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

Prepared By and Return To:  
Reaves & Reaves, PLLC  
P.O. Box 53187  
Fayetteville, NC 28305

**SUPPLEMENTAL AND AMENDED DECLARATION OF COVENANTS  
KINGS GRANT SECTION C - BUILDING 5**

THIS SUPPLEMENTAL AND AMENDED DECLARATION OF COVENANTS (this "Supplemental Agreement") is made and entered into as of the 26 day of October, 2005 by **SRW BUILDERS, INC.**, a North Carolina corporation (the "Declarant") and **QUARTERMAIN CONSTRUCTION COMPANY, LLC**, a North Carolina limited liability company (the "New Owner").

**WITNESSETH:**

WHEREAS, Declarant executed and caused to be recorded a certain Declaration of Covenants in Book 6449, Page 534 and re-recorded in Book 6473, Page 372 (Section A), as amended in Book 6566, Page 622 (Section B-1), further amended in Book 6687, Page 296 (Section D-1), further amended in Book 6965, Page 432 (Section C, Building 26); further amended in Book 6982, Page 354 (Section C, Building 25), further amended in Book 6983, Page 774 (Section D-1, Part 2), further amended in Book 7017, Page 28 (Section C, Building 24), further amended in Book 7038, Page 646 (Section B-1 Revision), further amended in Book 7038, Page 650 (Section C, Building 23), all Cumberland County Registry (as amended, the "Kings Grant Declaration"), the terms of which are incorporated herein by this reference; and

WHEREAS, said Declaration applied to and covered portions of the Kings Grant subdivision as referenced therein (the "Other Sections of Kings Grant"); and

WHEREAS, said Kings Grant Declaration provided that Declarant may include future sections of Kings Grant Subdivision as the same may be developed from time to time except that such future sections of Kings Grant shall become subject to the Kings Grant Declaration only from and after the recording of the plat or plats for said future section(s) and the recording of a supplemental declaration which incorporates by reference the Kings Grant Declaration and which expressly makes the new section(s) subject to the Kings Grant Declaration; in addition, any such supplemental declaration may contain such complementary additions and/or modifications of the Kings Grant Declaration as may be necessary or convenient to reflect the

different character of any new section, with any such additions and/or modifications applying only to the new section; and

WHEREAS, the New Owner is the current owner of and has caused to be recorded a plat entitled "Kings Grant Section C, Phase 1, Building 5, Lots 1, 2, 3, 4" of Kings Grant Subdivision, as recorded in Plat Book 115, Page 122, Cumberland County Registry (the "Additional Townhome Section"); and

WHEREAS, the Additional Townhome Section is a townhome development, and is subject to that certain Declaration of Covenants, Conditions and Restrictions for Kings Grant Townhomes recorded in Book 6965, Page 420, aforesaid Registry, as amended to include additional townhome sections (as amended, the "Townhome Declaration"); and


WHEREAS, the Declarant (who is the immediate prior owner of the Additional Townhome Section and has participated in the townhome development as part of the Kings Grant Subdivision scheme) and the New Owner desire that the Additional Townhome Section also become subject to the Kings Grant Declaration to provide for, inter alia, easement rights and sharing of common expenses with regard to the Other Sections of Kings Grant and sections that may be added in the future, subject to certain modifications.

NOW, THEREFORE, in consideration of the mutual covenants contained in the Declaration and other good and valuable consideration, the Declarant and the New Owner hereby expressly declare as follows:

1. The Additional Townhome Section is hereby incorporated into and made subject to the Kings Grant Declaration, subject to certain modifications as described herein, and all owners in the Additional Townhome Section shall enjoy all property rights in the common areas and common properties as may be described in the Kings Grant Declaration;
2. All owners in the Additional Townhome Section are subject to assessments levied by the Kings Grant Owners Association II, Inc. or other association pursuant to the Kings Grant Declaration for maintenance of common areas and other common expenses, and are subject to all obligations and enforcement mechanisms related thereto, including lien rights, all as described therein.
3. The following provisions of the Kings Grant Declaration SHALL NOT APPLY to the Additional Townhome Section: Sections 1, 2, 6, 7, 8, 10 and 11 of Part Two, Article I; and Sections 1, 2, 3, 4, 5 and 6 of Part Two, Article IV. Additionally, to the extent that there is any inconsistency between the Kings Grant Declaration and the Townhome Declaration regarding any covenants; restrictions (related to use, construction or any other); architectural control; or environmental control, where such inconsistency relates primarily to the townhome style of development versus single-family residential style of development, then the terms of the Townhome Declaration shall control.

**DECLARANT:**

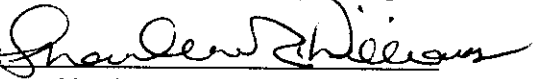
**SRW BUILDERS, INC**

By:   
Sharlene R. Williams  
President

**NEW OWNER:**

**QUARTERMAIN CONSTRUCTION  
COMPANY, LLC**

By: SRW Builders, Inc., Member/Manager

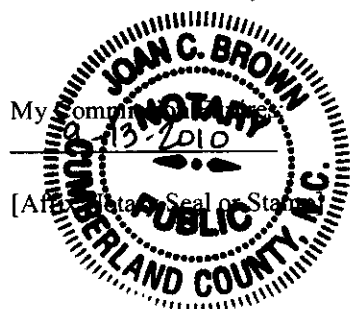
By:   
Sharlene R. Williams  
President

STATE OF NORTH CAROLINA

COUNTY OF CUMBERLAND

I, JOAN C. BROWN, a Notary Public of said County and State, do hereby certify that Sharlene R. Williams personally appeared before me this day and acknowledged that he is the President of SRW BUILDERS, INC., a North Carolina corporation and that by authority duly given, and as the act of said corporation, said person executed the foregoing instrument on behalf of said corporation.

WITNESS my hand and official seal or stamp, this the 26 day of OCTOBER, 2005.



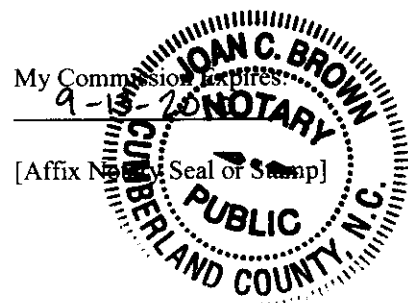
Joan C. Brown  
Notary Public

STATE OF NORTH CAROLINA

COUNTY OF CUMBERLAND

I, JOAN C. BROWN, a Notary Public of said County and State, do hereby certify that Sharlene R. Williams personally appeared before me this day and acknowledged that he is the President of SRW BUILDERS, INC., a North Carolina corporation, said corporation being the sole Member/ Manager of QUARTERMAIN CONSTRUCTION COMPANY, LLC, a North Carolina limited liability company, and that by authority duly given, and as the act of said corporation acting on behalf of said limited liability company as its sole member/manager, said person executed the foregoing instrument on behalf of said corporation.

WITNESS my hand and official seal or stamp, this the 26 day of OCTOBER, 2005.



Joan C. Brown  
Notary Public