

BK010595PG00199

WAKE COUNTY, NC 261
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
12/18/2003 AT 12:10:41

BOOK:010595 PAGE:00199 - 00202

**SUPPLEMENTARY DECLARATION OF ANNEXATION
FOR BALLENTINE SUBDIVISION, PHASE 9**

Prepared by and return to:
Rod O'Donoghue, Jr., Attorney at Law
1100 Navaho Drive, Suite 106
Raleigh, NC 27609

STATE OF NORTH CAROLINA

COUNTY OF WAKE

THIS DECLARATION OF ANNEXATION is made this 18th day of December, 2003 by
PS/SE BALLENTINE FARMS, L.L.C., a Virginia limited liability company (hereinafter referred
to as the "Declarant");

WITNESSETH:

WHEREAS, the Declarant is the owner of certain real property located in or near the Town
of Fuquay Varina, Wake County, North Carolina, known as BALLENTINE SUBDIVISION, Phase
9 (hereinafter referred to as the "Property"), as more particularly described on attached Exhibit A,
which is incorporated by reference for a more particular description; and

WHEREAS, the Declarant wishes to subject the Property to the Declaration of Covenants,
Conditions and Restrictions for Ballentine Subdivision (the "Covenants"), recorded in Book 8570,
Page 901, and all amendments thereto, all recorded in the Wake County Registry, N.C.

NOW, THEREFORE, pursuant to the terms and conditions of the Covenants, the Declarant
declares that the Property is annexed to and is made a part of Ballentine Subdivision in the Middle
Creek Township, Wake County, North Carolina, and that the Property is subject to, and bound by,
and shall be held, used, transferred, sold and conveyed subject to, and in accordance with all the
covenants, conditions, restrictions, easements and other provisions of the Covenants and of the
Declaration, which are specifically incorporated by reference as if fully set forth herein, which shall
be covenants running with the land. The operation and effect of the Covenants are extended to the
Property, including, but not limited to the various Lot which is a part of the Property.

BK010595PG00200

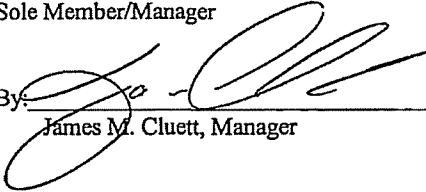
IN WITNESS WHEREOF, the Declarant has caused this instrument to be signed under seal in its name by its duly authorized Manager, as of the day and year written above.

OWNER:

PS/SE BALLENTINE FARMS, LLC

a Virginia limited liability company (SEAL)

By: **HFC-BALLENTINE, LLC**
a Virginia limited liability company, (SEAL)
Sole Member/Manager

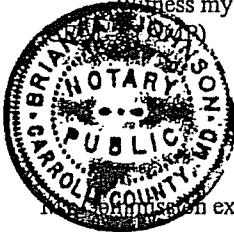
By:  (SEAL)
James M. Cluett, Manager

STATE OF Maryland

COUNTY OF Carroll

I, the undersigned Notary Public of the County and State aforesaid, do hereby certify that **JAMES M. CLUETT**, personally came before me this day and acknowledged that he is Manager of **HFC-BALLENTINE, LLC**, a Virginia limited liability company, which is Manager of **PS/SE BALLENTINE FARMS, LLC**, a Virginia limited liability company, and that by authority duly given and as the act of **HFC-BALLENTINE, LLC**, as Manager, the foregoing instrument was signed for the purposes therein expressed, for and on behalf of **PS/SE BALLENTINE FARMS, LLC**.

Witness my hand and official seal, this the 16th day of December, 2003.




Notary Public

My commission expires: 6/1/06

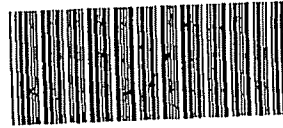
BK010595PG00201

EXHIBIT A

PROPERTY DESCRIPTION

All that certain tract or parcel of real property lying and being in or near the Town of Fuquay Varina, Wake County, North Carolina, known as Ballentine Subdivision, Phase 9, and more particularly described as follows:

BEING all of Phase 9, as shown on a plat entitled "Survey of **BALLENTINE SUBDIVISION, Open Space Development, PHASE 9**", prepared by Mauldin-Watkins Surveying, P.A. and recorded in Book of Maps 2003, Page 1933, in the Office of the Register of Deeds of Wake County, North Carolina, to which plat reference is made for a more particular description.



BOOK:010595 PAGE:00199 - 00202

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

North Carolina - Wake County

The foregoing certificate of Brian A. Johnson

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: Carolyn J. Hedden
Assistant/Deputy Register of Deeds

This Customer Group 2 # of Time Stamps Needed

This Document _____ New Time Stamp
4 # of Pages