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4-10-2007 AM 9:37:38  
J. LEE WARREN JR.  
REGISTER OF DEEDS  
CUMBERLAND CO., N.C.

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Prepared by and return to: Thorp, Clarke & Neville, PA  
Post Office Box 670, Fayetteville, NC 28302-0670

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**NORTH CAROLINA**

**DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS  
AND ANNEXATION OF THE ENCLAVE  
AT TREYBURN, PHASE V  
(CLUBHOUSE AND GARAGE 1)**

**CUMBERLAND COUNTY**

**NOW COMES, CAVINESS AND CATES BUILDING AND DEVELOPMENT COMPANY**, a North Carolina corporation, Owner and Declarant, and hereby amends the Declaration of Condominiums of The Enclave at Treyburn Condominiums recorded in Book 7194, Page 788, Cumberland County Registry, in accordance with Articles I and XLV, amending said Declaration as set out below:

1. Additional land is being added to the Condominium property and shall be known as Phase V. The legal description is set out on Exhibit "A" attached hereto.
2. There are no residential units in Phase V; garage units are set out on Exhibit "B".
3. The percentage of ownership in the common areas of each unit owner of Phase I (One), Phase II (Two), and Phase III (Three), and Phase IV (Four) shall now be an undivided 4.1666% interest as set out on Exhibit "C". Owners of the garage units in Phase V (Five) shall not have any increased percentage of ownership in the common areas.
4. All terms and conditions, including all Development rights reserved in the original Declaration are incorporated into and are a part of this Supplemental Declaration.
5. The additional property, Phase V, is made subject to the Declarations including the original Exhibits "D" and "E".

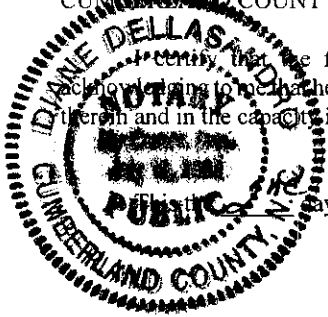
IN WITNESS WHEREOF, CAVINESS AND CATES BUILDING AND DEVELOPMENT COMPANY, has caused these presents to be executed in its name by its \_\_\_\_\_.

This the 2nd day of ~~March~~ April, 2007.

CAVINESS AND CATES BUILDING AND DEVELOPMENT COMPANY

By: \_\_\_\_\_  
Name: Natson Caviness  
Title: President

NORTH CAROLINA  
CUMBERLAND COUNTY



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

\_\_\_\_\_ day of APRIL, 2007.

Diane Dellasarden  
Official Signature of Notary  
My Commission Expires: 7/19/2008

EXHIBIT "A"

March 27, 2007

Legal Description  
Tract 5  
Enclave at Treyburn

BEGINNING at the Southeast corner of a tract recorded in Plat Book 115, Page 104, Cumberland County, North Carolina Registry of which the following is a part and running with the southern line of the tract of which this is a part South 82 degrees 23 minutes 07 seconds West, 145.27 feet to a point;

thence leaving said line and running on a new line North 07 degrees 36 minutes 53 seconds West, 125.00 feet to a point;

thence North 82 degrees 23 minutes 07 seconds East, 19.02 feet to a point;

thence North 29 degrees 59 minutes 21 seconds West, 41.45 feet to a point;

thence with a curve to the right on a radius of 115.00 feet an arc distance of 50.31 feet (chord South 69 degrees 51 minutes 12 seconds West, 49.91 feet) to a point of tangency;

thence South 82 degrees 23 minutes 07 seconds West, 200.44 feet to the Southeast corner of Tract 3, The Enclave at Treyburn as recorded in Condo Book 7, Page 57;

thence with the eastern line of said Tract 3 North 07 degrees 36 minutes 53 seconds West, 25.00 feet to a point;

thence leaving said eastern line and running North 82 degrees 23 minutes 07 seconds East, 200.44 feet to a point of curvature;

thence with a curve to the left on a radius of 90.00 feet an arc distance of 101.34 feet (chord North 50 degrees 07 minutes 41 seconds East, 96.07 feet) to a point;

thence South 72 degrees 07 minutes 45 seconds East, 177.11 feet to a point in the eastern line of the tract of which this is a part;

thence with said line South 10 degrees 39 minutes 32 seconds West, 160.67 feet to the POINT OF BEGINNING.

Containing 39,752 feet (0.913 acres, more or less).

And being a portion of the tract recorded in plat book 115, Page 104, Cumberland County, North Carolina Registry.

Prepared by Moorman, Kizer & Reitzel, Inc., Fayetteville, North Carolina.

AND BEING THE SAME PROPERTY AS SHOWN ON CONDOMINIUM PLAT ENTITLED THE ENCLAVE AT TREYBURN, PHASE V, RECORDED SIMULTANEOUS HEREWITH IN CONDO PLAT BOOK 7, PAGES 120 - 121, CUMBERLAND COUNTY, NC REGISTRY.

**Exhibit "B"**

Numerical Designations for Each Unit in Phase V  
THE ENCLAVE AT TREYBURN CONDOMINIUMS

- Unit 1
- Unit 2
- Unit 3
- Unit 4
- Unit 5
- Unit 6

**Exhibit "C"**

Percentage of Undivided Interest in Common Areas and Facilities  
The Enclave at Treyburn Phases I - IV

<u>Unit Number</u>	<u>Percentage Interest</u>
<u>PHASE I</u>	
101	4.1666
102	4.1666
103	4.1666
104	4.1666
201	4.1666
202	4.1666
203	4.1666
204	4.1666
<u>PHASE II</u>	
105	4.1666
106	4.1666
107	4.1666
108	4.1666
205	4.1666
206	4.1666
207	4.1666
208	4.1666
<u>PHASE III</u>	
109	4.1666
110	4.1666
111	4.1666
112	4.1666
209	4.1666
210	4.1666
211	4.1666
212	4.1666
<u>PHASE IV</u>	
137	4.1666
138	4.1666

139	4.1666
140	4.1666
237	4.1666
238	4.1666
239	4.1666
240	4.1666

PHASE V

Unit 1	0.00
Unit 2	0.00
Unit 3	0.00
Unit 4	0.00
Unit 5	0.00
Unit 6	0.00