

Prepared by and Mail to: Amanda P. Hodierne, Esq., 804 Green Valley Road, Suite 200 Greensboro, North Carolina 27408

SECOND SUPPLEMENTAL DECLARATION TO
DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS OF
MORNINGTON ESTATES HOME OWNERS ASSOCIATION,
INC.

NORTH CAROLINA

WAKE COUNTY

THIS AMENDMENT TO DECLARATION is made this 18 day of October, 2021, by 5908-5909 Rock Service Station Rd, LLC, a North Carolina limited liability company (the "Declarant").

RECITALS:

WHEREAS, Declarant caused the Declaration of Covenants, Conditions and Restrictions of Mornington Estates Home Owners Association, Inc. to be recorded in Book 16673, Page 377, Wake County Registry and rerecorded in Book 16715, Page 2167, as amended in Book 17694, Page 2734, Wake County Registry, (the "Declaration") (capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Declaration);

WHEREAS, Article II, Section 2 of the Declaration provides as follows:

"Annexation to Existing Property. Declarant shall have the right, so long as it owns any lot, to add additional property, to the property which is the subject of this Declaration, provided that such additional property is within a one mile radius of the property. Such additional property shall be added by recordation of a Supplemental Declaration identifying such additional property and the consent of the Members and Mortgagees shall not be required."

WHEREAS, Declarant desires to annex as Additional Property the Lots as shown on Mornington Estates Subdivision Phase 3, recorded in Book of Maps 2021, Page 278 – 281 inclusive (the “Additional Property”);

NOW, THEREFORE, Declarant hereby amends the Declaration as follows:

1. Annexation into Mornington Estates, aka Mornington Subdivision. The Declaration is hereby supplemented and amended in order to subject the Additional Property into Mornington Estate, aka Mornington Subdivision, and Declarant hereby declares and agrees that the Additional Property shall be held, sold and conveyed subject to the covenants, conditions, restrictions and easements contained in the Declaration.

2. Miscellaneous. Except as set forth herein, the Declaration remains unmodified and in full force and effect. This Amendment shall be recorded in the Wake County Registry.

[SIGNATURES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, Declarant has caused this Amendment to be executed as of the date first set forth above.

5908 – 5909 Rock Service Station Rd, LLC
a North Carolina limited liability company

By: [Signature]
Name: Donald Denihan
Title: Manager

STATE OF New York
COUNTY OF New York

I, a Notary Public for the County and State aforesaid, do hereby certify that Donald Denihan personally appeared before me and executed the foregoing instrument in the capacity indicated.

This 18 day of October, 2021

[Signature]
Notary Public

(SEAL)

My Commission Expires: 2/4/2023

BRENDA LAVERDE
NOTARY PUBLIC-STATE OF NEW YORK
No. 01LA6386807
Qualified in New York County
My Commission Expires 02-04-2023

