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Prepared by:

Flowers Plantation Foundation

Upon recording, please return to:

Flowers Plantation Foundation  
4880 NC Hwy 42 E  
Clayton, NC 2727

INDEXING NOTE TO CLERK'S OFFICE:

Please index in Grantor index under "DWF Development, Inc."

Please index in Grantee index under "[The "Nine" at Flowers Plantation]," and "The "Nine" at Flowers Plantation Homeowners Association, Inc."

Please cross-reference to Declaration at Book 4394, Page 855-929

Please cross-reference to Development Agreement at Book 1615, Page 601

STATE OF NORTH CAROLINA

COUNTY OF JOHNSTON

**DESIGN GUIDELINES  
FOR  
The "Nine" at Flowers Plantation**

THESE DESIGN GUIDELINES are made as of the date set forth below by DWF DEVELOPMENT, INC., a North Carolina corporation ("**Declarant**").

**WITNESSETH:**

WHEREAS, Declarant filed that certain Declaration of Covenants, Conditions, and Restrictions for The "Nine" at Flowers Plantation which was recorded in Deed Book 4394, Page 855-929, *et seq.*, in the office of the Register of Deeds, Johnston County, North Carolina ("**Declaration**") as amended from time to time; and

WHEREAS, Article IV of the Declaration establishes architectural standards and review procedures applicable to the property submitted to the Declaration. Section 4.3 of the Declaration authorized Declarant to adopt and amend design guidelines ("**Design Guidelines**") to provide guidance to property owners and builders regarding matters of particular concern to the reviewer in considering applications for architectural approval. Such Design Guidelines are not intended to be the exclusive basis for decisions of the reviewer and compliance with the Design Guidelines does not guarantee approval of any application; and

WHEREAS, Declarant has sole and full authority to amend the Design Guidelines until the later of (i) that time which Rebecca D. Flowers or a successor entity owns any portion of the real property identified in Exhibits "A" or "B" to the Declaration, or (ii) such time as Declarant has a right to expand the Properties, as such term is defined in the Declaration, in accordance with Section 9.1 of the Declaration. Upon termination or delegation of Declarant's right to amend the Design Guidelines, the Architectural Review Committee established by the Board of Directors of The "Nine" at Flowers Plantation Homeowners Association, Inc. ("**Association**"), shall have the authority to amend the Design Guidelines, with the consent of the Board; and

WHEREAS, the right to expand the Properties pursuant to Section 9.1 of the Declaration has not expired; and

WHEREAS, the Properties are also subject that certain Development Agreement for Flowers' Plantation which was recorded in Deed Book 1615, Page 601, *et seq.*, by Rebecca Flowers Finch, now known as Rebecca D. Flowers ("**Development Declarant**") in the office of the Register of Deeds, Johnston County, North Carolina ("**Development Agreement**"), as amended from time to time; and

WHEREAS, the Development Agreement reserved to Development Declarant the right to review and approve or disapprove development plans and architectural guidelines, including the Design Guidelines, applicable to all of the development and construction activities within Flowers' Plantation to ensure quality development and protection of Development Declarant's residual property interests; and

WHEREAS, the right to approve the development plans and architectural guidelines pursuant to the Development Agreement has not expired;

NOW, THEREFORE, pursuant to the authority set forth in Article IV of the Declaration, Declarant has previously adopted the Design Guidelines attached hereto as Exhibit "A," and desires to record the Design Guidelines to memorialize them to be administered pursuant to the Declaration.

FURTHERMORE, Development Declarant, by executing below, has previously approved the Design Guidelines and hereby consents to and approves the recording of the Design Guidelines attached hereto as Exhibit "A" which shall continue to be applicable to the Properties.

[CONTINUED ON NEXT PAGE]

IN WITNESS WHEREOF, the Declarant hereby executes this instrument under by and through the duly authorized officer, this 28 day of July, 2021.

**DECLARANT:** DWF DEVELOPMENT, INC., a North Carolina corporation

By: Rebecca D. Flowers  
Name: Rebecca D. Flowers  
Title: President

STATE OF NORTH CAROLINA )  
 )  
COUNTY OF JOHNSTON )

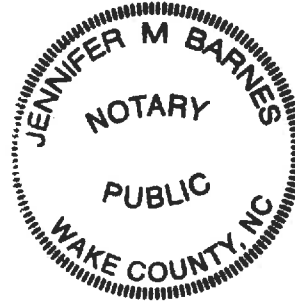
I, a Notary Public of Johnston County and State aforesaid, certify that Rebecca D. Flowers personally appeared before me this day and acknowledged to me that she voluntarily signed the foregoing document for the purposes stated therein and in the capacity as President of DWF DEVELOPMENT, INC., a North Carolina corporation.

Witness my hand and official seal, this 28th day of July, 2021.

(Official Seal)

Jennifer M Barnes  
Notary Public  
Jennifer M Barnes  
(Printed Name of Notary Public)

My Commission Expires: March 17, 2024



DEVELOPMENT DECLARANT CONSENT

IN WITNESS WHEREOF, the undersigned, the Development Declarant under the Development Agreement, hereby consents to the recording of the Design Guidelines attached hereto as Exhibit "A" this 28 day of July 2021

DEVELOPMENT DECLARANT:

Rebecca D. Flowers  
Rebecca D. Flowers (formerly known as Rebecca Flowers Finch)

STATE OF NORTH CAROLINA   )  
  )  
COUNTY OF JOHNSTON        )

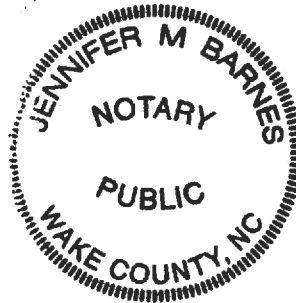
I, a Notary Public of aforesaid County and State, certify that Rebecca D. Flowers, formerly known as Rebecca Flowers Finch, personally appeared before me this day and acknowledged to me that she voluntarily signed the foregoing document for the purposes stated therein.

Witness my hand and official seal, this 28th day of July, 2021.

(Official Seal)

Jennifer M Barnes  
Notary Public  
Jennifer M Barnes  
(Printed Name of Notary Public)

My Commission Expires: March 17, 2024



## Exhibit "A"

### DESIGN GUIDELINES SPECIFIC TO "THE NINE" SUBDIVISION

1. All fencing must be approved by Declarant /Arch. committee. Fencing must be treated wood, black wrought iron or aluminum, depending on the architectural style of the exterior of the home, at the sole discretion of the Declarant. Fences may be no more than five feet (5'10") in height. Must be 1' off all property lines and must be submitted with plat map showing location for approval. A 6 foot white vinyl fence is required around a pool.
2. Exterior materials shall be brick, stone or cement board siding only, unless another exterior material is pre-approved by the Declarant prior to construction. In no event shall vinyl siding be permitted.
3. Steps leading from the front yard to the front porch must be brick, decorative concrete or stone.
4. All mailboxes must match. The required mailbox is the "Cast Aluminum Mailbox System Post #5" in black with the box 510R-6 with a newspaper holder from Post and Pickets, Ltd.
5. Natural gas heating and water heaters are required to be installed in each home.
6. The Association shall choose one company for trash removal, and every owner shall be subject to the requirement to use such company for trash collection services.
7. The minimum square footage for any home to be constructed shall be 3,400 heated square feet, exclusive of porches, decks, garages and any other unheated interior square footage including attics and basements.
8. Landscaping- Fescue Sod is required in all areas of yard that will be visible from the street.

Outbuildings must be stick built on permanent foundation with the same shingles, siding, colors same as home built on the lot with a minimum size 12 ft. x 16ft.