

WAKE COUNTY, NC 321
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
07/05/2006 AT 15:10:20

BOOK:012048 PAGE:01296 - 01299

return pg 2

STATE OF NORTH CAROLINA

WAKE COUNTY

**SUPPLEMENTARY DECLARATION
WEATHERSBY OWNERS
ASSOCIATION, INC.**

THIS SUPPLEMENTARY DECLARATION is made as of the 12th day of April, 2006, by **CENTEX HOMES**, a Nevada general partnership ("Declarant").

WHEREAS, Declarant has previously recorded that certain Declaration Of Covenants, Restrictions Easements for Weathersby, in Book 10867, Pages 456 through 502, inclusive, in the Register of Deed's Office of Wake County, North Carolina (such instrument, as amended from time to time is referred to as the "Declaration");

WHEREAS, pursuant to Section A of Article 12 of the Declaration, Declarant desires to exercise Declarant's right to annex certain Additional Land (as defined in the Declaration) owned by Declarant and to subject such property to the Declaration and to the jurisdiction of the Weathersby Owners Association, Inc.; and

WHEREAS, Declarant is the owner of the real property described in Attachment "A" attached hereto (hereinafter the "Property"), which Property constitutes "Additional Land" that Declarant may subject to the Declaration as provided therein.

NOW, THEREFORE, in consideration of the premises, Declarant hereby declares the following:

1. The Property identified and described on Attachment "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 the Association.

2. The 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 referred to as 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, and their heirs, successors and assigns.

IN WITNESS WHEREOF, Declarant has caused this Supplementary Declaration to be executed and sealed in its corporate name by its duly authorized officers as of the day and year first above written.

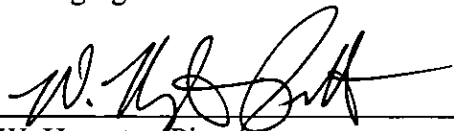
DECLARANT:

CENTEX HOMES

a Nevada general partnership

By: Centex Real Estate Corporation,
a Nevada corporation

Its: Managing General Partner

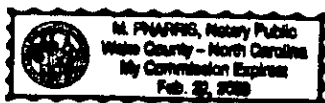
By: 
W. Hampton Pitts
Division President

STATE OF NORTH CAROLINA §

COUNTY OF WAKE §

I, M. PHARRIS, a Notary Public for the County and State aforesaid, certify that W. Hampton Pitts personally appeared before me this day and, being duly sworn, says and deposes, that he is the Division President of Centex Real Estate Corporation, a Nevada Corporation, the Managing General Partner of Centex Homes, a Nevada general partnership, and that he executed the foregoing instrument for and on behalf of such partnership.

WITNESS my hand and official seal, this the 12 day of APRIL, 2006.



M. Pharris
Notary Public

DRAWN BY: Return to
James B. Watkins
5400 Glenwood Avenue, Suite 100
Raleigh, North Carolina 27612-3228

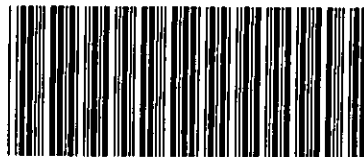
X:\DIVISION\RALEIGH\REAL ESTATE\BISHOP'S GATE\ASSOC-WEATHSBY-SUB\WEATHSBY- WITT-SUP.DOC

ATTACHMENT "A"

DESCRIPTION OF THE PROPERTY

Lying and being in the Town of Cary, Wake County, North Carolina, and being more particularly described as follows:

BEING that portion of the real property shown on that certain plat entitled "PLAT OF SUBDIVISION - BISHOP'S GATE PHASE AR-4", recorded in **Plat Book 2006, Pages 114 THROUGH 116, inclusive**, of the Wake County Register of Deeds, consisting of (i) **Lot 240-258, inclusive**, (ii) **the "COS" parcel containing approximately 0.18 acres (7,7618 square feet)**, and (iii) **the 40' private street right of way of "Abbey Hall Way in Phase AR-4 of Bishop's Gate**, as shown on the aforementioned recorded plat, to which plat reference is hereby made for a more particular description of same.



BOOK:012048 PAGE:01296 - 01299

**Yellow probate sheet is a vital part of your recorded document.
Please retain with original document and submit for rerecording.**



**Wake County Register of Deeds
Laura M. Riddick
Register of Deeds**

This Customer Group
_____ # of Time Stamps Needed

This Document
_____ New Time Stamp
_____ # of Pages