

STATE OF NORTH CAROLINA

AMENDMENT TO BYLAWS FOR
SANS FAMILLE HOMEOWNERS
ASSOCIATION, INC.

WAKE COUNTY

This AMENDMENT TO BYLAWS for Sans Famille Homeowners Association, Inc., is made as of this ____ day of _____, 2013, by [at least a two thirds (2/3) majority of the members voting at a business session of the annual meeting by members of the Sans Famille Homeowners Association, Inc. (“Association”).

W I T N E S S E T H:

WHEREAS, the members of the Association desire to make certain changes in the operation and administration of the affairs of the corporation by amending the Bylaws of the Association; and

WHEREAS, Article XVI, Section 1 of the Bylaws provides that changes in the Bylaws may be made by a two-thirds majority of members voting at a business session of the annual meeting of the Association or by a two-thirds majority of all votes cast in a mail ballot, provided that notice in writing of the proposed amendment shall have been sent to every member at least one month before the date of the meeting at which it is to be considered, or at least one month before the last date for the return of the ballots in the case of a mail ballot; and

WHEREAS, the members of the Association have met in a business session at an annual meeting and have approved by a two-thirds majority of members the following changes to the Bylaws in accordance with Article XVI, Section 1 of the Bylaws; and

WHEREAS, all Board-developed amendments are required to be approved before submission to the membership at a meeting of the Board at which two-thirds of its members are present and voting in favor of such amendment, and the following amendments were so approved prior to submission to the membership;

NOW THEREFORE, the Bylaws of the Association shall be amended as follows:

1. Article IX, Section 1, Subsection 2 is amended by adding the following underlined language and deleting the language that appears struck through:

An independent Audit Committee, which shall consist of the Treasurer, no other Board Members, and at least two Owners nominated and elected at the annual meeting which shall conduct or supervise the annual audit or review of the Association’s books and approve the annual budget and statement of income and expenditures to be presented to the membership

at its regular annual meeting as provided in Article XI, Section 8(d). ~~The Treasurer shall be an ex-officio member of the Committee.~~

2. Article XI, Section 8(d) is amended by striking the reference to “check” and adding the following underlined language:

Treasurer. The Treasurer shall receive and deposit in appropriate bank accounts all monies of the Association and shall disburse such funds as directed by resolution of the Board of Directors; shall co-sign all ~~checks~~ ~~and~~ promissory notes of the Association; keep proper books of account; cause an annual audit or review of the Association books to be made by a certified public accountant or by an independent Audit Committee as described in Article IX, Section 1, above, consisting of at least 3 people appointed by the Board, which appointees may consist of members or non-members of the Association, at the completion of each fiscal year; and shall prepare an annual budget and a statement of income and expenditures to be presented to the membership at its regular annual meeting, and deliver a copy of each to the members.

3. All remaining provisions of the Bylaws remain unchanged and in full force and effect.

CERTIFICATION OF VALIDITY OF AMENDMENT TO
BYLAWS OF SANS FAMILLE HOMEOWNERS ASSOCIATION, INC.

By authority of its Board of Directors, the Sans Famille Homeowners Association hereby certifies that the foregoing instrument has been duly authorized by [at least a two thirds (2/3) majority of the members voting at a business session of the annual meeting or by a two thirds (2/3) majority of all votes cast in a mail ballot by members of the Sans Famille Homeowners Association] and is, therefore, a valid amendment to the existing Bylaws for Sans Famille Homeowners Association, Inc.

SANS FAMILLE HOMEOWNERS
ASSOCIATION, INC.

By: _____
President

ATTEST:

Secretary
Date: _____