

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

NORTH CAROLINA  
JOHNSTON COUNTY

**SUPPLEMENTAL DECLARATION AND  
AMENDMENTS TO DEVELOPMENT  
AGREEMENT FOR FLOWERS PLANTATION AND  
THE DECLARATION OF EASEMENTS AND  
COVENANTS TO SHARE COSTS FOR FLOWERS  
PLANTATION  
(WEST ASHLEY)**

THESE SUPPLEMENTAL DECLARATIONS AND AMENDMENTS are made this <sup>7<sup>th</sup></sup> day of September, 2017, by Rebecca D. Flowers, an individual (formerly known as Rebecca Flowers Finch), hereinafter referred to as "Declarant", DWF Development, Inc., a North Carolina corporation ("DWF") and by Flowers Plantation Foundation, Inc., a North Carolina nonprofit corporation (the "Foundation"), with respect to whatever rights, if any, the Foundation may have as a Declarant or otherwise under the "Development Agreement" (as defined herein) or the "Declaration" (as defined herein).

WITNESSETH:

WHEREAS, Declarant executed that certain Development Agreement for Flowers Plantation which is recorded in Deed Book 1615, Page 601, et seq., Johnston County Registry, on July 11, 1997, as amended from time to time (the "Development Agreement"); and

WHEREAS, Declarant executed that certain Declaration of Easements and Covenant to Share Costs for Flowers Plantation which is recorded in Deed Book 1615, Page 609, et seq., Johnston County Registry, on July 11, 1997, 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 Section 5(d) of the Development Agreement, Declarant may unilaterally amend the Development Agreement as long as Declarant has the right to annex additional property to the Development Agreement; and

WHEREAS, pursuant to the terms of Section 4.2 of the Declaration, Declarant may unilaterally subject to the Declaration the additional property described on Exhibit "B" therein by recording a Supplemental Declaration within 40 years from the date of recording of the Declaration; and

WHEREAS, pursuant to the terms of Section 5.3 of the Declaration, as long as Declarant owns any property described on Exhibit "A" or "B" to the Declaration, Declarant may unilaterally amend the Declaration for any purpose, and the real property described on Exhibit "A" attached hereto is part of the real property described on Exhibit "B" to the Declaration; and

WHEREAS, Rebecca D. Flowers owns the real property described herein on Exhibit A ("West Ashley"); and

WHEREAS, Declarant owns real property described on Exhibit "B" to the Declaration; and

WHEREAS, Declarant now desires to annex and submit West Ashley to the Development Agreement and Declaration; and

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

Declarant hereby annexes and submits West Ashley to the Development Agreement and Declaration. West Ashley shall be sold, transferred, used, conveyed, occupied, and mortgaged or otherwise encumbered pursuant to the provisions of the Development Agreement and 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.

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

**DECLARANT:**

Rebecca D. Flowers  
Rebecca D. Flowers, as individual

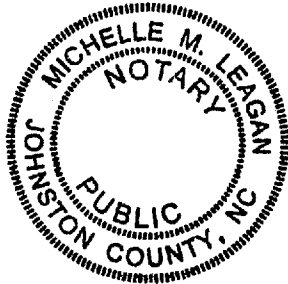
STATE OF NORTH CAROLINA

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 7 day of September, 2017.

Michelle M. Leagan  
NOTARY PUBLIC

My commission expires: 1-31-2022



**FOUNDATION:**

FLOWERS PLANTATION FOUNDATION, INC.,  
a North Carolina nonprofit corporation

By: Rebecca D Flowers  
Rebecca D. Flowers, President

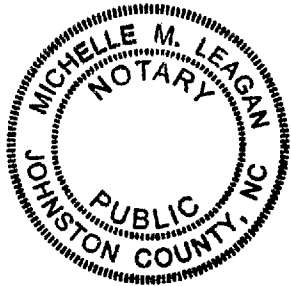
STATE OF NORTH CAROLINA

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 Flowers Plantation Foundation, 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 7 day of September, 2017.

Michelle M. Leagan  
NOTARY PUBLIC

My commission expires: 1-31-2022



**DWF:**

DWF DEVELOPMENT, INC.,  
a North Carolina corporation

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

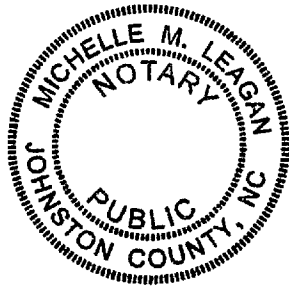
STATE OF NORTH CAROLINA

COUNTY OF Johnston

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Michelle M. Leagan  
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**Exhibit "A"**

BEGINNING at an iron pipe found in the line with the parcel now owned by J & J Flowers Finch, Inc., Parcel ID 16J04023, and running North 89 degrees 29 minutes 19 seconds West 229.52 feet to a point in the creek, thence following the run of the creek as follows: North 35 degrees 2 minutes 23 seconds East 31.59 feet, North 9 degrees 26 minutes 19 seconds East 70.71 feet, North 1 degree 29 minutes 27 seconds West 52.81 feet, North 25 degrees 43 minutes 57 seconds West 85.92 feet, North 46 degrees 2 minutes 9 seconds West 73.86 feet, North 36 degrees 36 minutes 2 seconds West 79.20 feet, North 41 degrees 40 minutes 46 seconds West 182.33 feet, North 7 degrees 7 minutes 21 seconds West 109.27 feet, North 15 degrees, 45 minutes 44 seconds West 7.12 feet, North 66 degrees 17 minutes 56 seconds East 44.70 feet, North 57 degrees 31 minutes 58 seconds East 47.64 feet, North 6 degrees 2 minutes 44 seconds East 64.59 feet, North 37 degrees 14 minutes 28 seconds East 52.36 feet, North 39 degrees 04 minutes 51 seconds East 55.32 feet, North 9 degrees 20 minutes 30 seconds East 44.72 feet, North 21 degrees, 59 minutes 09 seconds East 45.55 feet, North 67 degrees 48 minutes 48 seconds East 40.73 feet, North 1 degree 38 minutes 25 seconds West 43.89 feet, North 6 degrees 23 minutes 11 seconds West 43.90 feet, North 60 degrees 26 minutes 38 seconds East 27.90 feet, North 4 degrees 33 minutes 12 seconds East 28.62 feet, North 74 degrees 55 minutes 13 seconds East 22.69 feet, North 50 degrees 42 minutes 39 seconds East 40.90 feet, South 87 degrees 33 minutes 44 seconds East 44.69 feet, South 78 degrees 44 minutes 4 seconds East 26.48 feet, North 29 degrees 5 minutes East 54.93 feet, North 64 degrees 3 minutes 43 seconds East 52.31 feet, South 79 degrees 8 minutes 22 seconds East 35.25 feet, North 34 degrees 23 minutes 3 seconds East 25.39 feet, North 59 degrees 3 minutes 36 seconds East 49.54 feet, North 7 degrees 47 minutes 11 seconds East 22.18 to a point located in the boundary of the private easement shown in Plat Book 58, Page 250, Johnston County Registry; thence following the curve of the easement with an arc length of 34.36 feet, a radius of 775 feet, a chord bearing of South 63 degrees 58 minutes 23 seconds East, a chord length of 34.35 feet to an iron pipe found; thence South 62 degrees 42 minutes 11 seconds East 69.65 feet to a point in the line with the parcel now owned by J & J Flowers Finch, Inc., Parcel ID 16J04023; thence South 7 degrees 53 minutes 1 seconds West 1139.23 feet to the point and place of BEGINNING, and containing 9.851 acres, more or less.