

FILED  
 CUMBERLAND COUNTY NC  
 J. LEE WARREN, JR.  
 REGISTER OF DEEDS  
 FILED May 06, 2019  
 AT 04:26:47 pm  
 BOOK 10495  
 START PAGE 0852  
 END PAGE 0856  
 INSTRUMENT # 13105  
 RECORDING \$26.00  
 EXCISE TAX (None)

JR

<sup>Box</sup>  
 Prepared By and ~~Return~~ To:  
 L. Holden Reaves  
 Reaves Law, PLLC  
 P.O. Box 53187  
 Fayetteville, NC 28305

## SUPPLEMENTAL AND AMENDED DECLARATION OF COVENANTS

### KINGS GRANT SECTION C – BUILDINGS 1, 12, & 17

THIS SUPPLEMENTAL AND AMENDED DECLARATION OF COVENANTS (this “Supplemental Agreement”) is made and entered into by **SRW BUILDERS, LLC**, a North Carolina limited liability company (and successor in interest by conversion to SRW Builders, Inc.) (the “Declarant”), and **QUARTERMAIN CONSTRUCTION COMPANY, LLC**, a North Carolina limited liability company (the “New Owner”).

### WITNESSETH:

WHEREAS, Declarant executed and caused to be filed a certain Declaration of Covenants which was recorded 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), as 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), further amended in Book 7441, Page 491 (Section C, Building 20), further amended in Book 7479, Page 615 (Section E-1 Revised), further amended in Book 7582, Page 73 (Section E-1 Revisions), further amended in Book 7602, Page 250 (Section C, Building 2), further amended in Book 7669, Page 96 (Wetland Preservation Restrictions),

further amended in Book 7761, Page 761 (Transfer of Special Declarant Rights), further amended in Book 8778, Page 233 (Section C, Building 19), further amended in Book 9352, Page 01 (Section E-4 – Notting Hill), further amended in Book 10240, Page 396 (Section C, Buildings 6 & 18), further amended in Book 10251, Page 611 (Section E-3 – Notting Hill), all Cumberland County Registry (as amended, the “Kings Grant Declaration”), the terms of which are incorporated herein by this reference;

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

WHEREAS, said Kings Grant Declaration provided that any future sections of Kings Grant subdivision would become subject to the Kings Grant Declaration after recording a plat for any new section and after recording a supplemental declaration which expressly makes any new section subject to the terms of the Kings Grant Declaration; in addition, any such supplemental declaration may contain such complimentary additions and/ or modifications of the Kings Grant Declaration as may be necessary or convenient to reflect the different character of any new section, which any such additions and/ or modifications applying only to the new section;

WHEREAS, WHEREAS, the New Owner is the current owner of and has caused to be recorded (i) a plat entitled “Survey of Kings Grant, Section C, Phase 2, Building 1”, as recorded in Plat Book 141, Page 109; (ii) a plat entitled “Survey of Kings Grant, Section C, Phase 2, Building 12”, as recorded in Plat Book 141, Page 144; and (iii) a plat entitled “Survey of Kings Grant, Section C, Phase 2, Building 17”, as recorded in Plat Book 141, Page 108, all aforesaid Registry (together, the “Additional Townhome Section”);

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 and the New Owner desire that the Additional Townhome Section become subject to the Kings Grant Declaration and 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 Kings Grant 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;

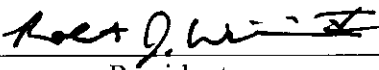
2. All owners in the Additional Townhome Section are subject to assessments levied by the Kings Grant Owners Association, II, Inc. or other association pursuant to the Kings Grant Declaration for maintenance of common areas and other common expenses, and are subject to all obligations and enforcement 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.
4. The New Owner reserves the right to alter the boundaries of the new lots as shown on the plats that depict the Additional Townhome Section (as well as the common elements shown thereon, as the case may be). As such, for lot conveyance purposes, the title examiner is advised to consult more recent plats of record, if any, to obtain accurate lot descriptions.

**[Remainder of This Page Intentionally Left Blank;  
Signature Page Attached Hereto]**

IN WITNESS WHEREOF, the undersigned have executed this Supplemental Agreement as of the dates set forth in the below notary acknowledgments, with the latter of said dates to be the effective date hereof.

**DECLARANT:**

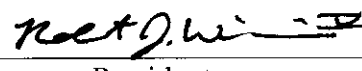
**SRW BUILDERS, LLC**

By:   
\_\_\_\_ President

**NEW OWNER:**

**QUARTERMAIN CONSTUCTION  
COMPANY, LLC**

By: SRW Builders, LLC,  
its Member/ Manager

By:   
\_\_\_\_ President

[See notary acknowledgement page attached hereto]

STATE OF NORTH CAROLINA

COUNTY OF Cumberland

I certify that the following person personally appeared before me this day, acknowledging to me that he or she signed the foregoing document for the purpose stated therein and in the capacity indicated:

Robert J. Williams, as \_\_\_\_\_ President of SRW Builders, LLC, a North Carolina limited liability company.

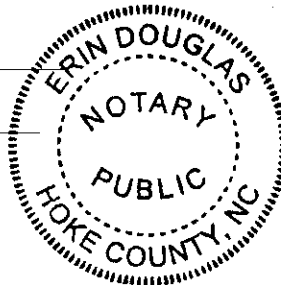
Date: May 2, 2019

Official Signature of Notary: Erin Douglas

Notary's Printed Name: Erin Douglas

My commission expires: May 2, 2023  
Hoke County notary

[Affix Notary Seal or Stamp]



(N.P. SEAL)

STATE OF NORTH CAROLINA

COUNTY OF Cumberland

I certify that the following person personally appeared before me this day, acknowledging to me that he or she signed the foregoing document for the purpose stated therein and in the capacity indicated:

Robert J. Williams, as \_\_\_\_\_ President of SRW Builders, LLC, a North Carolina limited liability company, said company acting in its capacity as the Member/ Manager of **Quartermain Construction Company, LLC**, a North Carolina limited liability company.

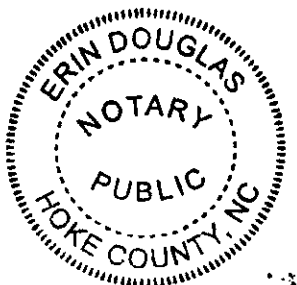
Date: May 2, 2019

Official Signature of Notary: Erin Douglas

Notary's Printed Name: Erin Douglas

My commission expires: May 2, 2023

[Affix Notary Seal or Stamp]



(N.P. SEAL)