

Hold For: Cox and Cox, LLP

BK 754 9PG 0899

000526
NORTH CAROLINA
WAKE COUNTY

PRESENTED
FOR
REGISTRATION

97 JUL 10 PM 3:55

DECLARATION OF ANNEXATION OF
PHASE TWO, LAKEFALL SUBDIVISION,
AS SHOWN ON BOOK OF MAPS 1997, PAGES
1026-1029 OF THE WAKE COUNTY REGISTRY
WAKE COUNTY

THIS DECLARATION OF ANNEXATION, made on this 4th day of July, 1997, by 98-
Partners, L.L.C., a North Carolina limited liability company, hereinafter referred to as "Declarant";

WITNESSETH:

THAT WHEREAS, Declarant has heretofore executed and caused to be recorded an instrument entitled "Declaration of Protective Covenants for Lakefall Subdivision, Phase One," having been recorded in Book 6822, Page 742, Wake County Registry, said document and any amendments thereto being referred to herein as the "Declaration"; and

WHEREAS, the Declaration provides that Declarant may annex into Lakefall additional real property by recording in the Wake County Registry a Declaration of Annexation, duly executed by Declarant, describing the lands annexed and incorporating the provisions of the Declaration, either by reference or by fully setting out said provisions therein. The additional real property shall be deemed annexed into Lakefall on the date of recordation of the Declaration of Annexation, and no action or consent by any other person or entity shall be necessary to accomplish the annexation; and

WHEREAS, the Declarant desires to annex into Lakefall the following tracts:

Tract One:

Being all of Lots 20-30, 32-52, and 57-62 of Lakefall, Phase Two, all as shown on Book of Maps 1997, Pages 1026-1029 of the Wake County Registry.

Tract Two:

BEING all of well Lots 3 and 4 of Lakefall, Phase Two, as shown on Book of Maps 1997, Pages 1026-1029 of the Wake County Registry.



said areas lying within the perimeter of the lands which the Declarant is entitled to annex pursuant to authority contained in the Declaration as amended;

NOW, THEREFORE, Declarant hereby declares that all of Phase Two of Lakefall as shown on Book of Maps 1997, Pages 1026-1029, respectively of the Wake County Registry, is hereby annexed into Lakefall as permitted by the Declaration, whereby all of the foregoing areas are now subject to the terms, requirements and conditions of the Declaration, and are entitled to all of the benefits of the Declaration.

Central Carolina Bank, Beneficiary and Southland Associates, Inc., Trustee of that certain deed of trust recorded in Book 6495, Page 945 of the Wake County Registry, join in the execution of this Declaration of Annexation for the purpose of subordinating the lien of said deed of trust to this Declaration.

Barbara P. Burgess, Beneficiary and W. Robbins Cox, Trustee of that certain deed of trust recorded in Book 6495, Page 950 of the Wake County Registry join in the execution of this Declaration of Annexation for the purpose of subordinating the lien of said deed of trust to this Declaration.

IN TESTIMONY WHEREOF, 98-Partners, L.L.C., a North Carolina Limited Liability Company, has caused this instrument to be executed by its managers/members, the day and year first above written.

BK 7549PG0901

98-Partners, L.L.C., a North Carolina limited liability company

By: Lauren B. Rahill (SEAL)
Lauren B. Rahill, ManagerBy: Clarence E. Swicegood (SEAL)
Clarence E. Swicegood, ManagerBy: Jeffrey P. Burgess (SEAL)
Jeffrey P. Burgess, Manager

ATTEST:

C. M. M...
SECRETARYW. M. H...
Asst. SECRETARY

CENTRAL CAROLINA BANK

BY: Kevin Shaw
Vice PRESIDENTSOUTHLAND ASSOCIATES, INC.,
TrusteeBY: Tracy Gall...
Vice PRESIDENTBarbara P. Burgess
Barbara P. BurgessW. Robbins Cox
W. Robbins Cox, Trustee

STATE OF NORTH CAROLINA
COUNTY OF WAKE

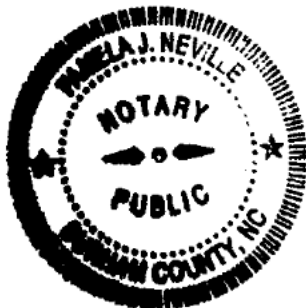
I, a Notary Public of the County and State aforesaid, certify that David Morgan personally came before me this day and acknowledged that he is Asst Secretary of Central Carolina Bank, a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Vice President, sealed with its corporate seal and attested by Asst Secretary. Witness my hand and official stamp or seal, this 9th day of July, 1997.

My Commission Expires: 8/23/99Ava Z. Park
Notary PublicSTATE OF NORTH CAROLINA
COUNTY OF WAKE

I, a Notary Public of the County and State aforesaid, certify that Kirk Fultz personally came before me this day and acknowledged that he is Asst Secretary of Southland Associates, Inc., Trustee, a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its Vice President, sealed with its corporate seal and attested by Asst Secretary. Witness my hand and official stamp or seal, this 9th day of July, 1997.

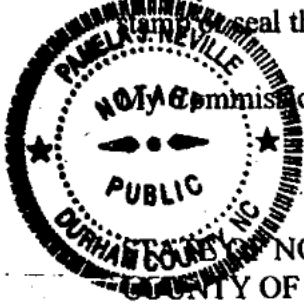
My Commission Expires: 8/23/99Ava Z. Park
Notary PublicSTATE OF NORTH CAROLINA
COUNTY OF WAKE

I, a Notary Public of the County and State aforesaid, certify that Barbara P. Burgess, personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal this 10 day of July, 1997.

My Commission Expires: 3-15-99Doreen J. Neville
Notary Public

STATE OF NORTH CAROLINA
COUNTY OF WAKE

I, a Notary Public of the County and State aforesaid, certify that Lauren B. Rahill, Manager of 98-Partners, L.L.C., a North Carolina limited liability company, personally appeared before me this day and acknowledged the execution of he foregoing instrument. Witness my hand and official stamp or seal this 10 day of July, 1997.

My Commission Expires: 3-15-99

Pamela J. Neville
Notary Public

STATE OF NORTH CAROLINA
COUNTY OF WAKE

I, a Notary Public of the County and State aforesaid, certify that Clarence E. Swicegood, Manager of 98-Partners, L.L.C., a North Carolina limited liability company, personally appeared before me this day and acknowledged the execution of he foregoing instrument. Witness my hand and official stamp or seal this 10 day of July, 1997.

My Commission Expires: 3-15-99

Pamela J. Neville
Notary Public

STATE OF NORTH CAROLINA
COUNTY OF WAKE

I, a Notary Public of the County and State aforesaid, certify that Jeffrey P. Burgess, Manager of 98-Partners, L.L.C., a North Carolina limited liability company, personally appeared before me this day and acknowledged the execution of he foregoing instrument. Witness my hand and official stamp or seal this 10 day of July, 1997.

My Commission Expires: 3-15-99

Pamela J. Neville
Notary Public

BK 7549PG0904

STATE OF NORTH CAROLINA
COUNTY OF WAKE

I, a Notary Public of the County and State aforesaid, certify that W. Robbins Cox, Trustee,
personally appeared before me this day and acknowledged the execution of the foregoing instrument.
Witness my hand and official stamp or seal this 9th day of July, 1997.

My Commission Expires: _____

Debbie Will
Notary Public

DEBBIE WILL
NOTARY PUBLIC
WAKE COUNTY, N. C.
My Commission Expires 4/12/98

NORTH CAROLINA — WAKE COUNTY

The foregoing certificate of Ava L. Parker
Donela J. Neville Debbie Will

Notary(y)(ies) Public

is (are) certified to be correct. This instrument and this certificate are duly registered at the date and
time and in the book and page shown on the first page hereof.

LAURAM RIDDICK, Register of Deeds

By

Chale Riddick
Asst./Deputy Register of Deeds