

(N.P SEAL)

030949

26 PN

RECEIVED

6-27-2006 PM 4:12:17

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 22**

THIS SUPPLEMENTAL AND AMENDED DECLARATION OF COVENANTS (this "Supplemental Agreement") is made and entered into as of the 23rd day of June, 2006 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), further amended in Book 7054, Page 437 (Section C, Building 5), further amended in Book 7139, Page 152 (Section C, Building 4), further amended in Book 7164, Page 366 (Section C, Building 3), further amended in Book 7164, Page 370 (Section B-2); further amended in Book 7217, Page 679 (Sections D2 & D3), 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 "Subdivision Survey of King's Grant Section C Phase 2 Building 22, Lots 1, 2 & 3" of Kings Grant Subdivision, as recorded in Plat Book 117, Page 106, 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:

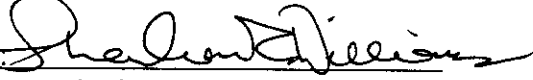
1. The Additional Townhome Section is hereby incorporated into and made subject to the Kings Grant Declaration, subject to certain modifications as described herein, and all owners in the Additional Townhome Section shall enjoy all property rights in the common areas and common properties as may be described 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.

**[Signature Page Attached Hereto]**

**DECLARANT:**

**SRW BUILDERS, INC.**

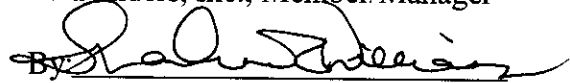
By: 

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, Leonard H. Reaves, a Notary Public of said County and State, do hereby certify that Shirley R. Williams personally appeared before me this day and acknowledged that he/she 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.

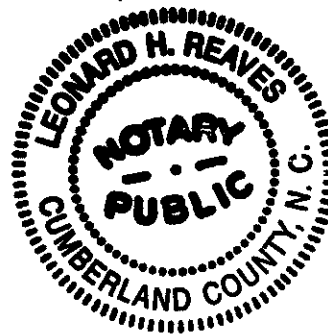
WITNESS my hand and official seal or stamp, this the 23 day of June, 2006.

Leonard H. Reaves  
Notary Public

My Commission Expires:

My Commission Expires August 25, 2009

[Affix Notary Seal or Stamp]



COUNTY OF Cumberland

STATE OF NORTH CAROLINA

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: Shirley R. Williams as the President of **SRW BUILDERS, INC.**, a North Carolina corporation, said corporation being the Member/ Manager of **Quartermain Construction Company, LLC**, a North Carolina limited liability company.

Date: 6-27-2006

Official Signature of Notary: Leonard H. Reaves

Notary's Printed Name: Leonard H. Reaves

My commission expires My Commission Expires August 25, 2009

[Affix Notary Seal or Stamp]

