



Doc ID: 010744660005 Type: CRP
Recorded: 09/12/2007 at 09:31:23 AM
Fee Amt: \$26.00 Page 1 of 5
Iredell County, NC
Brenda D. Bell Register of Deeds

BK **1883** PG **35-39**

Drawn By:
Charles H. Cranford, Esq.
7257 Pineville-Matthews Road, Suite 2100
Charlotte, NC 28226

Mail To:
Ridgeline Development Corporation
One Oakhurst Place
17824 Statesville Road, Suite 112
Cornelius, NC 28031

**SUPPLEMENTAL DECLARATION
OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR ANNISTON SUBDIVISION**

This SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR ANNISTON SUBDIVISION is made this 6th day of September, 2007, by Anniston, LLC, a North Carolina limited liability company, and Anniston II, LLC, a North Carolina limited liability company (Anniston, LLC and Anniston II, LLC are referred to herein collectively as "Declarant").

RECITALS:

A. Anniston, LLC as the Developer of Anniston subdivision filed a certain Declaration of Covenants, Conditions and Restrictions for Anniston subdivision (the "Declaration") in Book 1617 at page 1924 in the Iredell County Public Registry in which Anniston, LLC submitted certain real property known as Anniston subdivision to the effect and operation of the Declaration.

B. Section 2 of Article II of the Declaration provided that Additional Property could be submitted to and made subject to the terms of the Declaration by the filing of a Supplemental Declaration in the office of the Iredell County Register of Deeds.

C. Anniston II, LLC is an affiliate of Anniston, LLC in that Ridgeline Development Corp. is the sole manager of both Anniston, LLC and Anniston II, LLC.

D. Anniston II, LLC is developing a portion of Anniston subdivision and both Anniston, LLC and Anniston II, LLC desire to cause the Additional Property being developed by Anniston II, LLC as part of Anniston subdivision to be made subject to the terms and the scheme of the Declaration, and therefore file this Supplemental Declaration for that purpose.

SUPPLEMENTAL DECLARATION

KNOW ALL MEN BY THESE PRESENTS, Anniston, LLC and Anniston II, LLC do hereby covenant and agree with all of the persons, firms and corporations acquiring the hereinafter described property (herein "Submitted Property") located in Iredell County, North Carolina and being more particularly described as follows:

Being all of Lots 59 through 64, inclusive, 67 through 73, inclusive, and all Common Open Space (COS) of Anniston subdivision, Phase 2, Map 2 as the same is shown on a map thereof recorded in Map Book 52 at page 110 in the office of the Register of Deeds for Iredell County, North Carolina.

That said Submitted Property is hereby subjected to the Declaration of Covenants, Conditions and Restrictions for Anniston recorded in Book 1617 at page 1924 in the office of the Register of Deeds for Iredell County, North Carolina and that hereafter the Submitted Property must be used in accordance with the provisions of said Declaration subject to the following:

Pursuant to Article II, Section 2(b) of the Declaration, the Submitted Property described herein shall be subject to the following additional use restriction:

Any dwelling erected on any Lot shall contain not less than 2,400 square feet of heated floor area for a one-story unit and not less than 2,600 square feet of heated floor area for a two-story unit.

The above-described additional use description shall be in lieu of the dwelling unit size set forth in Article VI, Section 2 of the Declaration for the Submitted Property which is the Subject of this Supplemental Declaration.

The Trustee and New Dominion Bank, owner and holder, join in the execution of this Supplemental Declaration solely for the purpose of subordinating the lien of the following recorded Deed of Trust to this Supplemental Declaration:

Deed of Trust from Anniston II, LLC, a North Carolina limited liability company, to X Holdings, LLC, Trustee for New Dominion Bank dated June 22, 2007 and recorded in Book 1860 at page 998 in the Iredell County Public Registry.

IN WITNESS WHEREOF, Declarant has caused this Supplemental Declaration to be executed under seal this 6th day of SEPT, 2007.

ANNISTON, LLC,
a North Carolina limited liability company

By: RIDGELINE DEVELOPMENT
CORP., Manager

By: W. H. Hall Jr
President

ANNISTON II, LLC,
a North Carolina limited liability company

By: RIDGELINE DEVELOPMENT
CORP., Manager

By: W. H. Hall Jr
President

TRUSTEE:

X HOLDINGS, LLC

By: Marshall S. Carle
Manager

OWNER AND HOLDER:

NEW DOMINION BANK

By: SR.V.
President

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

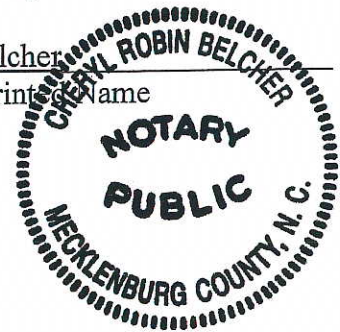
I, Cheryl Robin Belcher, a Notary Public of the County and State aforesaid, certify that W. Kendall Foster personally appeared before me this day and acknowledged that he is President of Ridgeline Development Corp., Manager of Anniston, LLC, a North Carolina corporation, and that by authority duly given and as the act of the corporation, acting on behalf of Anniston, LLC, the foregoing instrument was signed by him as its President with authority duly given.

Witness my hand and official stamp or seal, this 31st day of August, 2007.

(Official Seal)

Cheryl Robin Belcher
Notary Public

Cheryl Robin Belcher
Printed Name



My commission expires: 09/17/09

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

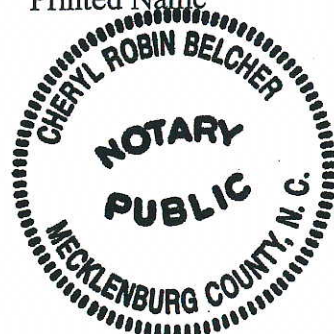
I, Cheryl Robin Belcher, a Notary Public of the County and State aforesaid, certify that W. Kendall Foster personally appeared before me this day and acknowledged that he is President of Ridgeline Development Corp., Manager of Anniston II, LLC, a North Carolina corporation, and that by authority duly given and as the act of the corporation, acting on behalf of Anniston II, LLC, the foregoing instrument was signed by him as its President with authority duly given.

Witness my hand and official stamp or seal, this 31st day of August, 2007.

(Official Seal)

Cheryl Robin Belcher
Notary Public

Cheryl Robin Belcher
Printed Name



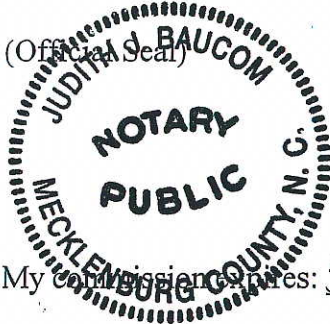
My commission expires: 09/17/09

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

I, a Notary Public of the County and State aforesaid, certify that MICHAEL G. CARLE personally appeared before me this day and acknowledged that he is ~~Manager~~ ASST. V.P. of X HOLDINGS, LLC, a North Carolina limited liability company, and that by authority duly given and as the act of the limited liability company, the foregoing instrument was signed in its name by him/her as its ~~Manager~~ ASST. V. PRES

Witness my hand and official stamp or seal, this 6th day of SEPT, 2007.



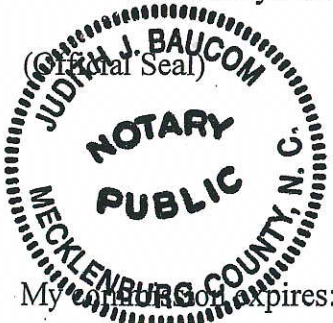
Judith J. Baucum
Notary Public
JUDITH J. BAUCOM
Printed Name

STATE OF NORTH CAROLINA

COUNTY OF MECKLENBURG

I, a Notary Public of the County and State aforesaid, certify that DAVID WILLINGHAM personally appeared before me this day and acknowledged that he is SR. V. President of NEW DOMINION 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 him/her as its SR. V. President.

Witness my hand and official stamp or seal, this 6th day of SEPT, 2007.



Judith J. Baucum
Notary Public
JUDITH J. BAUCOM
Printed Name

My commission expires: 5-18-2011