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Prepared by & Return to:

Jennifer D. Scott, Esqx. Shipman & Wright, LLP 575 Military Cutoff Rd. Wilmington, NC 28405

STATE OF NORTH CAROLINA
COUNTY OF CHATHAM

THIRD AMENDMENT TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
THE HAMPTONS SUMMIT SUBDIVISION

This Amendment, made this 30th day of December, 2019, by Windjam 23, LLC, A North Carolina Limited Liability Company, hereinafter referred to as "Declarant".

WHEREAS, Declarant caused to be executed and recorded the Declaration of Covenants, Conditions and Restrictions for The Hamptons Summit Subdivision in Book 1494, Page 838, Chatham County Registry, hereinafter referred to as the "Declaration"; and

WHEREAS, Declarant caused to be executed and recorded The First Amendment to Declaration of Covenants, Conditions and Restrictions for The Hamptons Summit Subdivision in Book 1499, Page 230, Chatham County Registry, hereinafter referred to as the "First Amendment"; and

WHEREAS, Declarant caused to be executed and recorded The Second Amendment to Declaration of Covenants, Conditions and Restrictions for The Hamptons Summit Subdivision in Book 1834, Page 997, Chatham County Registry, hereinafter referred to as the "Second Amendment"; and

WHEREAS, Declarant now desires to amend said Declaration; and

WHEREAS, Declarant currently owns all but one of the Lots in the Hamptons Summit Subdivision.

NOW, THEREFORE, the undersigned Declarant, being the Owner of all but one of the Lots in the Hamptons Summit Subdivision and by virtue of its authority and in accordance with Article XI of said Declaration, as amended, consents to the amendment of said Declaration as follows:

1. Section 3.02 shall be deleted in its entirety and replaced by the following Section 3.02:

3.02. Membership Classes. The Association shall have two classes of voting membership:

Class A: Class A Members shall be all Owners, with the exception of the Declarant, and shall be entitled to one vote for each Lot owned. When more than one person holds an interest in any Lot, all such persons shall be Members. The vote for such Lot shall be exercised as they determine, but in no event shall more than one vote be cast with respect to any Lot.

Class B: The Class B Member(s) shall be the Declarant, or its assigns, and shall be entitled to three (3) votes for each Lot owned. The foregoing allocation of votes is in recognition of the fact that the Properties likely will be developed in phases and there may be times during the development of the Properties when Declarant owns less, if any Lots. The Class B membership shall be reinstated if before December 31, 2020 additional lands are annexed to this Declaration as hereinafter provided. The Class B membership shall cease and be converted to Class A membership on the happening of either of the following events, whichever occurs earlier:

(a) When seventy-five (75%) of the maximum number of Lots allowed for the Properties (as amended and supplemented from time to time) under the subdivision plan have been conveyed to Owners; or

(b) on **December 31, 2027**; or

(c) the date specified by the Declarant in a written notice to the Association.

2. Article VIII, Section 11 of the Declaration shall be amended by deleting the date provided in that section and replacing that date with December 31, 2027 but otherwise keeping that section in its entirety such that the first phrase of the section shall be amended as follows (new language appears in bold type):

"Section 8.11. Easement Reserved by Declarant for Development. Until December 31, 2027, notwithstanding any provisions contained in this Declaration to the contrary...."

Except as herein amended all the terms and conditions, restrictions and benefits of said Declaration and said First Amendment and said Second Amendment shall remain in full force and effect as to the properties subjected to the Declaration.

This the 30th day of Dec., 2019.

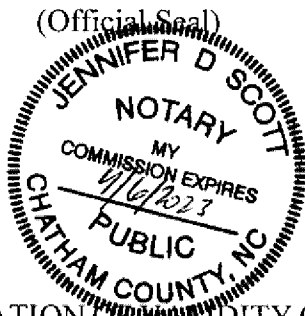
WINDJAM 23, LLC, A North Carolina
Limited Liability Company

By: Rex Vick, Jr.
Rex Vick, Jr., Manager

STATE OF NORTH CAROLINA
COUNTY OF Chatham

I certify that the following person(s) personally appeared before me this day, and each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: REX VICK, JR., Manager

Witness my hand and official seal, this the 30th day of December, 2019.



Jennifer D. Scott
Official Signature of Notary
Jennifer D. Scott
Notary's Printed or Typed Name
My Commission Expires: 4/6/2023

CERTIFICATION OF VALIDITY OF AMENDMENT TO DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS OF THE HAMPTONS SUMMIT SUBDIVISION

By authority of its Board of Directors, Hamptons Summit Owners Association, Inc., hereby certifies the foregoing instrument has been duly approved by the Owners of sixty-seven percent (67%) of the Lots of The Hamptons and is, therefore, a valid amendment to the existing Declaration of Covenants, Conditions and Restrictions of The Hamptons Summit.

This the 30th day of December, 2019.

HAMPTON SUMMIT OWNERS ASSOCIATION, INC.

Rex Vick, Jr.
President

Attest:

J. Scott Secretary