

Drawn by and mail to:
GWYNN, EDWARDS & GETTER PA
900 Ridgefield Drive, Ste. 150
Raleigh, NC 27609

STATE OF NORTH CAROLINA**FOURTH SUPPLEMENTAL
DECLARATION OF ANNEXATION
FOR MORNINGTON ESTATES
SUBDIVISION, PHASE 4A & 4B****COUNTY OF WAKE**

This Declaration of Annexation is made this 3 day of January 2024, by **5908-5909 Rock Service Station Rd, LLC**, a North Carolina limited liability company organized and existing under the laws of North Carolina, hereinafter referred to as the "Declarant" and **6030 Rock Service Station Road, LLC**, a North Carolina limited liability company organized and existing under the laws of North Carolina, hereinafter referred to as the "Owner".

WITNESSETH

WHEREAS, Declarant has heretofore recorded that certain Declaration of Covenants, Conditions and Restrictions, Easements, Charges, and Liens for Mornington Estates Subdivision in Book 16673, Page 377, Wake County Registry, and re-recorded in Book 16715, Page 2167, Wake County Registry, as modified in Book 17694, Page 2734; Book 17725, Page 1075; Book 17945, Page 2614; Book 18755, Page 1006; Book 18856, Page 284, and Book 19114, Page 1728, hereinafter referred to as the "Declaration"; and

WHEREAS, Owner acquired the property commonly referred to as Mornington Estates, Phases 4A and 4B by Deed recorded at Book 16339, Page 921, Wake County Registry.

WHEREAS, Declarant and Owner desire to provide for the maintenance and upkeep of the Common Area within the Subdivision, to provide for enforcement of covenants and restrictions applicable to the Subdivision and to provide a vehicle for ensuring that storm water drainage systems and facilities within the Subdivision are properly maintained, and, to that end, desires to subject the property within the

Subdivision to the covenants, conditions, restrictions, easements, charges and liens hereinafter set forth, each and all of which is and are for the benefit of said property and each owner thereof; and

WHEREAS, pursuant to and in accordance with Article II, Section 2 of the Declaration, Declarant desires to annex additional property and thereby subject such property to the Declaration and to the jurisdiction of Mornington Estates Homeowners Association, Inc.;

NOW, THEREFORE, in consideration of the premises, Declarant hereby declares and Owner acknowledges and approves that the property commonly referred to as Mornington Estates, Phase 4B and further identified and described on Exhibit A attached hereto and incorporated herein by reference shall be and hereby is annexed into the property covered by the Declaration and shall be and hereby is made subject to the Declaration and to the jurisdiction of Mornington Estates Homeowners Association, Inc.

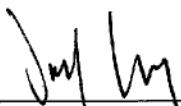
Owner further acknowledges and approves that the property commonly referred to as Mornington Estates, Phase 4A and further identified and described in the Third Supplemental Declaration of Annexation recorded at Book 19114, Page 1728 and on Exhibit B attached hereto and incorporated herein by reference shall be and hereby is annexed into the property covered by the Declaration and shall be and hereby is made subject to the Declaration and to the jurisdiction of Mornington Estates Homeowners Association, Inc.

Said Property shall be owned, held, transferred, sold, conveyed, given, donated, devised, inherited, leased, occupied and used subject to the covenants, restrictions, conditions, easements, charges, assessments, affirmative obligations and liens (hereinafter the "Covenants and Restrictions") contained in the Declaration, which Covenants and Restrictions shall run with the land and be binding on all parties having or acquiring any right, title and interest in the Property or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

[Signature pages to follow]

IN WITNESS WHEREOF, Declarant has caused this Declaration of Annexation to be executed by its duly authorized officer as of the day and year first above written.

5908-5909 Rock Service Station Rd, LLC

By: 

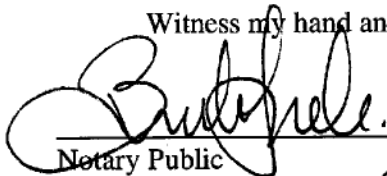
Name: Donald Denihan

Title: Manager

STATE OF New York
COUNTY OF New York

I, Brenda Laverde, a Notary Public for said County and State, certify that Donald Denihan personally came before me this day and acknowledged that he is Manager of **5908-5909 Rock Service Station Rd, LLC**, a North Carolina limited liability company, and that he, as Manager, being authorized to do so, executed the foregoing on behalf of the corporation.

Witness my hand and notarial seal, this 3 day of January, 2024.



Notary Public

My Commission Expires: 2/4/2027

BRENDA L LAVERDE
NOTARY PUBLIC-STATE OF NEW YORK
No. 01LA6386807
Qualified in New York County
My Commission Expires 02-04-2027