

WAKE COUNTY, NC 298  
 LAURA M RIDDICK  
 REGISTER OF DEEDS  
 PRESENTED & RECORDED ON  
 09/12/2003 AT 11:59:11

BOOK:010435 PAGE:02597 - 02605

STATE OF NORTH CAROLINA  
 COUNTY OF WAKE

**SUPPLEMENTARY DECLARATION OF  
 THE VILLAGE OF TROON AT KILDAIRE  
 CONDOMINIUM  
 (PHASE 9)**

This Supplementary Declaration Of The Village of Troon at Kildaire Condominium (the "Amendment") is made as of the 11<sup>th</sup> day of September, 2003, by **WKB Raleigh, L.L.C.**, a North Carolina limited liability company, in accordance with and pursuant to that certain Declaration Of The Village Of Troon At Kildaire Condominium (the "Declaration"), dated July 9, 2001, and recorded in **Book 8992 at Pages 2657-2693**, inclusive, in the Wake County Registry. The terms of the Declaration are incorporated herein by reference, and all terms given express definition in Article I of the Declaration, or elsewhere in the Declaration, shall, when used herein, have the same meaning given to them in the Declaration.

W I T N E S S E T H:

WHEREAS, Declarant is permitted, under and pursuant to the provisions of Article III of the Declaration, to add, from time to time, any portion or portions of the Additional Real Estate, and improvements constructed thereon, to the Condominium; and

WHEREAS, Declarant has constructed upon the portions of the Additional Real Estate described in **Exhibit "A"** attached hereto and incorporated herein by reference (hereinafter referred to as "Phase 9") four (4) buildings containing a total of fourteen (14) condominium units, all of which are constructed in the same architectural style and manner, and are of substantially the same materials, as the units located in earlier Phases of the Condominium; and

WHEREAS, Declarant desires to subject Phase 9 and all improvements located thereon to the terms and provisions of the Declaration and of Chapter 47C of the North Carolina General Statutes (the North Carolina Condominium Act).

Drawn by & HOLD FOR: MOORE & ALPHIN, PLLC (DD - Box 155)

NOW, THEREFORE, Declarant does hereby publish and declare the following:

1. The property identified as Phase 9 on the attached **Exhibit "A"** is and shall be held, conveyed, hypothecated, encumbered, used, occupied and improved subject to the restrictions, covenants, conditions, uses, limitations and obligations set forth in the Declaration and this Supplementary Declaration, each and all of which are declared and agreed to be in furtherance of the plan for the division of such property into condominium units, and shall be appurtenant to and run with Phase 9 and be a burden and benefit to the Declarant, its successors and assigns, and any person acquiring or owning any interest in the land encompassing Phase 9 and the improvements located thereon, and their grantees, successors, heirs, administrators, devisees and assigns. Every grantee of any interest in Phase 9, or any part thereof, by acceptance of a deed or other conveyance of such interest, whether or not such person shall otherwise consent in writing, shall take such interest subject to the provisions of the North Carolina Condominium Act, the Declaration, this Supplementary Declaration and any prior or subsequent supplementary declaration, and shall be deemed to have assented to the same.

2. Phase 9 contains four (4) buildings designated as Buildings 28, 31, 34, and 35 on the site plan, which site plan and plans of the type units have been recorded in Condominium File CM 2001, Pages 274 E5 to 274 F1 (hereinafter "File CM 2001-274 ") in the Office of the Register of Deeds of Wake County, North Carolina.

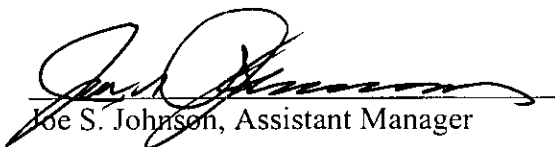
The plans and site plan show the particulars of Buildings 28, 31, 34, and 35, including the location, layout, number of rooms, dimensions, ceiling and floor elevations, approximate area, building designation, and unit numbers, and the location of the common area and facilities affording access to each unit. The Phase 9 units are located, respectively, at the addresses set forth in **Exhibit "B"** attached hereto and incorporated herein. Each unit is designated by letter in such plans.

3. Phase 9 is comprised of fourteen (14) units, common areas and limited common areas. Those portions of Phase 9 which are units, common areas, and limited common areas, and the improvements located thereon, are described and set forth in the Declaration and are shown on the plans filed in File CM2001-274.

4. Effective as of the date of this Supplementary Declaration, the Percentage Interest of each unit heretofore or hereby made a part of the condominium property is as set forth in Exhibit "B" attached hereto and incorporated herein by reference. Said Exhibit "B" shall amend and supplement Exhibit "B" attached to the Declaration and the Exhibit "B" attached to each and every previously-recorded Supplementary Declaration, and the Percentage Interests appurtenant to the units in the existing Phases of the Condominium shall be reduced to those amounts shown on Exhibit "B" attached hereto, effective as of the date of this Supplementary Declaration.

IN WITNESS WHEREOF, Declarant has executed this Supplementary Declaration, as of the day and year set forth in the notary acknowledgment herein.

**WKB RALEIGH, L.L.C.,**  
a North Carolina Limited Liability Company

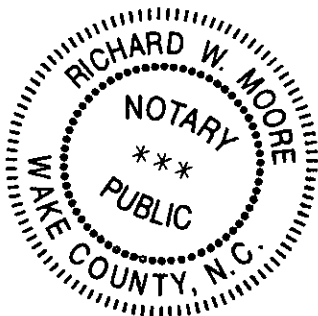
By:   
Joe S. Johnson, Assistant Manager

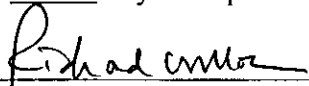
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STATE OF NORTH CAROLINA -- WAKE COUNTY:

I, the undersigned, a Notary Public for the County and State aforesaid, hereby certify that JOE S. JOHNSON, Assistant Manager of **WKB RALEIGH, L.L.C.**, a North Carolina Limited Liability Company, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official stamp or seal, this the 11<sup>th</sup> day of September, 2003.



  
Notary Public  
My commission expires: 6/17/04

**EXHIBIT "A"**  
**TO SUPPLEMENTARY DECLARATION OF**  
**VILLAGE OF TROON AT KILDAIRE**

All of those certain tracts of land situated in the City of Cary, Wake County, North Carolina and more particularly described as follows:

Tract 1 (Buildings 34 and 35):

To locate the POINT AND PLACE OF BEGINNING, start at an existing iron pipe located along the southern property line of the property now or formerly known as Kildaire Farms Commercial Park (Book of Maps 1986, Page 995, Wake County Registry ["WCR"]), which existing iron pipe is also the northeastern corner of that portion of Phase 8 of The Village of Troon at Kildaire containing Building 36 (*see* CM2001-274D9) (hereinafter "Phase 8").

From said POINT AND PLACE OF BEGINNING, run thence along and with the southern line of the Commercial Park Property, South 88° 55' 08" East a distance of 216.23 feet to a point; running thence due South a distance of 125.23 feet to a point, the southeastern corner of this Tract 1; running thence South 67° 41' 42" West a distance of 46.08 feet to a point; running thence South 67° 30' 12" West 90.75 feet to a point; running thence South 82° 33' 27" West a distance of 33.57 feet to a point; running thence North 88° 57' 20" West a distance of 56.44 feet, the southwestern corner of this Tract 1; running thence due North a distance of 183.84 to the POINT AND PLACE OF BEGINNING, and being a portion of **Phase 9 of The Village of Troon At Kildaire Condominium**, as shown on that certain plat entitled "Condominium Plat, The Village of Troon, Phase 9, Cary, Wake Co., N.C.", recorded in Condominium File CM2001, Page 274 E5, Wake County Registry, which plat is incorporated by reference.

Tract 2 (Buildings 28 and 31):

BEGINNING at a point in the southwestern corner of the portion of Phase 8 of The Village of Troon at Kildaire containing Building 29 (Condo File CM2001, Page 274D9, WCR); running thence North 89° 58' 18" East a distance of 143.04 feet to a point; running thence North 00° 12' 27" East a distance of 121.03 feet to a point; running thence due East a distance of 190.34 feet to a point; running thence South 00° 48' 54" West a distance of 169.43 feet to a point; running thence due West a distance of 188.36; running thence South 01° 10' 36" West a distance of 100.1 feet to a point; running thence due West a distance of 172.58 feet to a point; running thence due North a distance of 104.24 feet to a point, running thence due East a distance of 31.59 feet to a point; running thence due North a distance of 44.07 feet to the POINT AND PLACE OF BEGINNING, and being a portion of **Phase 9 of The Village of Troon At Kildaire Condominium**, as shown on that certain plat entitled "Condominium Plat, The Village of Troon, Phase 9, Cary, Wake Co., N.C.", recorded in Condominium File CM2001, Page 274 E5, Wake County Registry, which plat is incorporated by reference

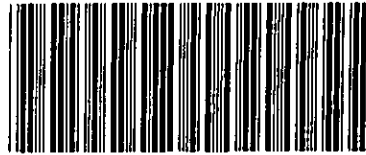
**EXHIBIT "B"**  
**TO SUPPLEMENTARY DECLARATION OF**  
**THE VILLAGE OF TROON AT KILDAIRE CONDOMINIUM**  
**PERCENTAGE INTEREST CHART**

| <u>Bldg. No.</u> | <u>Unit No. on Plans</u> | <u>Address</u>        | <u>Model</u> | <u>Square Footage</u> | <u>Percent Interest</u> |
|------------------|--------------------------|-----------------------|--------------|-----------------------|-------------------------|
| 1                | A                        | 806 Coalburn Place    | Ascot        | 2,032                 | 0.81200                 |
| 1                | B                        | 804 Coalburn Place    | Belmont      | 2,143                 | 0.85636                 |
| 1                | C                        | 907 Calton Hill Court | Belmont      | 2,143                 | 0.85636                 |
| 1                | D                        | 905 Calton Hill Court | Ascot        | 2,032                 | 0.81200                 |
| 2                | A                        | 706 Carluke Court     | Ascot        | 2,032                 | 0.81200                 |
| 2                | B                        | 704 Carluke Court     | Belmont      | 2,143                 | 0.85636                 |
| 2                | C                        | 807 Coalburn Place    | Belmont      | 2,143                 | 0.85636                 |
| 2                | D                        | 805 Coalburn Place    | Ascot        | 2,032                 | 0.81200                 |
| 3                | A                        | 606 Rigside Place     | Ascot        | 2,032                 | 0.81200                 |
| 3                | B                        | 604 Rigside Place     | Belmont      | 2,143                 | 0.85636                 |
| 3                | C                        | 707 Carluke Court     | Belmont      | 2,143                 | 0.85636                 |
| 3                | D                        | 705 Carluke Court     | Ascot        | 2,032                 | 0.81200                 |
| 4                | A                        | 401 McKirkland Court  | Ascot        | 2,032                 | 0.81200                 |
| 4                | B                        | 403 McKirkland Court  | Belmont      | 2,143                 | 0.85636                 |
| 4                | C                        | 607 Rigside Place     | Belmont      | 2,143                 | 0.85636                 |
| 4                | D                        | 605 Rigside Place     | Ascot        | 2,032                 | 0.81200                 |
| 6                | A                        | 702 Carluke Court     | Ascot        | 2,032                 | 0.81200                 |
| 6                | B                        | 700 Carluke Court     | Belmont      | 2,143                 | 0.85636                 |
| 6                | C                        | 803 Coalburn Place    | Belmont      | 2,143                 | 0.85636                 |
| 6                | D                        | 801 Coalburn Place    | Ascot        | 2,032                 | 0.81200                 |
| 7                | A                        | 602 Rigside Place     | Ascot        | 2,032                 | 0.81200                 |
| 7                | B                        | 600 Rigside Place     | Belmont      | 2,143                 | 0.85636                 |
| 7                | C                        | 703 Carluke Court     | Belmont      | 2,143                 | 0.85636                 |
| 7                | D                        | 701 Carluke Court     | Ascot        | 2,032                 | 0.81200                 |
| 8                | A                        | 405 McKirkland Court  | Ascot        | 2,032                 | 0.81200                 |
| 8                | B                        | 407 McKirkland Court  | Belmont      | 2,143                 | 0.85636                 |
| 8                | C                        | 603 Rigside Place     | Belmont      | 2,143                 | 0.85636                 |
| 8                | D                        | 601 Rigside Place     | Ascot        | 2,032                 | 0.81200                 |

| <u>Bldg. No.</u> | <u>Unit No. on Plans</u> | <u>Address</u>           | <u>Model</u> | <u>Square Footage</u> | <u>Percent Interest</u> |
|------------------|--------------------------|--------------------------|--------------|-----------------------|-------------------------|
| 9                | A                        | 303 Troon Village Lane   | Edinburg     | 2,479                 | 0.99063                 |
| 9                | B                        | 305 Troon Village Lane   | Edinburg     | 2,479                 | 0.99063                 |
| 9                | C                        | 404 McKirkland Court     | Edinburg     | 2,479                 | 0.99063                 |
| 9                | D                        | 406 McKirkland Court     | Edinburg     | 2,479                 | 0.99063                 |
| 10               | A                        | 308 Troon Village Lane   | Ascot        | 2,032                 | 0.81200                 |
| 10               | B                        | 306 Troon Village Lane   | Belmont      | 2,143                 | 0.85636                 |
| 10               | C                        | 242 Baines Court         | Belmont      | 2,143                 | 0.85636                 |
| 10               | D                        | 244 Baines Court         | Ascot        | 2,032                 | 0.81200                 |
| 11               | A                        | 312 Troon Village Lane   | Ascot        | 2,032                 | 0.81200                 |
| 11               | B                        | 310 Troon Village Lane   | Belmont      | 2,143                 | 0.85636                 |
| 11               | C                        | 236 Baines Court         | Belmont      | 2,143                 | 0.85636                 |
| 11               | D                        | 238 Baines Court         | Ascot        | 2,032                 | 0.81200                 |
| 12               | A                        | 316 Troon Village Lane   | Ascot        | 2,032                 | 0.81200                 |
| 12               | B                        | 314 Troon Village Lane   | Belmont      | 2,143                 | 0.85636                 |
| 12               | C                        | 226 Baines Court         | Belmont      | 2,143                 | 0.85636                 |
| 12               | D                        | 228 Baines Court         | Ascot        | 2,032                 | 0.81200                 |
| 14               | A                        | 326 Troon Village Lane   | Ascot        | 2,032                 | 0.81200                 |
| 14               | B                        | 324 Troon Village Lane   | Belmont      | 2,143                 | 0.85636                 |
| 14               | C                        | 210 Baines Court         | Belmont      | 2,143                 | 0.85636                 |
| 14               | D                        | 212 Baines Court         | Ascot        | 2,032                 | 0.81200                 |
| 15               | A                        | 211 Baines Court         | Ascot        | 2,032                 | 0.81200                 |
| 15               | B                        | 213 Baines Court         | Belmont      | 2,143                 | 0.85636                 |
| 15               | C                        | 1005 Thistle Briar Place | Belmont      | 2,143                 | 0.85636                 |
| 15               | D                        | 1003 Thistle Briar Place | Ascot        | 2,032                 | 0.81200                 |
| 16               | A                        | 223 Baines Court         | Ascot        | 2,032                 | 0.81200                 |
| 16               | B                        | 225 Baines Court         | Belmont      | 2,143                 | 0.85636                 |
| 16               | C                        | 1000 Thistle Briar Place | Belmont      | 2,143                 | 0.85636                 |
| 16               | D                        | 1002 Thistle Briar Place | Ascot        | 2,032                 | 0.81200                 |
| 17               | A                        | 229 Baines Court         | Windsor      | 3,989                 | 1.59403                 |
| 17               | B                        | 227 Baines Court         | Edinburg     | 2,479                 | 0.99063                 |
| 17               | C                        | 233 Baines Court         | Windsor      | 3,989                 | 1.59403                 |
| 17               | D                        | 231 Baines Court         | Edinburg     | 2,479                 | 0.99063                 |

| <u>Bldg. No.</u> | <u>Unit No. on Plans</u> | <u>Address</u>           | <u>Model</u> | <u>Square Footage</u> | <u>Percent Interest</u> |
|------------------|--------------------------|--------------------------|--------------|-----------------------|-------------------------|
| 18               | A                        | 237 Baines Court         | Windsor      | 3,989                 | 1.59403                 |
| 18               | B                        | 235 Baines Court         | Edinburg     | 2,479                 | 0.99063                 |
| 18               | C                        | 507 McKirkland Court     | Windsor      | 3,989                 | 1.59403                 |
| 18               | D                        | 505 McKirkland Court     | Edinburg     | 2,479                 | 0.99063                 |
| 19               | A                        | 243 Baines Court         | Ascot        | 2,032                 | 0.81200                 |
| 19               | B                        | 245 Baines Court         | Belmont      | 2,143                 | 0.85636                 |
| 19               | C                        | 510 McKirkland Court     | Belmont      | 2,143                 | 0.85636                 |
| 19               | D                        | 512 McKirkland Court     | Ascot        | 2,032                 | 0.81200                 |
| 25               | A                        | 1016 Thistle Briar Place | Windsor      | 3,989                 | 1.59403                 |
| 25               | B                        | 1014 Thistle Briar Place | Edinburg     | 2,479                 | 0.99063                 |
| 25               | C                        | 1012 Thistle Briar Place | Windsor      | 3,989                 | 1.59403                 |
| 25               | D                        | 1010 Thistle Briar Place | Edinburg     | 2,479                 | 0.99063                 |
| 26               | A                        | 1024 Thistle Briar Place | Windsor      | 3,989                 | 1.59403                 |
| 26               | B                        | 1022 Thistle Briar Place | Edinburg     | 2,479                 | 0.99063                 |
| 26               | C                        | 1020 Thistle Briar Place | Windsor      | 3,989                 | 1.59403                 |
| 26               | D                        | 1018 Thistle Briar Place | Edinburg     | 2,479                 | 0.99063                 |
| 27               | A                        | 2004 Clyde Bank Court    | Windsor      | 3,989                 | 1.59403                 |
| 27               | B                        | 2002 Clyde Bank Court    | Edinburg     | 2,479                 | 0.99063                 |
| 27               | C                        | 1028 Thistle Briar Place | Windsor      | 3,989                 | 1.59403                 |
| 27               | D                        | 1026 Thistle Briar Place | Edinburg     | 2,479                 | 0.99063                 |
| 28               | A                        | 1116 Thistle Briar Place | Windsor      | 3,989                 | 1.59403                 |
| 28               | B                        | 1114 Thistle Briar Place | Edinburg     | 2,479                 | 0.99063                 |
| 28               | C                        | 2007 Clyde Bank Court    | Windsor      | 3,989                 | 1.59403                 |
| 28               | D                        | 2005 Clyde Bank Court    | Edinburg     | 2,479                 | 0.99063                 |
| 29               | A                        | 1112 Thistle Briar Place | Ascot        | 2,032                 | 0.81200                 |
| 29               | B                        | 1110 Thistle Briar Place | Belmont      | 2,143                 | 0.85636                 |
| 29               | C                        | 2003 Clyde Bank Court    | Belmont      | 2,143                 | 0.85636                 |
| 29               | D                        | 2001 Clyde Bank Court    | Ascot        | 2,032                 | 0.81200                 |
| 31               | A                        | 3008 Leith Meadow Court  | Ascot        | 2,032                 | 0.81200                 |
| 31               | B                        | 3006 Leith Meadow Court  | Belmont      | 2,143                 | 0.85636                 |
| 31               | C                        | 1113 Thistle Briar Place | Belmont      | 2,143                 | 0.85636                 |
| 31               | D                        | 1111 Thistle Briar Place | Ascot        | 2,032                 | 0.81200                 |

| <u>Bldg.</u><br><u>No.</u> | <u>Unit No.</u><br><u>on Plans</u> | <u>Address</u>           | <u>Model</u> | <u>Square</u><br><u>Footage</u> | <u>Percent</u><br><u>Interest</u> |
|----------------------------|------------------------------------|--------------------------|--------------|---------------------------------|-----------------------------------|
| 34                         | A                                  | 1033 Thistle Briar Place | Ascot        | 2,032                           | 0.81200                           |
| 34                         | B                                  | 1031 Thistle Briar Place | Ascot        | 2,032                           | 0.81200                           |
| 35                         | A                                  | 1025 Thistle Briar Place | Ascot        | 2,032                           | 0.81200                           |
| 35                         | B                                  | 1023 Thistle Briar Place | Belmont      | 2,143                           | 0.85636                           |
| 35                         | C                                  | 1029 Thistle Briar Place | Belmont      | 2,143                           | 0.85636                           |
| 35                         | D                                  | 1027 Thistle Briar Place | Ascot        | 2,032                           | 0.81200                           |
| 36                         | A                                  | 1017 Thistle Briar Place | Ascot        | 2,032                           | 0.81200                           |
| 36                         | B                                  | 1015 Thistle Briar Place | Belmont      | 2,143                           | 0.85636                           |
| 36                         | C                                  | 1021 Thistle Briar Place | Belmont      | 2,143                           | 0.85636                           |
| 36                         | D                                  | 1019 Thistle Briar Place | Ascot        | 2,032                           | 0.81200                           |
| 37                         | A                                  | 1009 Thistle Briar Place | Ascot        | 2,032                           | 0.81200                           |
| 37                         | B                                  | 1007 Thistle Briar Place | Belmont      | 2,143                           | 0.85636                           |
| 37                         | C                                  | 1013 Thistle Briar Place | Belmont      | 2,143                           | 0.85636                           |
| 37                         | D                                  | 1011 Thistle Briar Place | Ascot        | <u>2,032</u>                    | <u>0.81200</u>                    |
|                            |                                    |                          | Total        | 250,246                         | 100.000132%                       |



BOOK: 010435 PAGE: 02597 - 02605

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

North Carolina – Wake County

The foregoing certificate \_\_\_ of Richard W. Moore

\_\_\_\_ Notary(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.

Laura M. Riddick, Register of Deeds

By: Vernice S. Brown  
Assistant/Deputy Register of Deeds

This Customer Group

\_\_\_\_\_ # of Time Stamps Needed

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9 New Time Stamp  
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