

BK 744 | PG 491

7441
0491

27
(52) RF

058879

(N.P. SEAL)

26 / 07

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

~~BK 7437 PG 710~~

RECEIVED

12- 7-2006 PM 4:42:52

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

This document is being re-recorded to fill in the plat book and page on Page 2, which was left blank due to a scrivener's error.

VHL

~~058300~~

RECEIVED

12- 4-2006 PM 4:35:46

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

**SUPPLEMENTAL AND AMENDED DECLARATION OF COVENANTS
KINGS GRANT SECTION C - BUILDING 20**

THIS SUPPLEMENTAL AND AMENDED DECLARATION OF COVENANTS (this "Supplemental Agreement") is made and entered into as of the 30 day of November, 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), further amended in Book 7282, Page 289 (Section C, Building 22), further amended in Book 7306, Page 79 (Section E-1), further amended in Book 7384, Page 345 (Section C, Building 21), 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 Kings Grant Section C, Phase 2, Building 20, Lots 1, 2 & 3", as recorded in Plat Book 118, Page 143, 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]

7441
0494

BK 7441 PG 494

~~BK 7437 PG 713~~

DECLARANT:

SRW BUILDERS, INC.

By: Butch Dunlop
President

NEW OWNER:

**QUARTERMAIN CONSTRUCTION
COMPANY, LLC**

By: SRW Builders, Inc. Member/Manager

By: Butch Dunlop
President

STATE OF North Carolina
COUNTY OF Cumberland

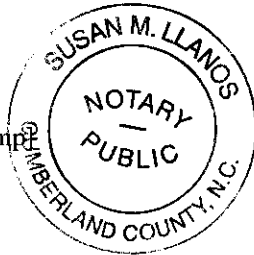
I, Susan M. Llanos, a Notary Public of said County and State, do hereby certify that Butch Dunlap personally appeared before me this day and acknowledged that he/she is the Vice President of **SRW BUILDERS, INC.**, a North Carolina corporation and that by authority duly given, and as the act of said corporation, said person executed the foregoing instrument on behalf of said corporation.

WITNESS my hand and official seal or stamp this the 30th day of November, 2006.

Susan M. Llanos
Notary Public

My Commission Expires:
August 21, 2010

[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: Butch Dunlap as the Vice 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.

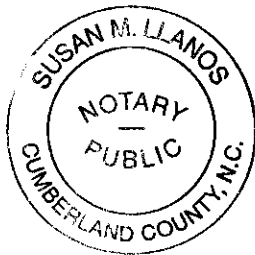
Date: November 30, 2006

Official Signature of Notary: Susan M. Llanos

Notary's Printed Name: Susan M. Llanos

My commission expires: August 21, 2010

[Affix Notary Seal or Stamp]



EXPLANATION STATEMENT TO CORRECT OBVIOUS MINOR ERROR(S) MADE
IN AN INSTRUMENT AS ORIGINALLY RECORDED

RE: BOOK 7437

PAGE 710

RECORDED IN THE CUMBERLAND COUNTY REGISTRY

NAMES OF ALL PARTIES TO THE ORIGINAL INSTRUMENT:

Declarant: SRW Builders, Inc., a North Carolina corporation

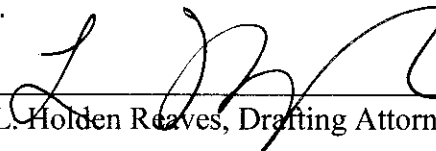
New Owner: Quartermain Construction Company, LLC, a North Carolina limited
liability company

STATE OF NORTH CAROLINA
COUNTY OF CUMBERLAND

I/WE, the Undersigned, hereby certify that the following corrections are made in
the above named recorded instrument in accordance with the provisions of G.S. 47-36.1
ratified June 30, 1986.

DESCRIPTION OF CORRECTION(S): This document is being re-recorded to fill in the
plat book and page on Page 2, which was left blank due to a scrivener's error.

THIS, THE 7 DAY OF December, 2006.

 (SEAL)
L. Holden Reaves, Drafting Attorney

_____ (SEAL)

_____ (SEAL)

_____ (SEAL)

This explanation statement together with the attached instrument duly rerecorded at
_____ o'clock _____ M this the _____ day of _____, 20____ in
the book and page shown on the first page hereof.

J. LEE WARREN, Jr.
REGISTER OF DEEDS

By: _____
DEPUTY/ASSISTANT REGISTER OF DEEDS