

WAKE COUNTY, NC 891
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
10/21/2002 AT 16:36:26

BOOK:009675 PAGE:01466 - 01469

**SUPPLEMENTARY DECLARATION OF ANNEXATION
FOR BALLENTINE SUBDIVISION, TRACT A**

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 16th day of October, 2002 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, Tract A (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.

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: *James M. Cluett* (SEAL)
James M. Cluett, Manager

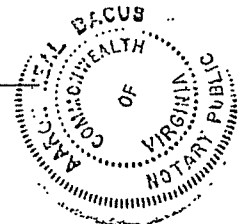
STATE OF VIRGINIA

COUNTY OF FAIRFAX

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 11th day of October, 2002.
(SEAL-STAMP)

[Signature]
Notary Public



My Commission expires: My Commission Expires 09/30/04

C:Ballentine/Annexation/Tract A

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, Tract A, and more particularly described as follows:

BEING all of Tract A, approximately 4.517 acres, as shown on a plat entitled "Survey For PS/SE BALLENTINE FARMS, L.L.C.", prepared by Mauldin-Watkins Surveying, P.A. and recorded in Book of Maps 2002, Page 1648, in the Office of the Register of Deeds of Wake County, North Carolina, to which plat reference is made for a more particular description.

Laura M Riddick
Register of Deeds
Wake County, NC



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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 Aaron Neal Davis

____ 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: Grant Morgan
Deputy
Assistant/Deputy Register of Deeds

This Customer Group
_____ # of Time Stamps Needed

This Document
_____ New Time Stamp
4 # of Pages