



FOR REGISTRATION REGISTER OF DEEDS
WILLIE L. COVINGTON
DURHAM COUNTY, NC
2004 NOV 01 01:49:36 PM
BK:4595 PG:821-823 FEE:\$17.00

INSTRUMENT # 2004056560

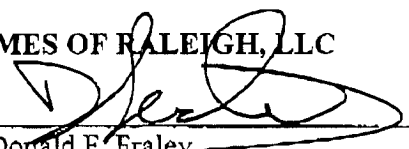
Drawn by and HOLD FOR: MOORE & ALPHIN, PLLC

STATE OF NORTH CAROLINA
COUNTY OF DURHAM

**DECLARATION SUBJECTING PHASES 3 and 4
TO THE RESTRICTIVE COVENANTS FOR
ALEXANDER CROSSING, PHASE 1**

M/I HOMES OF RALEIGH, LLC, a Delaware limited liability company ("Declarant"), hereby declares that the property described on **Exhibit A** attached hereto and made a part hereof, is and shall hereafter be held, transferred, sold and conveyed subject to the **Restrictive Covenants For Alexander Crossing SubRaleigh Division, Phase 1**, recorded in **Book 4039, Page 576**, Durham County Registry (the "Covenants"), which Covenants shall be appurtenant to and run with the property, by whomsoever owned.

IN WITNESS WHEREOF, Declarant has caused this instrument to be executed in its name by its duly authorized officer, as of the date set forth in the notary acknowledgment below.

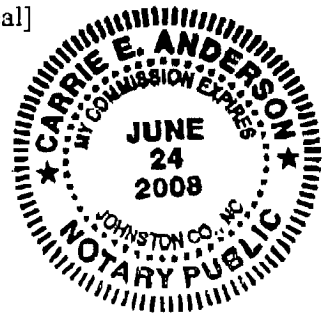
M/I HOMES OF RALEIGH, LLC
By: 
Donald F. Fraley
Raleigh Division President

STATE OF NORTH CAROLINA - WAKE COUNTY:

I, the undersigned, a Notary Public for the County and State aforesaid, certify that Donald F. Fraley personally appeared before me this day and acknowledged that he is Raleigh Division President of **M/I HOMES OF RALEIGH, LLC**, a Delaware Limited Liability Company, and that he, as Raleigh Division President, being authorized to do so, executed the foregoing on behalf of the corporation.

Witness my hand and official stamp or seal, this the 27 day of October, 2004.

[Stamp or Seal]




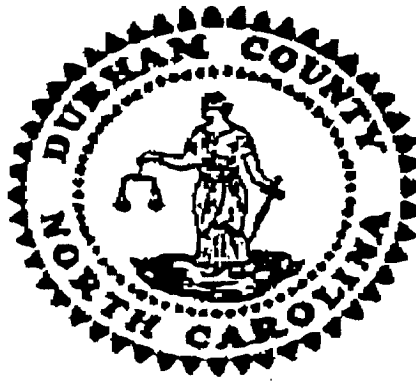

Notary Public
My commission expires: 6-24-08

EXHIBIT A

Lying and being in the City of Durham, Triangle Township, Durham County, North Carolina, and being more particularly described as follows:

All of the real property shown and described on that certain plat entitled "**Boundary Survey for: Alexander Crossing, Phase 3 & 4**" recorded in **Plat Book 162, Pages 356, 359 and 362**, Durham County Registry (but specifically excluding the portions of said property lying within the right-of-way of any public street shown thereon), which property includes, without limitation, **Lots 35-86 in Alexander Crossing, Phases 3 and 4**, as shown on the aforesaid recorded maps, to which maps reference is made for a more particular description, but excepting therefrom the rights-of-way of public streets and the Open Space shown thereon.



WILLIE L. COVINGTON
REGISTER OF DEEDS, DURHAM COUNTY
DURHAM COUNTY COURTHOUSE
200 E. MAIN STREET
DURHAM, NC 27701

PLEASE RETAIN YELLOW TRAILER PAGE

It is part of recorded document, and must be submitted with original for re-recording and/or cancellation.

Filed For Registration: 11/01/2004 01:49:36 PM

Book: RE 4595 Page: 821-823

Document No.: 2004056560

DECL 3 PGS \$17.00

Recorder: SHARON A DAVIS

State of North Carolina, County of Durham

The foregoing certificate of CARRIE E. ANDERSON Notary is certified to be correct. This 1 ST of November 2004

WILLIE L. COVINGTON, REGISTER OF DEEDS

By: Sharon A Davis

Deputy/Assistant Register of Deeds



2004056560