget Carmichael	106
Joe and Patt Castaldo	611
Sam & Penny Christian	296
Dennis and Leigh Clark	603
Kathleen and Robert Cooper	814 & 818
Jane D. Creadick	119
Margaret and Ann Edmiston	405
Matthew and Mary Ellen Estes	278
Barney B. Evans	134
Scott and Terry Fleming	301
A. Stuart Fendler	114, 115 & 117
Katherine B. Garlington	255 & 616
Margaret Garren	624
Susan Goodwin	606 & 608
Brian Harron	165
Sam Hilemon	259 & 263
Mark W. Hohenwarter	144, 147 & 501
Gladys and Ronnie Jenkins	267
Raymond M. Johnson	280
Jean Judge	128 & 130
Michael and Honey Kirila	160
Kenneth and Alane Klink	402
Bianca C. Ko	703
Tom and Sarah Lairson	171 & 293

<u>NAME</u>	<u>LOT NO.</u>
Steven and Beth Lamb	270
David Lasseter	273
Allen and Delores Lastinger	124
Keith Loken	626
James and Jill McLoughlin	136
Jim Pepperell and Tracy Mather	307
Thomas and Bonnie McMahon	306
William A. Morton, Jr.	810
Candace C. Nininger	161
Raymond and Barbara Norris	622
Mary F. Northover	205 & 209
CJ and Beth Parris	605
William R. Pauer	103
Robert Averitt	170
Joseph Resor	239 & 153
William and Kathryn Rileigh	154, 156 & 167
Carlos M. Rish and Bitar Nayla	711
Robert L. Overstreet	107
Dan and Vicki Rupnow	600
Natalie Safee	112
Duane and Judy Sattererthwaite	620
Nila Schwab	272
Barry R. Sellick	305
John A. Semanik	235
Robert Wright	245 & 614
Dana Smith	602
Richard K. Smith	632 & 634
Joe and Kimberly Stewart	707
Bill and Debbie Tate	282
Joseph S. Taylor	124-B
Joseph S. Taylor, Pres. Eagle Lake of NC, Inc.	101, 163 & 628
John & Kathleen Thorpe	404 & 406
Al Trungale	303
Mark T. Welborn	404-B
John and Heath Weldon	284 & 286
Bill White	299 & 130

<u>NAME</u>	<u>LOT NO.</u>
Kathryn Ray and Peter Wilander	148
Hamilton Williams	630
G. Craig Wilson	132
R. Shane and Jennifer F. Woody	109
Mark S. and Wendy Wilkins	116

NOW, THEREFORE, I HEREBY CERTIFY that this AMENDMENT TO RESTRICTIVE COVENANTS has been approved by more than seventy-five percent (75%) of the voting members, that it meets the requirements for an Amendment to the Restrictive Covenants, that it applies to all lands within the Eagle Lake Development (as referred to in the original Restrictive Covenants), including lands owned by members who signed and those owned by members who did not sign, that it is hereby being recorded by Resolution of the Board of Directors, and that it is effective upon recordation.

Witness my hand and corporate seal this the 29 day of June, 2016.

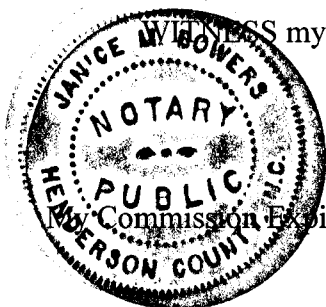
EAGLE LAKE PROPERTY OWNERS ASSOCIATION, INC.

By: Martha Sellick
Marta Sellick, Secretary

STATE OF NORTH CAROLINA,
COUNTY OF TRANSYLVANIA.

I, a Notary Public, certify that Martha Sellick personally came before me this day and acknowledged that she is the Secretary of EAGLE LAKE PROPERTY OWNERS ASSOCIATION, INC., a North Carolina corporation, and that she as Secretary, being authorized to do so, executed the foregoing on behalf of the corporation.

Witness my hand and Notarial Seal, this the 29th day of June, 2016.



Janice M. Bowers
Notary Public

EXHIBIT "A" TO CERTIFICATE OF
AMENDMENT TO RESTRICTIVE COVENANTS FOR
EAGLE LAKE DEVELOPMENT

41 PAGES

Eagle Lake Property Owners' Association, Inc. (the "Association" or "Eagle Lake POA")
Vote on Proposed Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements
(as Recorded February 11, 2005) (the "Declaration")

X I vote in favor of amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

_____ I vote against amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

Name (please print) Bruce Amis

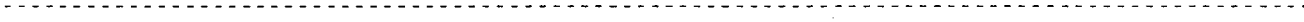
Lot # 157

Home Address 1131 Park West Drive Chaut

Eagle Lake Address 1043 Eagle Lake Boulevard

Signature B. Amis

(Please cut along line and mail only your voting slip above.)



TERRY AGNEW

This is Agnew

Eagle Lake Property Owners' Association, Inc. (the "Association" or "Eagle Lake POA")
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I vote against amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

Name (please print) Margaret G Edmiston

Lot # 618

Home Address 134 Pelican Reef Drive, St Augustine, FL 32080

Eagle Lake Address 454 Lost Mine Trail, Brevard, NC 28712

Signature Marg Edmiston

(Please cut along line and mail only your voting slip above.)

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I vote against amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

Name (please print) W.R. Alcorn, Karen Z. Alcorn

Lot # 164

Home Address 1788 Eagle Lake Dr. Brevard, NC 28712

Eagle Lake Address " " " " " "

Signature Karen Z. Alcorn W.R. Alcorn

(Please cut along line and mail only your voting slip above.)

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Name (please print) RONALD AND CYNTHIA ALLEN

Lot # 804 + 806

Home Address 84 GREENFIELD CIR, BREVARD

Eagle Lake Address SAME

Signature [Handwritten Signature]

(Please cut along line and mail only your voting slip above.)

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Name (please print) Norris Barger

Lot # 822

Home Address 256 Greenfield Circle, Brevard, NC

Eagle Lake Address same

Signature [Handwritten Signature]

(Please cut along line and mail only your voting slip above.)

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Name (please print) NANCY W. DEALE

Lot # 502, 504

Home Address Same

Eagle Lake Address 51 ROCKY POINT, BREVARD 28712

Signature Nancy W. Deale

(Please cut along line and mail only your voting slip above.)

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_____ I vote against amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

Name (please print) RICHARD AND SHARON BLACK

Lot # 268

Home Address P.O. BOX 2013 BATESVILLE, AR 72503

Eagle Lake Address 1306 WALNUT RIDGE ROAD BREVARD N.C.

Signature Richard & Sharon E Black

(Please cut along line and mail only your voting slip above.)

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_____ I vote against amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

Name (please print) Hansen Clarke Barbara Bell

Lot # 158

Home Address _____

Eagle Lake Address 1690 EAGLE LAKE DRIVE

Signature Hansen Clarke Barbara Bell

(Please cut along line and mail only your voting slip above.)

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Name (please print) Jason Bowman Julie Bowman

Lot # 105

Home Address 253 Eagle Lake DR Brevard, NC 28712

Eagle Lake Address Same

Signature J.B. Julie Bowman

(Please cut along line and mail only your voting slip above.)

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Name (please print) TIM BRENTON

Lot # 251

Home Address 1087 Walnut Ridge Rd

Eagle Lake Address SAME

Signature Tim Brenton

(Please cut along line and mail only your voting slip above.)

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Name (please print) DAVID CARLSON

Lot # 269

Home Address PO Box 605, Cedar Mountain, NC, 28718

Eagle Lake Address Lot 269

Signature David Carlson

(Please cut along line and mail only your voting slip above.)

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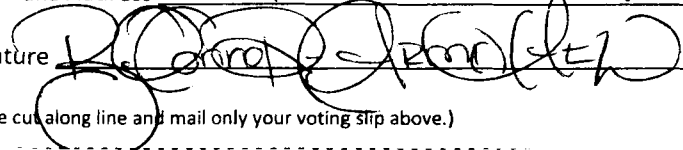
 I vote against amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

Name (please print) Patrick & Bridget Carmichael

Lot # 106

Home Address 9158 June Lane St. Augustine, FL 32080

Eagle Lake Address Eagle Lake Drive

Signature 

(Please cut along line and mail only your voting slip above.)

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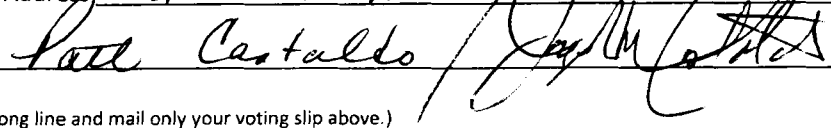
 I vote against amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

Name (please print) PAT & JOE CASTALDO

Lot # 611

Home Address 291 Lost Mine Trl

Eagle Lake Address 291 Lost Mine Trl

Signature 

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Name (please print) Tom & Penny Christian

Lot # 296

Home Address 3848 Duval Dr Jacksonville FL

Eagle Lake Address 256 Rock Pine Rd Brevard NC

Signature [Handwritten Signature]

(Please cut along line and mail only your voting slip above.)

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Name (please print) Dennis + Leigh Clark

Lot # 603

Home Address 211 Lost Mine Trail, Brevard, NC 28712

Eagle Lake Address 211 Lost Mine Trail, Brevard, NC 28712

Signature Leigh Clark

(Please cut along line and mail only your voting slip above.)

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Name (please print) Kathleen & Robert Cooper

Lot # 814 and 818

Home Address 4472 Saddleworth Circle Orlando FL 32826

Eagle Lake Address 814 & 818 Eagle Lake Drive Brevard NC 28712

Signature Kathleen Cooper 

(Please cut along line and mail only your voting slip above.)

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Name (please print) JANE D. CREEDICK

Lot # 119

Home Address 641 EAGLE LAKE DR. 5

Eagle Lake Address 308 SUNSHINE DR. ST AUGUSTINE FL 32086

Signature Jane D. Creedick 

(Please cut along line and mail only your voting slip above.)

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Name (please print) Margaret Ann Edmiston

Lot # 405

Home Address 36 N. St Augustine Blvd, St. Augustine, FL 32080

Eagle Lake Address 115 Big Pine Drive

Signature MA Edmiston

(Please cut along line and mail only your voting slip above.)

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Name (please print) Matthew ~~and~~ Estes and Mary Ellen Estes

Lot # 278

Home Address 1580 Lupine Den Ct, Vienna, VA 22182

Eagle Lake Address - no address, only a lot number

Signature [Signature] Mary Ellen Estes

(Please cut along line and mail only your voting slip above.)

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Name (please print) BARNES B. EVANS

Lot # 134

Home Address 3257 Rich Mtn Rd Brevard

Eagle Lake Address 134 Eagle Lake Dr

Signature [Handwritten Signature]

(Please cut along line and mail only your voting slip above.)

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Name (please print) SCOTT & TERRY FLEMING

Lot # 301

Home Address 13577 ARCADIAN DRIVE LEESBURG, VA 20176

Eagle Lake Address 301 OLD SPRING RD.

Signature Scott Fleming, Theresa Fleming

(Please cut along line and mail only your voting slip above.)

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Name (please print) A. STUART FENDLER

Lot # 114, 115, 117

Home Address 558 EAGLE LAKE

Eagle Lake Address _____

Signature A. Stuart Fendler

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Name (please print) KATHERINE B. GARLINGTON

Lot # 255/616 (lots merged into one - 2012)

Home Address 2336 SE OCEAN BLVD, #302, STUART, FL 34996

Eagle Lake Address 24 WALNUT RIDGE LANE, BREWSTER, NC 28712

Signature Katherine B. Garling

(Please cut along line and mail only your voting slip above.)

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Name (please print) MARGARET GARREN

Lot # 624

Home Address 624 LOST MINE TRAIL

Eagle Lake Address " " " "

Signature Margaret Garren

(Please cut along line and mail only your voting slip above.)

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Name (please print) SUSAN GOODWIN

Lot # 606 + 608

Home Address 119 COUNTRYSIDE DRIVE GREENWOOD, S.C. 29646

Eagle Lake Address LOST MINE TRAIL

Signature Susan Goodwin

(Please cut along line and mail only your voting slip above.)

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Name (please print) Brian Harron

Lot # 1775 (originally 165)

Home Address 1775 Eagle Lake Dr Brevard NC 27712

Eagle Lake Address Same

Signature Brian J Harron

(Please cut along line and mail only your voting slip above.)

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Name (please print) SAM HILMON

Lot # 259 + 263

Home Address _____

Eagle Lake Address 24 WALNUT RIDGE LN. BREVARD N.C.

Signature Sam Hillmon

(Please cut along line and mail only your voting slip above.)

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Name (please print) MARK W. HOHENWARTER

Lot # 144, 147, 501

Home Address 10 RUSH ST, BEAUFORT, SC 29907

Eagle Lake Address 50 EAGLE LAKE DRIVE

Signature *Mark W. Hohewarter*

(Please cut along line and mail only your voting slip above.)

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Name (please print) ^(TORNOUST) Gladys + Ronnie Jenkins

Lot # 267

Home Address 1271 Walnut Ridge Rd.

Eagle Lake Address 1271 Walnut Ridge Rd Brevard NC 28712

Signature *Gladys Jenkins*

(Please cut along line and mail only your voting slip above.)

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_____ I vote against amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

Name (please print) Raymond M Johnson

Lot # 280 or 199 Walnut Ridge Circle

Home Address 110 DOEWOOD Dr, ST. AUGUSTINE, FL 32080

Eagle Lake Address 199 Walnut Ridge Circle

Signature Raymond M Johnson

(Please cut along line and mail only your voting slip above.)

Eagle Lake Property Owners' Association, Inc. (the "Association" or "Eagle Lake POA")
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_____ I vote against amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

Name (please print) Jean Judge

Lot # 128 & 130

Home Address 1499 Steel Creek Road - Brevard, NC 28712

Eagle Lake Address N/A

Signature Jean Judge

(Please cut along line and mail only your voting slip above.)

Eagle Lake Property Owners' Association, Inc. (the "Association" or "Eagle Lake POA")
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I vote against amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

Name (please print) MICHAEL & HONEY KIRILA

Lot # 160

Home Address 1706 EAGLE LAKE DR.

Eagle Lake Address SAME

Signature [Handwritten Signature]

(Please cut along line and mail only your voting slip above.)

Eagle Lake Property Owners' Association, Inc. (the "Association" or "Eagle Lake POA")
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I vote against amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

Name (please print) Kenneth and Alanklink

Lot # 402

Home Address 30 Big Pine Drive

Eagle Lake Address 30 Big Pine Drive

Signature [Handwritten Signatures]

(Please cut along line and mail only your voting slip above.)

Eagle Lake Property Owners' Association, Inc. (the "Association" or "Eagle Lake POA")
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Name (please print) Bianca C. Ko

Lot # 703

Home Address 4898 Waverly Woods Terrace, Lake Worth, FL 33463

Eagle Lake Address 33 Bear Trace

Signature Bianca C. Ko

(Please cut along line and mail only your voting slip above.)

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Name (please print) Tom & Sally Larson

Lot # 171 + 293

Home Address 1360 Chestnut Ave Winter Park FL

Eagle Lake Address 1905 Eagle Lake Dr

Signature [Signature]

(Please cut along line and mail only your voting slip above.)

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I vote against amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

Name (please print) Steven + Beth Lamb

Lot # 270

Home Address 1442 Walnut Ridge Rd, Brevard NC 28712

Eagle Lake Address as above

Signature Beth Lamb

(Please cut along line and mail only your voting slip above.)

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Name (please print) DAVID E LASSETER

Lot # 40 273

Home Address 40 WALNUT RIDGE CR.

Eagle Lake Address SAME

Signature David Lasseter

(Please cut along line and mail only your voting slip above.)

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Name (please print) Allen and Debores Lastinger

Lot # 124

Home Address 8342 A1A SOUTH ST. Augustine, FL 32080

Eagle Lake Address 886 Eagle Lake Drive

Signature Debores J. Lastinger Allen Lastinger

(Please cut along line and mail only your voting slip above.)

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Name (please print) Keith Loken

Lot # 626

Home Address 217 Park Ridge Road, Bellingham, WA 98225

Eagle Lake Address 626 Lost mine Trail

Signature Keith Loken

(Please cut along line and mail only your voting slip above.)

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_____ I vote against amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

Name (please print) James McLoughlin Jill McLoughlin

Lot # 136

Home Address 2631 Civersary Drive

Eagle Lake Address 1280 Eagle Lake Drive

Signature [Signature] / Jill McLoughlin 6/3/16

(Please cut along line and mail only your voting slip above.)

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Name (please print) Jim PEPPERELL / TRACY MATHER

Lot # 307

Home Address 185 OLD SPRING RD

Eagle Lake Address SAME

Signature [Signature]

(Please cut along line and mail only your voting slip above.)

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Name (please print) Thomas McMahon & Bonnie McMahon

Lot # 306

Home Address 24 Warren Ln., Brevard NC

Eagle Lake Address X

Signature Bonnie McMahon

(Please cut along line and mail only your voting slip above.)

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Name (please print) WILLIAM ALEXANDER MORTON JR.

Lot # 810

Home Address 102 College Station Dr. Suite 3 #101 BREVARD, NC 28712

Eagle Lake Address 130 GREENFIELD CIRCLE

Signature William Alexander Morton Jr.

Eagle Lake Property Owners' Association, Inc. (the "Association" or "Eagle Lake POA")
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Name (please print) Candace C. Ninninger

Lot # 161

Home Address 2862 SW Turtle Point, Palm City, FL

Eagle Lake Address _____

Signature Candace C. Ninninger 6-1-2016

(Please cut along line and mail only your voting slip above.)

Eagle Lake Property Owners' Association, Inc. (the "Association" or "Eagle Lake POA")
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I vote against amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

Name (please print) RAYMOND & BARBARA NORRIS

Lot # 622

Home Address 381 Fisher Road, BREVARD NC 28712

Eagle Lake Address 601 Lost Mine Trail, BREVARD NC 28712

Signature Raymond & Barbara Norris

(Please cut along line and mail only your voting slip above.)

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Name (please print) Mary F. Northouse

Lot # 209, 205

Home Address 209 Walnut Ridge Road, Brevard, NC

Eagle Lake Address SAA

Signature Mary F. Northouse

(Please cut along line and mail only your voting slip above.)

Eagle Lake Property Owners' Association, Inc. (the "Association" or "Eagle Lake POA")
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Name (please print) CJ & Beth Parris

Lot # 605

Home Address 41 Lagave St, Palm Coast FL 32137

Eagle Lake Address 233 Lost Mine Trail, Brevard ~~FL~~ NC 28712

Signature Beth Parris

(Please cut along line and mail only your voting slip above.)

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_____ I vote against amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

Name (please print) William R PAUL

Lot # 103

Home Address 171 Eagle Lake Dr Brevard NC 28712

Eagle Lake Address same

Signature William R Paul

(Please cut along line and mail only your voting slip above.)

PEAK HOLDING, LLC

Eagle Lake Property Owners' Association, Inc. (the "Association" or "Eagle Lake POA")
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Name (please print) Robert Averitt

Lot # 170

Home Address 4210 Rolling Oak Dr Lakeland FL 33810

Eagle Lake Address Empty lot

Signature [Signature]

(Please cut along line and mail only your voting slip above.)

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Name (please print) RESOR
Lot # 239 + 153
Home Address 1231 Flagen Ave
Eagle Lake Address 825 Walnut Ridge rd
Signature [Signature]

2 votes

(Please cut along line and mail only your voting slip above.)

2 lots (154+156 and 167) = 2 assessments = 2 votes

Eagle Lake Property Owners' Association, Inc. (the "Association" or "Eagle Lake POA")
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Name (please print) William J. Raleigh/Kathryn K. Raleigh
Lot # 154 + 156 } 2 votes
167
Home Address 1592 Eagle Lake Drive
Eagle Lake Address same
Signature William J. Raleigh / Kathryn K. Raleigh

(Please cut along line and mail only your voting slip above.)

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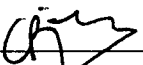
I vote against amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

Name (please print) CARLOS M. RISH MD & DAYLA BITAR

Lot # 711

Home Address 520 IVERSON WAY, CHARLOTTE, NC 28203

Eagle Lake Address BEAR TRACE # 711, BREVARD, NC 28712

Signature 

(Please cut along line and mail only your voting slip above.)

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I vote against amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

Name (please print) ROBERT L. OVERSTREET

Lot # 107

Home Address 65 PINE TREE LANE, PISGAH FOREST, NC 28768

Eagle Lake Address N.A.

Signature 

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Name (please print) Dan Rupnow, Vicki Rupnow

Lot # 600 Lost Mine Trail

Home Address 1031 Euclid Ave NE, Atlanta, GA 30307

Eagle Lake Address 600 Lost Mine Trail

Signature Vicki Rupnow, Dan Rupnow

(Please cut along line and mail only your voting slip above.)

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Name (please print) NATALIE SAFEE

Lot # 112

Home Address 430 BLUFF VIEW DRIVE BELLEAIR BLUFFS, FL 33770

Eagle Lake Address 514 EAGLE LAKE DRIVE, BREVARD NC 28712

Signature Natalie Safie

(Please cut along line and mail only your voting slip above.)

Eagle Lake Property Owners' Association, Inc. (the "Association" or "Eagle Lake POA")
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I vote against amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

Name (please print) DUANE R. & JUDY A. SATTERTHWAITTE

Lot # 620

Home Address 1250 DUTTON RD, ROCHESTER, MI, 48306-2427

Eagle Lake Address LAST HURON TRAIL

DATE
6-3-16

Signature Duane R. Satterthwaite & Judy A. Satterthwaite

(Please cut along line and mail only your voting slip above.)

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I vote against amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

Name (please print) Nila Schwarz

Lot # 272

Home Address P.O. Box 152 Beaufort, NC 28512

Eagle Lake Address 272 WALNUT RIDGE RD

Signature Nila Schwarz

(Please cut along line and mail only your voting slip above.)

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[Handwritten Signature]

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_____ I vote against amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

Name (please print) BARRY R. SELICK

Lot # 305

Home Address 163 OLD SPRING RD.

Eagle Lake Address BREVARD, NC 28712

Signature *[Handwritten Signature]*

(Please cut along line and mail only your voting slip above.)

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Name (please print) John A. Semanik

Lot # 235

Home Address 757 Walnut Ridge Drive

Eagle Lake Address _____

Signature *[Handwritten Signature]*

(Please cut along line and mail only your voting slip above.)

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Name (please print) ROB WRIGHT

Lot # 245 & 614

Home Address 6255 Applegate Ct Norcross GA 30091

Eagle Lake Address 859 Walnut Ridge

Signature Rob Wright

(Please cut along line and mail only your voting slip above.)

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Name (please print) DANA SMITH

Lot # 602

Home Address 9575 SW 101 Terr Miami FL 33176

Eagle Lake Address 266 Lost Mine trail Breward NC 28712

Signature Dana Smith

(Please cut along line and mail only your voting slip above.)

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I vote against amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

Name (please print) Richard K. Smith

Lot # 632/634

Home Address 772 Lost Mine Trail, Brevard NC 28712

Eagle Lake Address Same

Signature [Handwritten Signature]

(Please cut along line and mail only your voting slip above.)

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Name (please print) JOE STEWART and Kimberly Stewart

Lot # 707

Home Address 27 TOTEM POLE LN BREVARD NC 28712

Eagle Lake Address _____

Signature [Handwritten Signatures]

(Please cut along line and mail only your voting slip above.)

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Name (please print) Bill Tate, Debbie Tate

Lot # 282

Home Address 177 Walnut Ridge Circle, Brevard Ave

Eagle Lake Address AS ABOVE

Signature [Handwritten Signature]

(Please cut along line and mail only your voting slip above.)

Eagle Lake Property Owners' Association, Inc. (the "Association" or "Eagle Lake POA")
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4 votes

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Name (please print) Joseph S. Taylor Individually and as

Lot # 124B, 101, 163, 128 President of Eagle Lake of N.C. Inc.

Home Address 3102 Harbor Drive, St. Augustine Fl

Eagle Lake Address 124B Eagle Lake Drive

Signature Joseph S Taylor

(Please cut along line and mail only your voting slip above.)

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Name (please print) Kathleen & John Thorpe

Lot # 404 & 406

Home Address 1410 San Rafael Court, St. Augustine, Fla. 32080

Eagle Lake Address 114 Big Pine Drive Brevard N.C. 28712

Signature Kathleen N. Thorpe John D. Thorpe

(Please cut along line and mail only your voting slip above.)

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Name (please print) AL TRUNCALÉ

Lot # 303

Home Address 83 Old Spring Road

Eagle Lake Address _____

Signature Al Truncalé

(Please cut along line and mail only your voting slip above.)

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Name (please print) Mark T. Welborn

Lot # 404 B

Home Address 15102 Beacon Ridge Drive, Seneca SC 29678

Eagle Lake Address _____

Signature Mark T. Welborn

(Please cut along line and mail only your voting slip above.)

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Vote on Proposed Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements
(as Recorded February 11, 2005) (the "Declaration")

I vote in favor of amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

I vote against amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

Name (please print) JOHN WELDON / HEATH WELDON

Lot # 284/286 (COMBINED)

Home Address 108 OAK ST, NEPTUNE BEACH, FL 32266

Eagle Lake Address 101 WALNUT RIDGE CIRCLE, BREVARD, NC
28712

Signature [Handwritten Signature]

(Please cut along line and mail only your voting slip above.)

2 VOTES

Eagle Lake Property Owners' Association, Inc. (the "Association" or "Eagle Lake POA")
Vote on Proposed Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements
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Name (please print) Bill White

Lot # 299 + 130

Home Address 483 See Off Mtn. Rd.

Eagle Lake Address _____

Signature Bill White

(Please cut along line and mail only your voting slip above.)

Eagle Lake Property Owners' Association, Inc. (the "Association" or "Eagle Lake POA")
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Name (please print) KATHRYN RAY and PETER WILANDER

Lot # 148

Home Address 479 DANUBE ROAD NE

Eagle Lake Address _____

Signature Kathryn Ray + Peter Wilander

(Please cut along line and mail only your voting slip above.)

**Eagle Lake Property Owners' Association, Inc. (the "Association" or "Eagle Lake POA")
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Name (please print) Hamilton Williams

Lot # 606 630

Home Address 730 Lost Mine Trail, Brevard, NC 28712

Eagle Lake Address cc cc c1

Signature [Signature]

(Please cut along line and mail only your voting slip above.)

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_____ I vote against amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

Name (please print) G. Craig Wilson

Lot # 132

Home Address 920 Cambridge Drive SE, Grand Rapids, MI 49506

Eagle Lake Address Lot 132, Eagle Lake Drive

Signature [Signature]

(Please cut along line and mail only your voting slip above.)

**Eagle Lake Property Owners' Association, Inc. (the "Association" or "Eagle Lake POA")
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(as Recorded February 11, 2005) (the "Declaration")**

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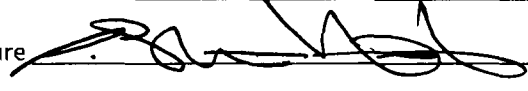
_____ I vote against amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

Name (please print) R. SHANE WOODY & JENNIFER F. WOODY

Lot # 109

Home Address 341 EAGLE LAKE DRIVE, BREVARD, NC 28712

Eagle Lake Address SAME AS HOME ADDRESS

Signature  Jennifer F. Woody

(Please cut along line and mail only your voting slip above.)

**Eagle Lake Property Owners' Association, Inc. (the "Association" or "Eagle Lake POA")
Vote on Proposed Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements
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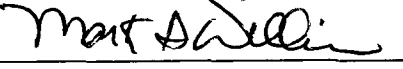
_____ I vote against amending our Declaration to incorporate the restrictions on short term rentals set forth in the enclosed "Text of the Proposed Amendment to the Declaration..."

Name (please print) MARK S. WILKINS Wendy L. Wilkins

Lot # 116

Home Address 608 Eagle Lake Dr. Brevard NC 28712

Eagle Lake Address 1931 Unit 101, Alexandria VA 22304

Signature  Wendy L. Wilkins

(Please cut along line and mail only your voting slip above.)

Eagle Lake Property Owners' Association, Inc. (the "Association" or "Eagle Lake POA")
Text of the Proposed Amendment to the Declaration of Covenants, Conditions, Restrictions and Easements
(as Recorded February 11, 2005) (the "Declaration")

[Note: Paragraph numbers below are set to align with existing sections of the Declaration.]

PREAMBLE

Eagle Lake POA hereby states that Short Term Rentals as defined in the Declaration are inconsistent with the word and spirit of the Declaration and the Bylaws of the Eagle Lake POA and are also inconsistent with the quiet use and enjoyment of Members' properties within the Property and the Additional Property (together, the "Development") in that among other things:

Short Term Rentals have caused and continue to cause more traffic within the Development, resulting in the blocking or partial blocking of roads where there is inadequate parking for the number of Short Term renters at a given house, and in additional wear and tear on the roads. This causes a nuisance and a danger to both vehicular and pedestrian traffic, which is heavy in the Development, and added expense for road maintenance.

Short Term Rentals have created and are likely to continue to create excessive noise, which is a nuisance as defined under North Carolina common law and which is unduly disruptive to Members and their guests.

Short Term Rentals have made and are likely to continue to make much more intensive use of the lake, resulting in overcrowding of lake facilities, interference with the use of the lake facilities by Members and guests, excessive wear and tear on the lake improvements, increased maintenance, and additional danger of accidents and injuries as unsupervised persons with little knowledge of the lake make use of it.

The Association does not have the means or ability to appropriately deal with these and other concerns and problems caused by short term rentals.

DEFINITIONS:

Unless otherwise stated or defined, terms used in this Amendment have the same meaning as in the Declaration.

1.16 "Short Term Rental" means the rental of a Dwelling or Lot for vacation, leisure, or recreation purposes for fewer than 90 days by a person who has a place of permanent residence to which he or she intends to return.

1.17 "Long Term Rental" means the rental of a Dwelling or Lot for a continuous period of 90 days or more in duration as a residence or for vacation, leisure, or recreation purposes by a person who has a place of permanent residence to which he or she intends to return.

1.18 "Common Property", as defined in the Declaration, includes but is not limited to that Common Property that is the lake-front common area (including the "beach"), the lake, bath house, common area parking, and the lakeside pavilion.

1.19 "Business Enterprise", as is used in the Declaration, includes Short Term Rental. Long Term Rental is not defined to be a "business enterprise" as that term is used in the Declaration.

1.20 "Business Use" means "an activity a person engages in or causes another to engage in with the object of financial gain or profit, benefit, or advantage, either direct or indirect" as defined in North Carolina general statute 105-164.3.1k that interferes with the quiet environment of the Lot or Dwelling of another Owner or increases the flow of motorized or pedestrian traffic of the Community or the increased use of Common Property by persons who are not Owners or members of the family of Owners, and does not include a home office, studio, or shop that does not result in the interference with the quiet environment of the Lot or Dwelling of another Owner or an increase in the flow of motorized or pedestrian traffic of the Community or in the increased use of Common Property by persons who are not Owners or members of the family of Owners.

1.21 "PCA" means the North Carolina Planned Community Act, Chapter 47F of the North Carolina general statutes.

1.22 "Family" means an individual or group of individuals directly related (e.g., for illustration: brother, sister, parent, grandparent, cousin, niece, aunt) to the Owner by marriage, adoption, or birth.

COMMON PROPERTY RIGHTS

2.2 Delegation of Use. Any Owner may delegate his right of enjoyment to the Common Property to the members of his family, his Long Term Rental tenants, or contract purchasers who occupy the Lot or Dwelling within the Property.

USE RESTRICTIONS

6.1 (a) Short Term Rental of a Lot or Dwelling to persons who are not Owners constitutes the prohibited business use or commercial use of a Dwelling or Lot.

6.1 (b) The use of the lake as the result of a Short Term Rental by persons who are not Owners (or family members of a Owner who is the lessee of a Short Term Rental) and are given access by an Owner is a "public" use of the lake as the term is used in the Declaration and is prohibited.

6.1 (c) Short Term Rental of a Lot or Dwelling to persons who are not all of the same family of the Owner is not the "single family residential" use of such Lot or Dwelling as the term is used in the Declaration and is prohibited.

6.1 (d) The Restrictions on Short Term Rental are, but are not limited to be, rules and regulations controlling the use of Common Property.

6.1 (e) Short Term Rental of any Dwelling or Lot to any person(s) who are not Owners or the offering Short Term Rental of a Dwelling or Lot to person(s) who are not Owners is prohibited.

6.1 (f) Short Term Rental of any Dwelling or Lot to any person(s) who are Owners or offering to rent said Dwelling or Lot to person(s) who are Owners is permitted, including the rental by an Owner for Family.

6.1 (g) Violation of the Short Term Rental Restrictions shall subject the Members(s) in violation of such Restrictions to Penalties, including any and all authorized by the Declaration, these Restrictions, or the PCA.

PENALTIES:

6.21 (c) (A) The Association has the power to impose a penalty of the suspension of a Member's privileges as a member of the Association as set forth in the Declaration while a violation is uncured.

6.21 (c) (B) The Association has the power to impose penalties of up to \$100 per day per violation for violations of the Short Term Rental use restriction (sections 6.1 (a)-(g) hereof).

6.21 (c) (C) The imposition of penalties and associated fees, charges, late charges and other charges imposed pursuant to N.C. General Statute (including sections 47F-3-102, 3-107, 3-107.1 and 3-115) are enforceable as assessments.

END OF TEXT OF THE AMENDMENT