

A copy of the proposed Amended and Restated Declaration and Amended and Restated Bylaws of Chatham Forest Homeowners Association, Inc. has been provided to all owners. In general, the proposed amendments to both documents is to modernize and to delete obsolete material, and to bring the Bylaws and Declaration into compliance with provisions of the NC Planned Community Act. The purpose of the tables below is to highlight what are felt to be the most substantive changes. We hope the tables will assist you in reviewing the proposed Amended and Restated Declaration and Amended and Restated Bylaws. These tables do not touch on every single change, so please review the entirety of the Amended and Restated documents carefully. If you would like to compare the Amended and Restated documents to the original Declaration and Bylaws and do not have a copy, please contact Joe Ramsey at Sentry Management.

SUMMARY OF PROPOSED CHANGES TO AMENDED AND RESTATED DECLARATION:

Amended and Restated Declaration Sections	Original Declaration Sections	REASON FOR CHANGE/COMMENT
Article I – Existing Property and Additions	Article I	The original Declaration did not contain an existing property and additions section, but rather referenced both the existing property and additions within the definitions article. This section was added to delete references to Declarant annexation and Declarant conveyance of common areas as well as to add references to the additional phases that have been annexed and subjected to the Declaration since it was originally recorded, instead of needing to refer to amended and supplemental declarations.
Article II – Definitions	Article I	Deleted unnecessary references and definitions, including references to Declarant. Minor grammatical, capitalization, or style changes. Updated to provide ease of review for the Declaration and Bylaws.
Article III – Property Rights	Article II	Deleted obsolete references to intended common property and related language.
Article IV – Membership and Voting Rights	Article III	Deleted Declarant membership class and weighted voting of Declarant; deleted quorum, voting and meeting notifications covered by other sections of the Declaration and the Bylaws.
Article V – Covenants for Maintenance Assessments	Article IV	Modernized and streamlined language related to assessments; updated lien and fines language to reflect provisions of Planned Community Act.

Amended and Restated Declaration Sections	Original Declaration Sections	REASON FOR CHANGE/COMMENT
Article VI –Architectural and Appearance Control	Article V	Deleted references to the Declarant; provided details regarding the Architectural Review Committee; clarification for lot maintenance and what might constitute an “unclean, unsightly or unkempt” condition of the Lot.
Article VIII – Use Restrictions	Article VII	Modernized language; style changes; Added language related to care landscaping; modernized satellite dish language; updated sign regulations; added flag regulations; provided additional detail regarding number and types of animals permitted; added short term leasing provisions.
Article X – General Provisions	Article IX	Modernized language; Style changes; Updated amendment language to reflect provisions of Planned Community Act.

SUMMARY OF PROPOSED CHANGES TO AMENDED AND RESTATED BYLAWS:

Amended and Restated Bylaws Sections	Original Bylaws Sections	REASON FOR CHANGE/COMMENT
Article I – Name and Location	Article I - Offices	Deleted unnecessary language; confirmed name and meeting locations.
Article II – Definitions	No equivalent section	Included definition section to streamline Bylaws and assist in understanding. For consistency, capitalized terms in the Amended and Restated Bylaws are assigned the same definitions as given to those words in the Amended and Restated Declaration.
Article III – Meetings	Article II	Deleted obsolete language regarding the first organization meeting; modernized language to be consistent with the Planned Community Act; changed quorum to 10%; included proxy provisions

Amended and Restated Bylaws Sections	Original Bylaws Sections	REASON FOR CHANGE/COMMENT
		consistent with the Planned Community Act; included provision to allow for use of electronic communications and voting; deleted obsolete language regarding cumulative and fractional voting and changed voting requirements consistent with Non-profit Corporation Act.
Article IV – Board of Directors	Article III	Establishes a Board that is no less than 3 and no more than 5 directors; staggered terms of office with 2 year terms to give some continuity to Board; modernized language related to removal to be consistent with Planned Community Act.
Article V – Nomination and Election of Directors	Article III	Provided that directors can be nominated in advance of and at the annual meeting; Modernized language related to removal to be consistent with Planned Community Act; deleted obsolete language regarding cumulative and fractional voting and changed voting requirements consistent with Non-profit Corporation Act
Article VI – Meetings of Directors	Article IV	Deleted obsolete language; modernized remaining language; established at least a quarterly meeting schedule; established a quorum from directors.
Article VII – Powers and Duties of the Board of Directors	Article III	Modernized language; updated language regarding powers and duties to be in compliance with NC Planned Community Act and NC Nonprofit Corporation Act.
Article VIII – Officers	Article V	Modernized language related to officer positions.
Article XI – Books and Records	Article VII	Amended record review language to reflect statutory rights of review.
Article XIII – Amendments and Conflicts	Article VIII	Modernized language; changed amendment procedure for Bylaws to be consistent with

Amended and Restated Bylaws Sections	Original Bylaws Sections	REASON FOR CHANGE/COMMENT
		requirements of Non-Profit Corporation Act and NC Planned Community Act.
--	Article VII "Certificates for Shares and Their Transfer"	Deleted as not being in compliance with or authorized under the NC Non-Profit Corporation Act.