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**AMENDMENT OF THE AMENDED AND RESTATED DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR INDIGO PLANTATION, SOUTHPORT, NORTH CAROLINA**

This Amendment is made on the 12<sup>th</sup> day of November, 2019, pursuant to **Article 13 of the Declaration.**

WHEREAS the Amendment of the Amended and Restated Declaration of Covenants, Conditions and Restrictions for Indigo Plantation, Southport, North Carolina hereinafter referred to as ("The Declaration") was adopted and recorded on November 4, 2004 in Book 2038 Page 412 of the Brunswick County Register of Deeds.

WHEREAS Article 13 of The Declaration provides for amendment by vote of a majority at a meeting of the Property Owners Association.

WHEREAS the Annual Meeting of the Association was held on October 12, 2019, after due notice given and a quorum present, at which time the following amendments were adopted by affirmative vote of the majority of the members:

- Amend Article 10, Section 3. RESTRICTIONS (c) Parking Restrictions of the Declaration to read:**

*No commercial vehicle that can't fit in a standard garage will be allowed to be parked overnight on any property or common area. Owners boats,*



RV's, trailers etc., if visible from the street, may remain on the property  
for a period no longer than 1 week.

2. Amend Article 10, Section 3 Restrictions (e) Prohibited Uses by adding:

(6) Units may not be leased for any term less than 6 months

NOW THEREFORE the Declaration is amended with the original of the Minutes attached hereto as Exhibit "A"

**INDIGO PLANTATION PROPERTY OWNERS' ASSOCIATION**

By: [Signature] (SEAL)  
MARK C. SALYER, President

By: [Signature] (SEAL)  
GINNY PRUNTY, Secretary

STATE OF NORTH CAROLIN

COUNTY OF BRUNSWICK

I, Deborah Wike Notary Public of Cabarrus County, North Carolina, certify that

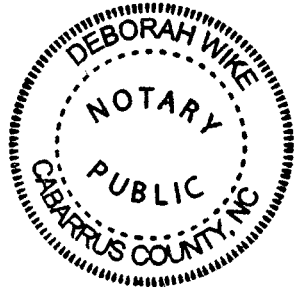
GINNY PRUNTY personally cam before me this day and acknowledged that he/she is the Secretary of **Indigo Plantation Property Owners Association, Inc.** a North Carolina non-profit corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by MARK C. SALYER its President, sealed with its corporate seal, and attested by himself/herself as its Secretary.

Witness my and official stamp or seal this 12<sup>th</sup> day of November, 2019.

My commission expires:  
March 12, 2022

[Signature]  
Notary Public

Deborah Wike





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# EXHIBIT A

"Exhibit A"



INDIGO PLANTATION  
PROPERTY OWNERS ASSOCIATION, INC.  
ANNUAL MEETING MINUTES  
9:00 AM, OCTOBER 12, 2019



1. CALL TO ORDER

Claus Fey opened the meeting and a quorum was established

2. ROLL CALL & CERTIFICATION OF PROXIES

3. APPROVAL OF MINUTES OF 2018 ANNUAL MEETING

- 2018 minutes were approved
- Claus mentioned that the POA is planning on installing WiFi at the Clubhouse
- He made note of the proposed Amendment that addresses the "bucket truck" or other type of commercial vehicles parking on driveways.

4. REVIEW OF FINANCIAL STATEMENTS / 2019-2020 BUDGET APPROVAL

Steve Fogarty (Treasurer) reviewed financials for the year - see attached

- Indigo Plantation POA have \$70,000 in the bank
- Current liabilities - principle on pool \$15,000
- \$15,000 in builders bond - projects currently under construction
- Note - pool, Clubhouse & common area properties are not an asset (\$72,000) because we are an association
- Annual expenses were over budget (\$9,400) due to some exceptional costs:
  - Water leak in irrigation at the entrance (formerly \$4,000)- negotiated with the City to \$2,000;
  - Water pumps in the new pool add additional costs with auto fill and power;
  - Completed semi annual maintenance on the Clubhouse - interior painting and exterior power washing; purchased new Tennis court nets
- Steve presented the proposed budget for 2019-2020 - see attached
  - After pool loan is paid off, new income this fiscal year will be put in a savings account to rebuild the reserves
  - We have been able to hold costs for Landscaping

- Proposed Budget for 2019/2020 : A motion was made by Skip Burrell and seconded by Paxton Watkins to approve the budget. Membership voted and was approved and passed
- Claus thanked Steve for all of his work with the POA finances, especially in facilitating the financing of the new pool
- Claus also mentioned that the POA is able to keep costs low, which helps keep dues low. Volunteers are needed for work days and special projects to avoid hiring contractors

#### 5. ARB REPORT

- Steve Fogarty reported there are 3 open building projects. One more is awaiting approval. Buildable lots that remain available have some geographical challenges for keeping within the building guidelines.
- Follow through aftermath of hurricane Florence and tree loss. Steve and Karen met with Sam Marshall - Horticulturist from the Brunswick Extension office. Laurel Oaks suffered and are dying due to too much water and after stress. Native Carolina Bay trees have shown evidence of Ambrosia Beetle infestation. Sam recommended removal. The ARB is working with homeowners effected.
- ARB looked at the proposed "color book" described in C & R and created by Norm. They decided to not officially use the book but rather use as a guideline and suggestions

#### 6. DIRECTOR OF FACILITIES REPORT / POOL UPDATE - see attached

Norm Rademacher gave the update. The pool will closed October 13 due to cooler weather and reduced use by residents. It will be drained and surface cracks in the pool, from settling, will be repaired under warranty October 21- November 3 . The POA will have to pay for refill of water

Skip Burrell asked about installing more street lights. Requests to the City have been made in the past. Norm will file another request. The POA will have to pay for any upgrade v.s. standard lighting provided by the City. Property owners were encouraged to also contact the City . E-mail public works for repairs.

Another resident questioned the purpose of the "antennae" on the corners. Steve clarified that these are for reading of the electronic water meters.

Jim Poppe asked about the semi annual trimming of the trees overhanging the streets. Norm stated that Bryan Whitworth (Greenman Landscape) has been contacted and work will be done this Fall.

#### 7. COMMITTEE REPORTS : LANDSCAPING & SOCIAL - see attachments

Karen Rife thanked our dedicated Committee members and reported that the new landscape is doing well. The committee hopes to be able to limit the need for watering after next year as most of the plants are native and should be well established. A Fall workday is scheduled for November 1 (Landscape) and November 2 (Community) beginning 9:00 A.M. each day. Residents were encouraged and welcomed to join in.

Ginny Prunty presented the list of upcoming social events. The committee now has several members but welcome more. She also mentioned the new Website and plans for instructional sessions on its' use in the near future once it goes "Live"

8. VOTE ON 2 AMENDMENTS TO THE DECLARATION (COVENANTS)

Preliminary results\*:

Article 10 sec 3( c ) Restrictions - passed vote of 46 approve / 3 disapprove

Article 10 sec 3 ( e ) Short term Rental - passed vote of 39 approve / 10 disapprove

8. ELECTION OF DIRECTORS FOR THE BOARD OF THE ASSOCIATION

Mark Salyer and Gina Poppe have been voted in to serve two years in their positions to be determined during the first Directors meeting

9. OPEN DISCUSSION

- Gale Whitworth voiced concerns and frustrations about the construction of and builder for lot #74 next to her. The builder is not following builder construction rules. The POA/ ARB need to ensure that the builder is following the standards set forth in our Covenants & Restrictions. Steve Fogarty (ARB) agreed that a representative from the committee needs to walk the building site on a regular basis. Residents can contact the ARB with concerns rather than calling the builder.
- Skip suggested the agreement should also include road repair
- Nick Boehmer requested that everyone abide by the speed limits within the Plantation.

10. ADJOURNMENT

The meeting was adjourned at 10:30 a.m.

\*Preliminary Results confirmed as final results 10-18-2019 by  
Karen Rife, Indigo Plantation POA Secretary

Karen R Rife                      10/18/19  
Signature                                      Date