



2004063669

FOR REGISTRATION REGISTER OF DEEDS
Willie L. Covington
DURHAM COUNTY, NC
2004 DEC 10 12:16:53 PM
BK:4637 PG:679-689 FEE:\$41.00

INSTRUMENT # 2004063669

NORTH CAROLINA

**SUPPLEMENTAL DECLARATION OF
ANNEXATION OF COLVARD FARMS
SUBDIVISION**

CHATHAM COUNTY

*Made to: Colvard Farms Development Co. LLC
9310 North Carolina Hwy. 751, Durham, NC 27713*

THIS SUPPLEMENTAL DECLARATION OF ANNEXATION OF COLVARD FARMS SUBDIVISION is made this 10 day of December, 2004, by COLVARD FARMS DEVELOPMENT COMPANY, LLC, a North Carolina limited liability company (the "Developer").

WITNESSETH:

WHEREAS, Developer has heretofore executed and caused to be recorded an instrument entitled "Amended and Restated Declaration of Covenants, Conditions and Restrictions of Colvard Farms Subdivision," which has been recorded in Book 991, Page 311, Chatham County Registry (the "Declaration"); and

WHEREAS, Article II, Sections 2 and 4 of the Declaration provide that Developer may annex to the Property additional lands by recording in the Chatham County Registry a Supplemental Declaration, duly executed by Developer, describing the lands to be annexed; and

WHEREAS, Developer desires to annex to the Property all of that property shown on Exhibits A and B attached hereto;

NOW, THEREFORE, Developer hereby declares that the property shown on Exhibits A and B attached hereto is hereby annexed to the Property as permitted by the Declaration, and shall be subject to all of the terms, requirements and conditions of the Declaration, and are entitled to all of the benefits of the Declaration.

The property subject to this annexation is currently encumbered by the lien of a deed of trust executed by Developer to BB&T Collateral Service Corporation hereinafter called Substitute Trustee ("Trustee") and Branch Banking and Trust Company ("Beneficiary"),



recorded in Book 893, Page 778, Chatham County Registry. Trustee and Beneficiary join in the execution of this Supplemental Declaration for the sole purpose of subordinating the lien of such deed of trust to the Declaration and any annexation thereto pursuant to Article II, Sections 2 and 4 of the Declaration.


IN WITNESS WHEREOF, the Developer has executed this instrument on the day and year first above written.

COLVARD FARMS DEVELOPMENT COMPANY, LLC,
a North Carolina limited liability company

By: 
F. Neal Hunter, Manager

BRANCH BANKING AND TRUST COMPANY

By: 
Cecil W. Belk II
Title: 

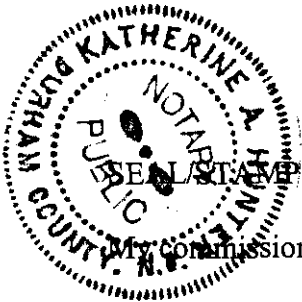
, Trustee
Earl W. Tye, SVP
BB&T Collateral Service Corporation

STATE OF NORTH CAROLINA

COUNTY OF Durham

I, Katherine A. Hunter, a notary public of the aforesaid county and state, do hereby certify that F. Neal Hunter personally came before me this day and acknowledged that he is the Manager of Colvard Farms Development Company, 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 its Manager.

WITNESSETH my hand and official seal this 10 day of December, 2004.



Katherine A. Hunter
Notary Public

My commission expires: 5-1-07

STATE OF NORTH CAROLINA

COUNTY OF Durham

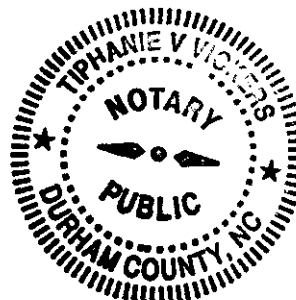
I, Tiphonie V. Vickers, a notary public of the aforesaid county and state, do hereby certify that Cecil W. Belk II personally came before me this day and acknowledged that he is the Vice President of Branch Banking and Trust Company, a North Carolina banking corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name..

WITNESSETH my hand and official seal this 10th day of December, 2004.

Tiphonie V. Vickers
Notary Public

SEAL/STAMP

My commission expires: 9/23/06



STATE OF NORTH CAROLINA

COUNTY OF Durham

I, Tiphonie V. Vickers, a notary public of the aforesaid county and state, do hereby certify that Earl W. Tye, SR, Trustee, personally came before me this day and acknowledged the due execution of the foregoing instrument in his capacity as trustee.

WITNESSETH my hand and official seal this 10th day of December, 2004.

Tiphonie V. Vickers
Notary Public

SEAL/STAMP

My commission expires: 9/23/06

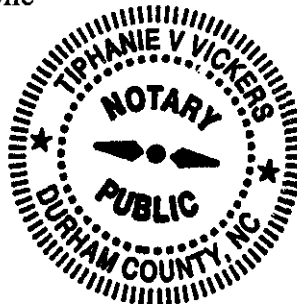


Exhibit A

Being all of the plat entitled "Subdivision Map of Colvard Farms, Phase II" prepared by CPT Engineering and Surveying at Plat Slide 2003-20, Chatham County Registry.

Being all of the plat entitled "Subdivision Map of Colvard Farms, Revised Phase II" prepared by CPT Engineering and Surveying recorded March 15, 2004 at Plat Slide 2004-80, Chatham County Registry.

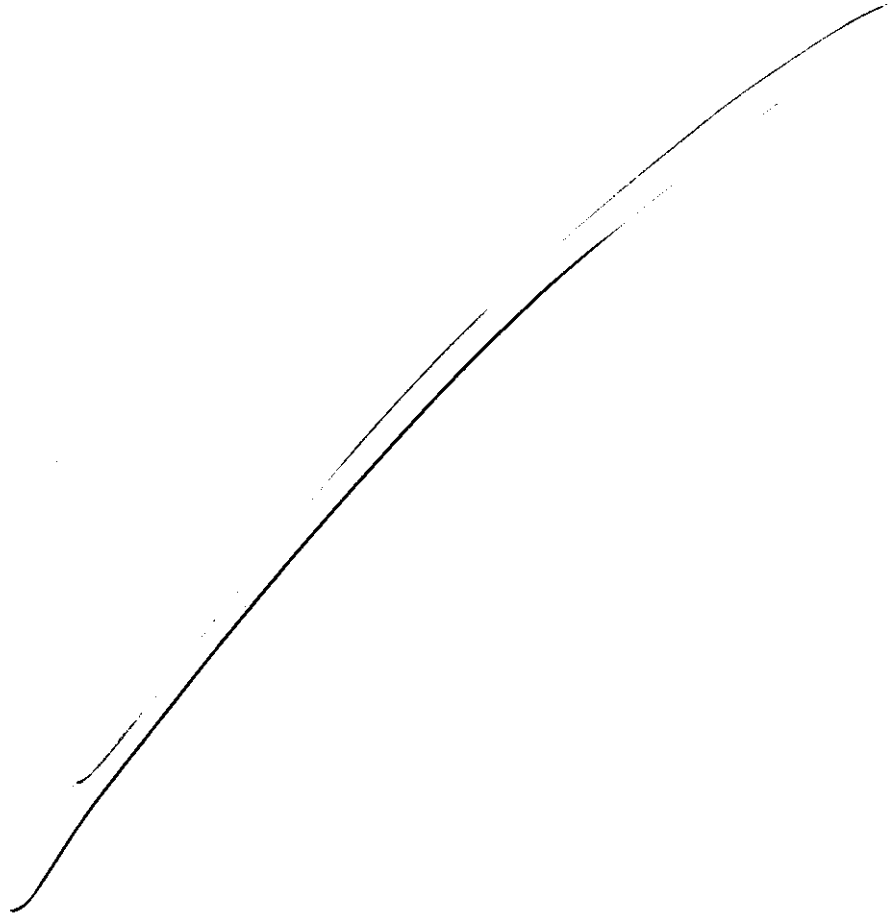
Being all of the plat entitled "Subdivision Map of Colvard Farms, Phase 3" prepared by CPT Engineering and Surveying recorded February 20, 2004 at Plat Slide 2004-55, Chatham County Registry.

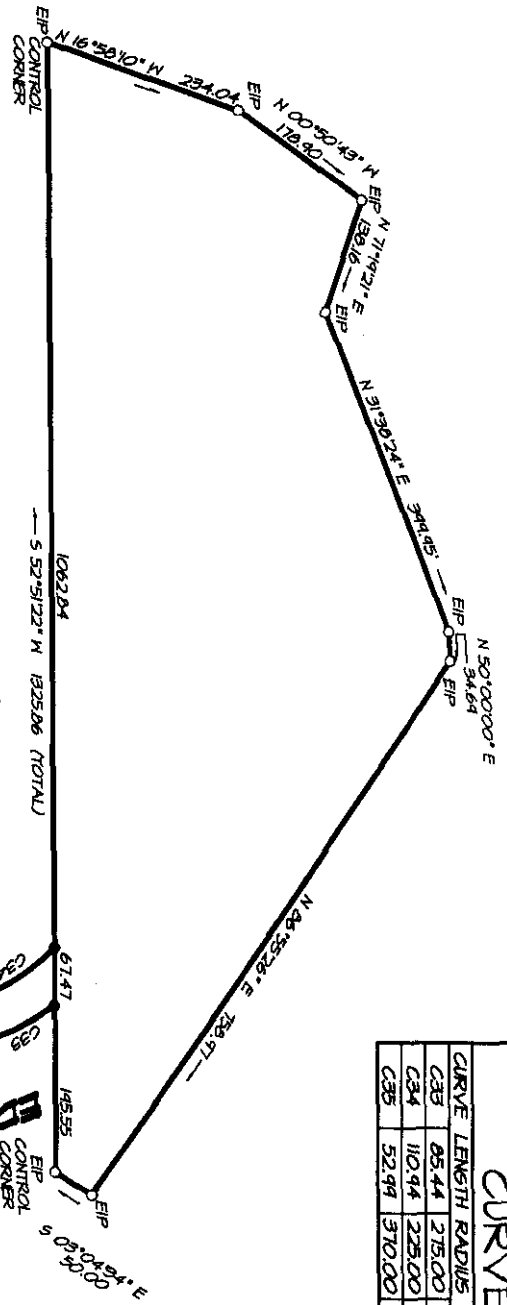
Being all of the plat entitled "Subdivision Map of Colvard Farms, Phase IV" prepared by CPT Engineering and Surveying recorded October 6, 2004 at Plat Slide 2004-342, Chatham County Registry.

Being all of the property as shown in the plat in Exhibit B entitled "Colvard Farms, Phase V" prepared by CPT Engineering and Surveying dated December 9, 2004 with a second attachment showing 23 lots located within same. This tract is a portion of Lot 9 as shown on plat and survey thereof recorded in Plat Slide 99-524, Chatham County Registry. Parcel number 76390.

Being all of the property as shown in the plat in Exhibit B entitled "Colvard Farms, Phase VI" prepared by CPT Engineering and Surveying dated December 9, 2004, with a second attachment showing 27 lots. This tract is a portion of that certain 11.044 acre tract as shown on plat and survey thereof recorded in Plat Slide 2000-252, Chatham County Registry, and this tract is also a portion of that certain 39.352 acre tract as shown on plat and survey thereof recorded in Plat Slide 2000-441, Chatham County Registry.

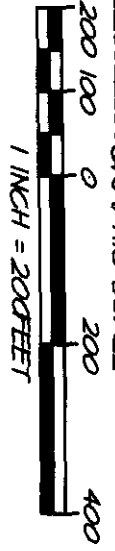
Exhibit B





CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD	TAN.	BEARINGS
C83	85.44	275.00	85.10	43.07	N65°27'56\"/>
C84	110.94	225.00	109.82	56.62	N70°41'08\"/>
C85	52.99	370.00	52.94	26.54	N14°15'03\"/>

"THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS AT THIS SCALE"



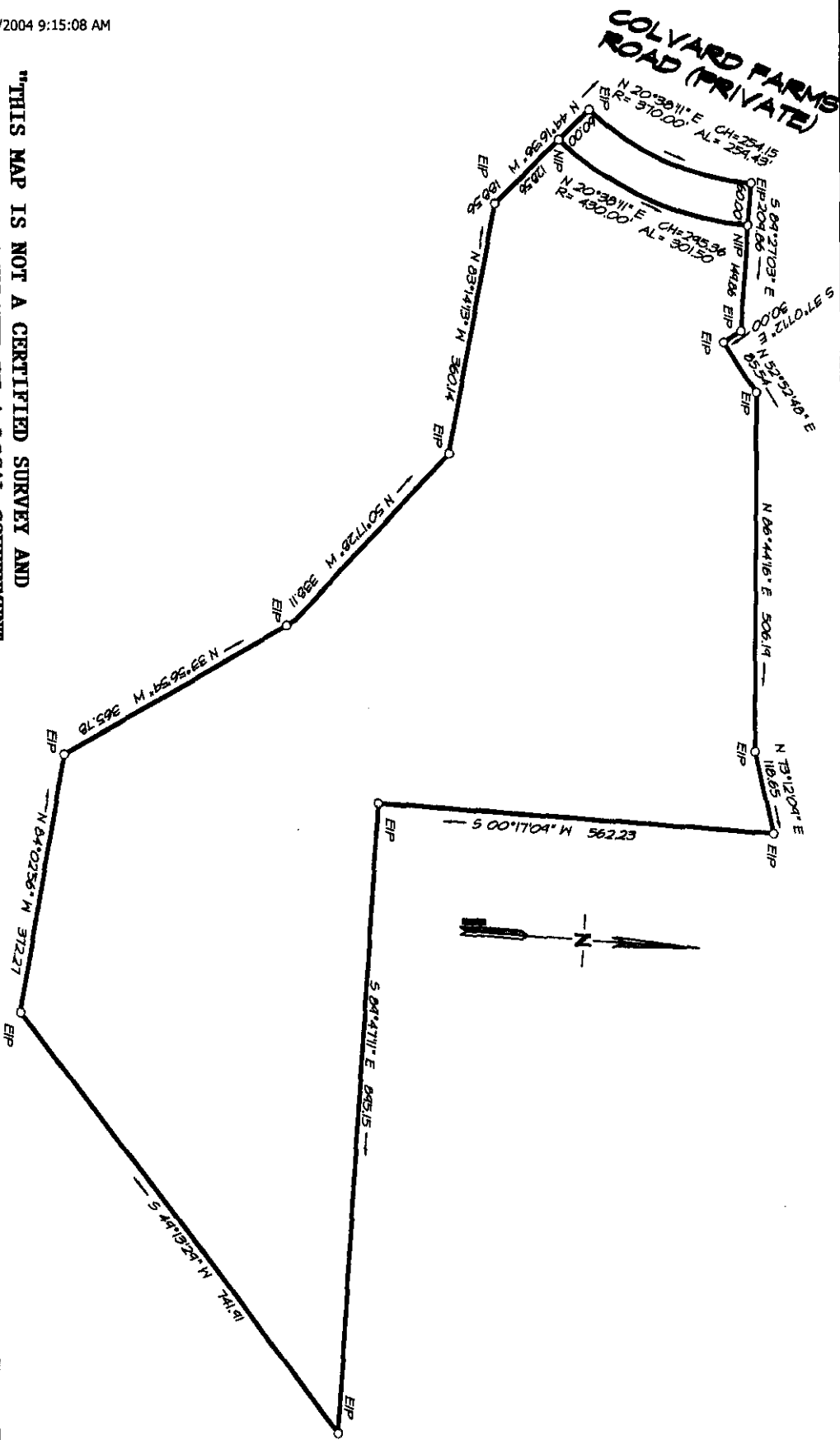
COLYARD FARMS ~ PHASE V
COLYARD FARMS DEVELOPMENT COMPANY
 CHATHAM/DURHAM COUNTIES
 NORTH CAROLINA

SCALE: 1"=200'
 DATE: DEC. 9, 2004

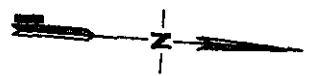
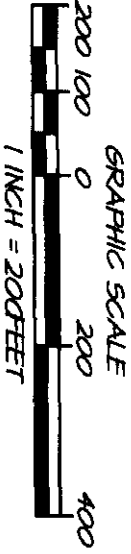
CPT ENGINEERING AND SURVEYING, INC.
 LAND DEVELOPMENT CONSULTING
 2401 PENNY RD. SUITE 105 HIGH POINT, NC
 PHONE: 812-8800 FAX: 812-8780

COLYARD FARMS (PRIVATE)
EDGEMOOD DRIVE (PRIVATE)

COLVARD FARMS ROAD (PRIVATE)

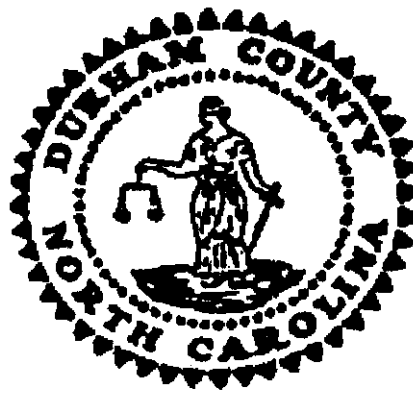


"THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS."



COLVARD FARMS ~ PHASE VI
 COLVARD FARMS DEVELOPMENT COMPANY
 CHATHAM COUNTY
 NORTH CAROLINA

SCALE: 1"=200'
 DATE: DEC. 9, 2004
 CPT ENGINEERING AND SURVEYING, INC.
 LAND DEVELOPMENT CONSULTING
 2401 PENNY RD. SUITE 105 HIGH POINT, NC
 PHONE: 812-8800 FAX: 812-8780



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: 12/10/2004 12:16:53 PM
Book: RE 4637 Page: 679-689
Document No.: 2004063669
SUPL-DECL 11 PGS \$41.00

Recorder: GAIL BAKER

State of North Carolina, County of Durham

The foregoing certificate of KATHERINE A HUNTER , TIPHANIE V VICKERS Notaries are certified to be correct.
This 10TH of December 2004

WILLIE L. COVINGTON , REGISTER OF DEEDS

By: *Gail Baker*
Deputy Assistant Register of Deeds



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