

(N.P. SEAL) 006891

Jo PN

RECEIVED

2-14-2006 PM 3:04: 6

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

**SUPPLEMENTAL AND AMENDED DECLARATION OF COVENANTS
JAMES CREEK NORTH AT TREYBURN
SECTION 1, PART 1**

Prepared by/return to: Rebecca F. Person 05RE-542

THIS SUPPLEMENTAL AND AMENDED DECLARATION OF COVENANTS is made and entered into this 8th day of February, 2006 by HOKE LOOP PARTNERS, LLC, a North Carolina limited liability company, and FLOYD PROPERTIES AND DEVELOPMENT, INC., formerly known as FLOYD CONSTRUCTION CO., INC., a North Carolina corporation, hereinafter collectively referred to as "Developer":

WITNESSETH:

WHEREAS, Developer executed and caused to be recorded a certain "Restatement of Restrictive Covenants of James Creek at Treyburn (North and South)" 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 James Creek at Treyburn 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 at Treyburn 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; and

WHEREAS, Developer is the owner of and has caused to be recorded a plat of Section 1, Part 1 James Creek North at Treyburn as recorded in Plat Book 116, Page 027, Cumberland County, North Carolina Registry; and

WHEREAS, the Developer desires Section 1, Part 1 James Creek North at Treyburn as set forth on plat in Plat Book 116, Page 027 to be subject to bound by the Declaration, 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;

NOW, THEREFORE, in consideration of the premises, the Declarant hereby expressly

declares that the property described as Section 1, Part 1 James Creek North at Treyburn as set forth on plat in Plat Book 116, Page 027, aforesaid Registry, be and hereby is subject to that certain Declaration recorded in Book 6987, Page 005.

IN WITNESS WHERE, Developer has set its hand and seal the day and year first above written.

HOKE LOOP PARTNERS, LLC
By: Elmwood Partners, LLC, Manager

By: [Signature]
D. Ralph Huff, III, Member/Manager

FLOYD PROPERTIES AND
DEVELOPMENT, INC.

By: [Signature]
Gregory W. Floyd, Vice President

NORTH CAROLINA
CUMBERLAND COUNTY

I certify that the following person(s) personally appeared before me this day and I have personal knowledge of the identity of the principal(s) or have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a driver's license or a credible witness has sworn to the identity of the principal(s); each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Name of Principals: D. Ralph Huff, III

Date: July 9, 2006

[Signature]
Notary Public

My commission expires: 11-18-08

Elizabeth A. Smith
Printed or Typed Name of Notary Public



NORTH CAROLINA
CUMBERLAND COUNTY

I certify that the following person(s) personally appeared before me this day and I have personal knowledge of the identity of the principal(s) or have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of a driver's license or a credible witness has sworn to the identity of the principal(s); each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Name of Principals: Gregory W. Floyd

Date: Feb. 9, 2006

Elizabeth A. Smith
Notary Public

My commission expires: 11-18-08



Elizabeth A. Smith
Printed or Typed Name of Notary Public
