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J. LEE WARREN JR.
REGISTER OF DEEDS
CUMBERLAND CO., N.C.

SUPPLEMENTAL AND AMENDED DECLARATION OF COVENANTS
JAMES CREEK SECTION TWO PART B

Return to/Prepared by: Steven J. O'Connor

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THIS SUPPLEMENTAL AND AMENDED DECLARATION OF COVENANTS is made and entered into this 22nd day of September, 2006 by Hoke Loop Partners, LLC, hereinafter referred to as "Developer", Cates Building, Inc., hereinafter referred to as "Cates", and Elmwood Partners, LLC, hereinafter referred to as "Elmwood":

WITNESSETH:

WHEREAS, Developer executed and caused to be recorded a certain Restrictive Covenants of James Creek at Treyburn in Book 6987, Page 005, Cumberland County, NC, Registry (hereinafter the "Declaration"), the terms of which are incorporated herein by this reference; and

WHEREAS, said Declaration by its terms applied to and covered to that portion of the James Creek subdivision shown on plat recorded in Plat Book 112, Page 160, of the Cumberland County, NC, Registry; and

WHEREAS, said Declaration provided that future sections of James Creek Subdivision would become subject to the Declaration after recording of the plat for said new section and recording of a Supplemental Declaration which expressly made the new section subject to them by either of the entities named as Developer; and

WHEREAS, Developer is the owner of and has caused to be recorded a plat of James Creek South at Treyburn, Section Two, Part B as recorded in Plat Book 117, Page 166, Cumberland County, North Carolina Registry; and

WHEREAS, the Developer desires Section Two, Part B as set forth on plat in Plat Book 117, Page 166 to be subject to bound by the Covenant except as amended herein, and further desires that the said real property as shown on said plat be held, transferred, sold, conveyed, given, donated, leased, occupied and used subject to the Declaration, as amended herein;

WHEREAS, Cates is the owner of Lot 128 of James Creek South at Treyburn, Section Two, Part B; and

WHEREAS, Elmwood is the owner of Lots 86, 87, 94, 95, 96, 97 and 98 of James Creek South at Treyburn, Section Two, Part B; and

WHEREAS, Cates and Elmwood desire their aforesaid lots to be bound by said Declaration

NOW, THEREFORE, in consideration of the premises, the Developer hereby expressly declares that the property described as James Creek South at Treyburn Section Two, Part B, a plat of which is recorded at Plat Book 117, Page 166 aforesaid Registry, be and hereby is subject to that certain Declaration recorded in Book 6987, Page 005; and Cates hereby expressly declares that Lot 128 of James Creek South at Treyburn, Section Two, Part B, per plat of which is recorded at Plat Book 117, Page 166, of the aforesaid Registry, be and hereby is subject to that certain Declaration recorded in Book 6987, Page 05, Cumberland County Registry; and Elmwood hereby expressly declares that Lots 86, 87, 94, 95, 96, 97 and 98 of James Creek South at Treyburn, Section Two, Part B, per plat of which is recorded at Plat Book 117, Page 166, of the aforesaid Registry, be and hereby is subject to that certain Declaration recorded in Book 6987, Page 05, Cumberland County Registry.

IN WITNESS WHERE, Developer, Cates, and Elmwood, have set their hand and seal the day and year first above written.

Hoke Loop Partners, LLC, by:
Elmwood Partners, LLC its manager, by:

By:


Name: Thomas L. Bradford

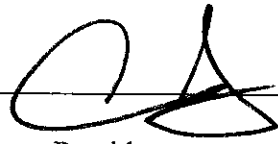
Title: Member/Manager

CATES BUILDING, INC.

By:

Name:

Title: President

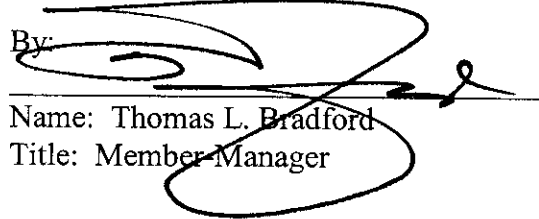


ELMWOOD PARTNERS, LLC

By:

Name: Thomas L. Bradford

Title: Member-Manager



State of North Carolina -- County of ~~Cumberland~~ ^{SAMPSON}

I, Kay S. Owens, a Notary Public of said County and State do hereby certify that Thomas L. Bradford as member/manager of Elmwood Partners, LLC, the manager of Hoke Loop Partners, LLC personally appeared before me this day and being by me duly sworn says that he executed the foregoing and annexed instrument for and on behalf of Elmwood Partners, LLC, the manager of Hoke Loop Partners, LLC, and that he acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and Notarial Seal, this the 21st day of September, 2006

Kay S. Owens
NOTARY PUBLIC

My commission expires: 3/21/07

State of North Carolina – County of Cumberland

I, Diane Dellasandro, a Notary Public of said County and State do hereby certify that Christopher E. Cates, as _____ President of Cates Building, Inc., a North Carolina corporation, personally appeared before me this day and being by me duly sworn says that he executed the foregoing and annexed instrument for and on behalf of said entity and that he acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and Notarial Seal, this the 21st day of September, 2006.



Diane Dellasandro
NOTARY PUBLIC

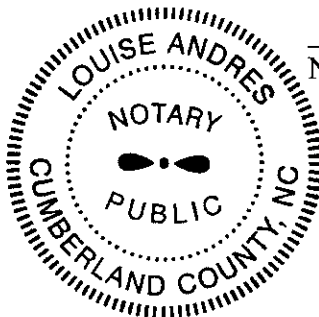
State of North Carolina – County of Cumberland

I, Louise Andres, a Notary Public of said County and State do hereby certify that Thomas L. Bradford, Member-Manager of Elmwood Partners, LLC, a North Carolina limited liability company, personally appeared before me this day and being by me duly sworn says that he executed the foregoing and annexed instrument for and on behalf of said entity and that he acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and Notarial Seal, this the 22nd day of September, 2006.

My commission expires:

6-3-2007



Louise Andres
NOTARY PUBLIC