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7-26-2006 AM 10:02:57  
J. LEE WARREN JR.  
REGISTER OF DEEDS  
CUMBERLAND CO., N.C.

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Prepared by and return to: F. Stuart Clarke, THORP, CLARKE & NEVILLE, PA  
Post Office Box 670, Fayetteville, NC 28302

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NORTH CAROLINA  
CUMBERLAND COUNTY

SUPPLEMENTAL DECLARATION TO  
DECLARATION OF SECTION 1,  
PART 2, JAMES CREEK NORTH  
AT TREYBURN

THIS DECLARATION, made this the 25 day of July, 2006, by **FLOYD PROPERTIES AND DEVELOPMENT, INC.**, a North Carolina corporation with its principal office and place of business in Cumberland County, NC, **JOHN K. McARTAN**, of Cumberland County, NC, **AWR BUILDERS, INC.** a North Carolina corporation with its principal office and place of business in Cumberland County, NC; **RAMBEAUT CONSTRUCTION, INC.** a North Carolina corporation with its principal office and place of business in Cumberland County, NC, **ELMWOOD PARTNERS, LLC**, a limited liability company organized and existing under the laws of the State of North Carolina, and **RUSSTON KRAMER and wife, STEPHANIE KRAMER**, herein referred to as "Declarant" and "Owner":

WITNESSETH:

WHEREAS, Owner owns certain property in Cumberland County, North Carolina, more particularly described on plat entitled "Section 1, Part 2, James Creek North at Treyburn" as shown on a plat of same duly recorded in Book of Plats 116, Page 111, Cumberland County, NC Registry.

WHEREAS, Declarant and the Owner desire to have the above described property annexed to Restatement of Restrictive Covenants of James Creek at Treyburn (North and South).

NOW, THEREFORE, Declarant and Owner hereby declare that all of the properties described above shall be held, sold and conveyed subject to the following easements, restrictions, covenants and conditions which are for the purpose of protecting the value and desirability of, and which shall run with, the real property and be binding on all parties having any right, title or interest in the described properties, or any part thereof, their heirs, successor and assigns, and shall inure to the benefit of each owner thereof, said easements, restrictions, covenants and conditions are as follows:

That certain Declaration of Restatement of Restrictive Covenants of James Creek at Treyburn (North and South) recorded in Book 6987, Page 5, Cumberland County Registry, which said Restrictive Covenants are incorporated herein and made a part of this instrument as though fully set out herein; and to the extent the provisions of the Declaration conflict with any applicable provisions of the Cumberland County Code or North Carolina General Statute, the conflicting provisions of the County Code and/or North Carolina General Statute shall control.

IN WITNESS WHEREOF, Floyd Properties and Development, Inc., has caused these presents to be executed in its name on the date and year first above written.

This the 25 day of July, 2006.

**FLOYD PROPERTIES AND  
DEVELOPMENT, INC.**

By: Gregory W. Floyd  
Name: Gregory W. Floyd  
Title: Vice President

John K. McCartan (Seal)  
John K. McCartan

**AWR BUILDERS, INC.**

By: Alan W. Kay  
Name: Alan W. Kay  
Title: President

**RAMBEAUT CONSTRUCTION, INC.**

By: Wayne J. Jambert  
Name: Wayne J. Jambert  
Title: Owner

**ELMWOOD PARTNERS, LLC**

By: Thomas Bradford  
Name: Thomas Bradford  
Title: Member-Manager

Russton Kramer (Seal)  
Russton Kramer

Stephanie Kramer (Seal)  
Stephanie Kramer

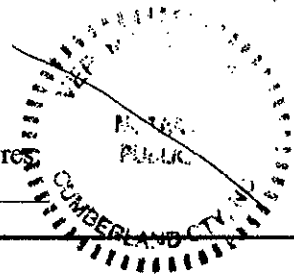
NORTH CAROLINA  
CUMBERLAND COUNTY

I, VERONICA A. PAGE, a Notary Public in and for said County and State, do hereby certify that GREGORY W. FLOYD personally came before me this day and acknowledged that he is the VICE PRES. of **FLOYD PROPERTIES AND**

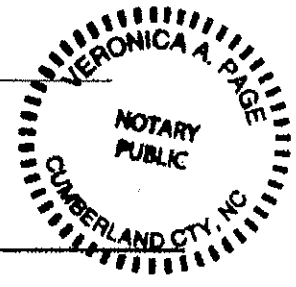
DEVELOPMENT, INC., a North Carolina corporation, and that by authority duly given and as the act of the entity, he signed the foregoing instrument in its name on its behalf as its act and deed.

WITNESS my hand and Notarial Seal, this the 25 day of July, 2006.

My Commission Expires  
5/23/2011



Veronica A. Page  
Notary Public

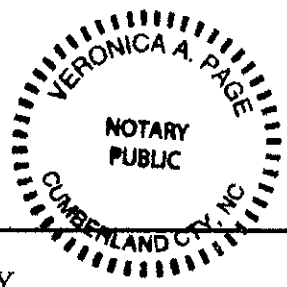


NORTH CAROLINA  
CUMBERLAND COUNTY

I, Veronica A. Page, a Notary Public in and for said County and State, do hereby certify that WAYNE T. RAMBEAUT personally came before me this day and acknowledged that he is the OWNER of **RAMBEAUT CONSTRUCTION, INC.**, a North Carolina corporation, and that by authority duly given and as the act of the entity, he signed the foregoing instrument in its name on its behalf as its act and deed.

WITNESS my hand and Notarial Seal, this the 25 day of July, 2006.

My Commission Expires:  
5/23/2011



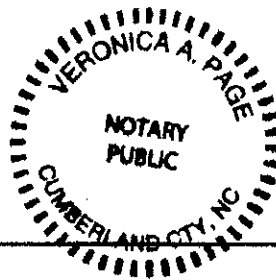
Veronica A. Page  
Notary Public

NORTH CAROLINA  
CUMBERLAND COUNTY

I, Veronica A. Page, a Notary Public in and for said County and State, do hereby certify that ALAN W. BAY personally came before me this day and acknowledged that he is the PRESIDENT of **AWR BUILDERS, INC.**, a North Carolina corporation, and that by authority duly given and as the act of the entity, he signed the foregoing instrument in its name on its behalf as its act and deed.

WITNESS my hand and Notarial Seal, this the 25 day of July, 2006.

Veronica A. Page  
Notary Public

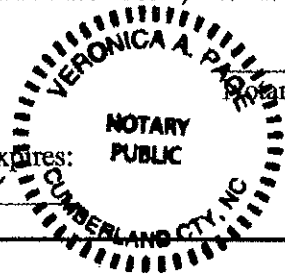


My Commission Expires:  
5/22/2011

STATE OF NORTH CAROLINA  
COUNTY OF CUMBERLAND

I, Veronica A. Page, a notary public of the aforesaid County and State, certify that **JOHN K. McARTAN** personally appeared before me this day and acknowledged that they signed the foregoing instrument for the intents and purposes therein expressed..

Witness my hand and official seal, this the 25 day of July, 2006.



Veronica A. Page  
Notary Public

My commission expires:  
5/22/2011

NORTH CAROLINA  
~~CUMBERLAND COUNTY~~  
SAMPSON

I, Kay S. Owens, a Notary Public in and for said County and State, do hereby certify that Thomas L. Bradford personally came before me this day and acknowledged that he is the Member Manager of **ELMWOOD PARTNERS, LLC**, a North Carolina limited liability company, and that by authority duly given and as the act of the entity, he signed the foregoing instrument in its name on its behalf as its act and deed.

WITNESS my hand and Notarial Seal, this the 19<sup>th</sup> day of July, 2006.

Kay S. Owens  
Notary Public

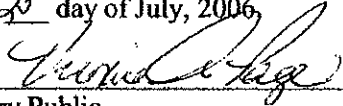
My Commission Expires:  
3/21/07

STATE OF NORTH CAROLINA  
COUNTY OF CUMBERLAND

I, Veronica A. Page, a notary public of the aforesaid County and State, certify that **RUSSTON KRAMER and wife, STEHPANIE KRAMER** personally appeared before me this day and acknowledged that they signed the foregoing instrument

for the intents and purposes therein expressed.

Witness my hand and official seal, this the 25 day of July, 2006

  
\_\_\_\_\_  
Notary Public

My commission expires: 5-23-2011 NOTARY PUBLIC

