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Prepared by: Herbert H. Thorpe THORPE AND CLARKE  
P.O. Box 670, Fayetteville, NC 28302 93 JUN -3 AM 10:53

NORTH CAROLINA  
CUMBERLAND COUNTY

DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS AND ANNEXATION OF, N.C.  
THE VINEYARDS OF JOHN SMITH,  
SECTION 2

THIS DECLARATION, made this the 3<sup>rd</sup> day of June,  
1993, by H T M Investments, Inc., a North Carolina Corporation,  
herein referred to as "Declarant" and "Owner":

W I T N E S S E T H:

WHEREAS, Owner owns certain property in Cumberland County,  
North Carolina, more particularly described as follows:

SEE ATTACHED EXHIBIT A

WHEREAS, Declarant and the Owner desire to have the above  
described property annexed to The Vineyards of John Smith.

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:

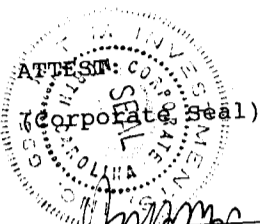
That certain Declaration of The Vineyards of John Smith dated  
May 13, 1992, and recorded in Book 3815, Page 550, Cumberland  
County Registry, which said Declaration of The Vineyards of John  
Smith are incorporated herein and made a part of this instrument as  
though fully set out herein.

IN WITNESS WHEREOF, H T M Investments, Inc., the Declarant and  
Owner herein has caused this Declaration to be signed in its

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corporate name by its President and attested by its Secretary and sealed with its corporate seal, all on the day and year first above written.

H T M INVESTMENTS, INC.  
as Declarant and Owner



BY: *Julian T. Mann, Jr.*  
Julian T. Mann, Jr., President

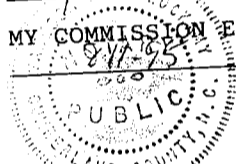
*Herbert H. Thorp*  
Herbert H. Thorp, Secretary

NORTH CAROLINA  
CUMBERLAND COUNTY

I, *Vanessa King Lockamy*, a Notary Public in and for said County and State, do hereby certify that Herbert H. Thorp personally appeared before me this day and acknowledged that he is the Secretary of H T M INVESTMENTS, INC., a North Carolina Corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its President, sealed with its corporate seal and attested by himself as its Secretary.

WITNESS My hand and Notarial Seal, this the *3rd* day of *June*, 1993.

MY COMMISSION EXPIRES: *8-11-95*



*Vanessa King Lockamy*  
NOTARY PUBLIC

SEE PLAT BOOK \_\_\_\_\_, PAGE \_\_\_\_\_, CUMBERLAND COUNTY REGISTRY, NORTH CAROLINA.

The foregoing Certificate(s) of *Vanessa King Lockamy*

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

By *Valerie M. Carroll* REGISTER OF DEEDS FOR CUMBERLAND COUNTY,  
Deputy/Assistant - Register of Deeds

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## EXHIBIT "A"

All that land described in Deed dated December 19, 1991 from Jerry M. Person and wife, Jean F. Person to HTM Investments, Inc. recorded in Book 3738, Page 609, Cumberland County, North Carolina Registry;

EXCEPTING THEREFROM all those numbered lots and common area more particularly described on plat entitled The Vineyards (of John Smith) Section One, Property of H.T.M. Investments, Inc. and duly recorded in Book of Plats 80, Page 94, Cumberland County, North Carolina Registry.