

Prepared by and Return to: Moore & Alphin, PLLC (BG)
3716 National Dr., Ste. 100, Raleigh, NC 27612

NORTH CAROLINA
JOHNSTON COUNTY

**SUPPLEMENTAL DECLARATION TO
THE DECLARATION OF COVENANTS,
CONDITIONS, AND RESTRICTIONS FOR
EVERGREEN AT FLOWERS PLANTATION**

THIS SUPPLEMENTAL DECLARATION AND TO THE DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS FOR EVERGREEN AT FLOWERS PLANTATION is made this 26th day of July, 2017, by DWF Development, Inc., a North Carolina corporation ("Declarant") with the consent of DWF Development, Inc., a North Carolina corporation and McKee Homes LLC, a Delaware limited liability company ("McKee").

WITNESSETH:

WHEREAS, Declarant executed that certain Declaration of Covenants, Conditions, and Restrictions for Evergreen at Flowers Plantation which is recorded in Deed Book 4682, Page 317, et seq., Johnston County Registry, on November 12, 2015, as amended from time to time (the "Declaration"); and

WHEREAS, pursuant to the terms of Section 5(a) of the Development Agreement, Declarant may unilaterally annex additional real property owned by Declarant to the Development Agreement by recording a Supplemental Declaration within 40 years from the date of recording of the Development Agreement; and

WHEREAS, pursuant to the terms of Article IX, Section 9.1 of the Declaration, Declarant may subject to the provision of the Declaration all or any portion of the property described on Exhibit "B" therein by filing a Supplemental Declaration within ten (10) years after the recording of the Declaration, with the consent of the owner of such property, if other than the Declarant, and with the consent of Rebecca D. Flowers, an individual; and

WHEREAS, Declarant owns the real property described herein on Exhibit A ("the Property"); and

WHEREAS, McKee owns the real property described on Exhibit B (with the real property described herein on Exhibit A, referred to as the "Property"); and

WHEREAS, the Property falls within the description of the property described on Exhibit "B" of the Declaration; and

WHEREAS, Declarant now desires to annex and submit the Property to the Declaration; and

WHEREAS, Declarant, McKee and Flowers consent to the annexation of the real property described on Exhibits A and B herein.

NOW THEREFORE, pursuant to the powers retained by Declarant under the Declaration, Declarant declares as follows:

Declarant hereby annexes and submits the Property to the Declaration. The Property shall be sold, transferred, used, conveyed, occupied, and mortgaged or otherwise encumbered pursuant to the provisions of the Declaration, which shall run with the title to such real property and shall be binding upon all persons having any right, title, or any interest in such real property, their respective, heirs, personal representatives, successors, successors-in-interest and assigns.

[signature pages to follow]

IN WITNESS WHEREOF, the undersigned Declarant has caused this instrument to be executed as of the day and year indicated in the acknowledgement block below.

DECLARANT:

DWF DEVELOPMENT, INC.,
a North Carolina corporation

By: *Rebecca D. Flowers*
Rebecca D. Flowers, President

STATE OF NORTH CAROLINA

COUNTY OF *Johnston*

I, the undersigned notary public, in and for the County and State aforesaid, do hereby certify that Rebecca D. Flowers, President of DWF Development, Inc., personally appeared before me this day and acknowledged the due execution of the foregoing instrument as an authorized act of and on behalf of the corporation. Witness my hand and notarial stamp or seal on this the 26th day of July, 2017.

Maurice Reid Stephenson
NOTARY PUBLIC

My commission expires: 9/20/2017



IN WITNESS WHEREOF, the undersigned provides her consent to the annexation and has caused this instrument to be executed as of the day and year indicated in the acknowledgement block below.

Rebecca D. Flowers

Rebecca D. Flowers, as individual

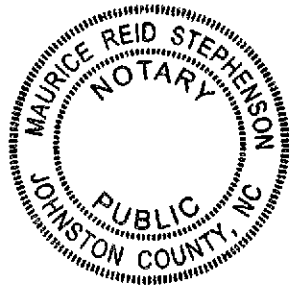
STATE OF NORTH CAROLINA

COUNTY OF *Johnston*

I, the undersigned notary public, in and for the County and State aforesaid, do hereby certify that Rebecca D. Flowers personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and notarial stamp or seal on this the *26th* day of July, 2017.

Maurice Reid Stephenson
NOTARY PUBLIC

My commission expires: *9/20/2017*



IN WITNESS WHEREOF, the undersigned provides its consent to the annexation and has caused this instrument to be executed as of the day and year indicated in the acknowledgement block below.

MCKEE HOMES LLC,
a Delaware limited liability company

By: *Patrick Joe McKee*
Printed Name: Patrick Joe McKee
Title: member-manager

STATE OF NORTH CAROLINA

COUNTY OF New Hanover

I, the undersigned notary public, in and for the County and State aforesaid, do hereby certify that Patrick Joe McKee personally appeared before me in the capacity indicated this day and acknowledged the due execution of the foregoing instrument as an authorized act of and on behalf of the corporation. Witness my hand and notarial stamp or seal on this the 31 day of July, 2017.

[Signature]
NOTARY PUBLIC

My commission expires: 6-22-18

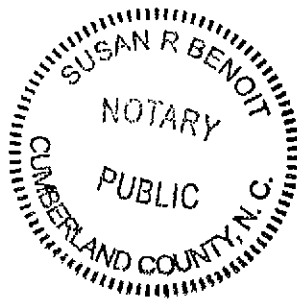


Exhibit "A"

Lying in Wilders Township, Johnston County, North Carolina, and being more particularly described as follows:

BEING all of Lots 1, 29, 80, and 81, Evergreen at Flowers Plantation, as shown on a map recorded in Plat Book 85, Page 159, Johnston County Registry, to which plat reference is hereby made for a more particular description.

Exhibit "B"

Lying in Wilders Township, Johnston County, North Carolina, and being more particularly described as follows:

BEING all of Lots 3, 4, 5, 6, 7, 8, 10, 11, 12, 22, 25, 26, and 27, Evergreen at Flowers Plantation, as shown on a map recorded in Plat Book 82, Pages 308-309, Johnston County Registry, to which plat reference is hereby made for a more particular description;

AND

BEING all of Lots 2 and 28, Evergreen at Flowers Plantation, as shown on a map recorded in Plat Book 84, Pages 136, Johnston County Registry, to which plat reference is hereby made for a more particular description.