

FILED
JOHNSTON COUNTY
CRAIG OLIVE
REGISTER OF DEEDS

Johnston County, North Carolina
CRAIG OLIVE Register of Deeds
The following certificate(s) of
LAWRENCE E KRISTOFF II
LAURA K HOWELL

FILED Nov 07, 2003
AT 03:15:00 pm
BOOK 02583
START PAGE 0076
END PAGE 0080
INSTRUMENT # 54731

notary/notaries public
is/are certified to be correct.
Laura K. Howell
Deputy - Assistant - Register of Deeds

References: Development Agreement Book 1615
Page 601
Book 1657
Page 335
Book 1970
Page 599
Declaration Book 1615
Page 609
Book 1657
Page 337
Supplemental Declaration Book 1859
Page 843

**AMENDMENT AND
SUPPLEMENTAL DECLARATION
TO THE
DEVELOPMENT AGREEMENT
AND
DECLARATION OF EASEMENTS AND COVENANT TO SHARE COSTS
FOR
FLOWERS' PLANTATION**

THIS AMENDMENT AND SUPPLEMENTAL DECLARATION is made as of the date set forth below by **REBECCA DELL FLOWERS** (formerly known as **REBECCA FLOWERS FINCH**) (**DECLARANT**"); and **WALKER WOODS DEVELOPMENT, LLC**, a North Carolina Limited Liability Company, both parties of Johnston County, North Carolina ("**OWNER**").

WHEREAS, Declarant recorded that certain Development Agreement for Flowers' Plantation in Deed Book 1615 at Page 601, et seq., in the office of Register of Deeds, Johnston County, North Carolina, on July 11, 1997, as it may be amended from time to time (the "Development Agreement"); and

WHEREAS, Declarant amended the Development Agreement by those Amendments to the

Development Agreement for Flowers' Plantation recorded in Deed Book 1657 at Page 335, et seq., and in Book 1970, Page 599, et. seq., in the office of Register of Deeds, Johnston County, North Carolina on December 9, 1997; and

WHEREAS, Declarant recorded that certain Declaration of Easements and Covenant to Share Costs for Flowers' Plantation in Deed Book 1615 at Page 609, et seq., in the office of Register of Deeds, Johnston County, North Carolina, on July 11, 1997, as it may be amended and supplemented from time to time (the "Declaration"); and

WHEREAS, Declarant amended the Declaration by that Amendment to the Declaration of Easements and Covenant to Share Costs for Flowers' Plantation recorded in Deed Book 1657 at Page 337, et seq., in the office of Register of Deeds, Johnston County, North Carolina, on December 9, 1997; and

WHEREAS, the Declarant unilaterally annexed additional property owned by her, more particularly described as that certain 15.896-acre tract of land as described in Plat Book 54, Page 448, Johnston County Registry, to the Development Agreement by recording a supplemental agreement, as recorded in Book 1859, Page 843, Johnston County Registry; and

WHEREAS, pursuant to the terms of Section 5(a) of the Development Agreement, the Declarant may unilaterally annex additional property owned by Declarant to the Development Agreement by recording a supplemental agreement for a period of 40 years from the date of recording the Development Agreement; and

WHEREAS, pursuant to the terms of Section 4 of the Declaration, the Declarant may unilaterally subject to the Declaration the additional property described on Exhibit "B" thereof by recording a supplemental Declaration within 40 years from the date of recording the Declaration; and

WHEREAS, the property described on Exhibit "A" hereto is this day being conveyed by Declarant to Owner, and said Owner's deed was conveyed subject to the Development Agreement and Declaration; and this annexation and submission is done within 40 years of the Development Agreement and Declaration being recorded; and

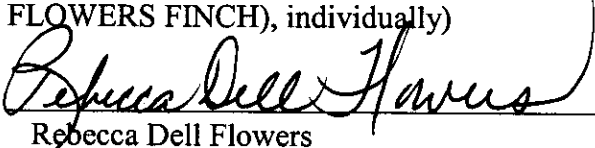
WHEREAS, the Declarant and Owner desire to annex and submit the property described on Exhibit "A" hereof to the Development Agreement and Declaration;

NOW, THEREFORE, pursuant to the powers retained by Declarant under the Development Agreement and Declaration, Declarant hereby annexes and submits the property described on Exhibit "A" to the Development Agreement and the Declaration. Such property shall be sold, transferred, used, conveyed, occupied, and mortgaged or otherwise encumbered pursuant to the provisions of the Development Agreement and the Declaration, which shall run with the title to such property and shall be binding upon all persons having any right, title, or any interest in such property, their respective heirs, legal representatives, successors, successors-in-title, and assigns.

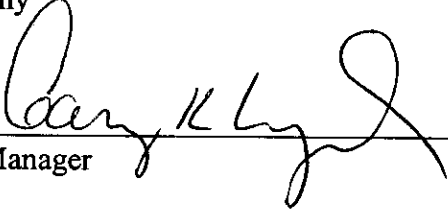
Owner executes this document to consent to the annexation of Owner's property as described in Exhibit "A" attached hereto and incorporated herein by reference.

30th IN WITNESS WHEREOF, Declarant and Owner execute this instrument under seal this the day of October, 2003.

DECLARANT: REBECCA DELL FLOWERS (formerly known as REBECCA FLOWERS FINCH), individually


_____(SEAL)
Rebecca Dell Flowers

OWNER: WALKER WOODS DEVELOPMENT, LLC, a North Carolina Limited Liability Company

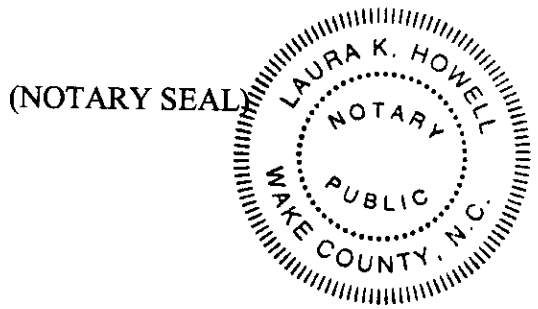

_____(SEAL)
Manager

(ACKNOWLEDGMENT ON NEXT PAGE)

STATE OF NORTH CAROLINA)
)
COUNTY OF JOHNSTON)

I, the undersigned Notary Public of the aforesaid County and State, do hereby certify that Rebecca Dell Flowers personally appeared before me this day and acknowledged that she, in her individual capacity, executed the foregoing instrument.

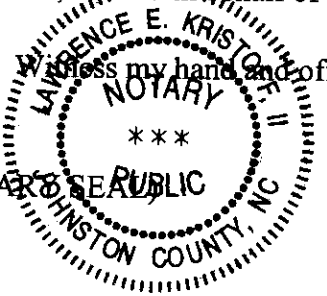
Witness my hand and official stamp or seal this 30th day of October, 2003.



Laura K. Howell
Notary Public
My Commission Expires: 11-11-2007

STATE OF NORTH CAROLINA)
)
COUNTY OF JOHNSTON)

I, the undersigned Notary Public of the aforesaid County and State, do hereby certify that Gary Kubzack, Manager of Walker Woods Development, LLC, a North Carolina Limited Liability Company, personally appeared before me this day and acknowledged the execution of the foregoing instrument, for and in behalf of said company.



Witness my hand and official stamp or seal this 30th day of October, 2003.

Lawrence E. Kristoff
Notary Public
My Commission Expires: 3/29/2005

EXHIBIT "A" LEGAL DESCRIPTION

BEING all of that certain tract or parcel of land, being known and designated as Tract 1, containing 68.296 acres, more or less, as per plat thereof recorded in Plat Book 63, Page 114, Johnston County Registry.

