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Granville County, NC  
Kathryn Crews Averett Reg of Deeds  
BK **1268** PG **369-371**

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Attorneys at Law

Return to: Garner Road Associates, LLC, 10931 Strickland Road, Suite 111  
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North Carolina

GRANVILLE COUNTY .

**SUPPLEMENTAL DECLARATION TO SUBJECT ADDITIONAL  
PROPERTY TO THE DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR  
THE PRESERVE AT SMITH CREEK**

THIS SUPPLEMENTAL DECLARATION TO SUBJECT ADDITIONAL  
PROPERTY TO THE DECLARATION OF COVENANTS, CONDITIONS AND  
RESTRICTIONS FOR THE PRESERVE AT SMITH CREEK is entered into this 20th  
day of May 2008, by **GARNER ROAD ASSOCIATES, LLC**, a North Carolina limited  
liability company, hereinafter referred to as "Declarant";

WITNESSETH:

WHEREAS, Declarant subjected certain real property to the provisions of the  
Declaration of Covenants, Conditions and Restrictions for the Preserve at Smith Creek as  
recorded in Book 1113, Page 379, Granville County Registry and Book 1187, Page 671,  
Granville County Registry and as amended by the Amended to the Declaration of  
Covenants, Conditions and Restrictions for the Preserve at Smith Creek recorded in Book

1218, Page 938, Granville County Registry (hereinafter collectively referred to as "Declaration"); and

WHEREAS Declarant, reserved in Article II of the Declaration entitled "Property Rights" the right to subject other real property to the Declaration and to bring such additional property within the jurisdiction of the Association without the consent of other members by filing a Supplemental Declaration in the Granville County, North Carolina registry; and

WHEREAS, such Supplemental Declaration may contain other conditions, restrictions, easements, privileges, charges, assessments, liens, options, rights, terms and provisions as the Declarant may determine; and

WHEREAS, the Owner of each Lot subject to the Supplemental Declaration shall be a member of the Association which is defined as The Preserve Homeowners Association, a North Carolina non-profit corporation, its successors and assigns; and

WHEREAS, Declarant wishes to subject other real property to the Declaration;

NOW, THEREFORE, the Declarant, pursuant to the authority granted in the Declaration, hereby declares,

1. All of Lots 64 through 93 as shown on plat entitled "The Preserve at Smith Creek, Phase 3" as recorded in Plat Book 36, Page 188, Granville County Registry shall be subject to the Declaration and, as such, shall be members of the Association.
2. Said Owners shall also be subject to the following additional regulations.
  - i) Any boats, motor homes, trailers, campers, recreational vehicles or other similar type items must be kept inside a garage, or at the rear of the home and adequately screened so that they are not visible from the streets.
  - ii) Adequate off-street, paved parking shall be provided by the Owner of each Lot for the parking of automobiles for Owners and their guests. Owners or their guest shall not be permitted to park their automobiles, motor homes, trailers, campers, recreational vehicles or other similar type items on their front or side yards or on the

371

streets in the Subdivision. Any similar type item kept in the Subdivision must be property maintained and in operational use.

The Declarant hereby affirms that it has complied in all respects with the procedure for subjecting additional property to the Declaration.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has signed and sealed this instrument, the 20<sup>th</sup> day of May 2008.

**GARNER ROAD ASSOCIATES, LLC**

BY: R. Wayne Bailey  
Member/Manager

NORTH CAROLINA – Wake COUNTY

I, Carole Findley, a Notary Public within and for said County and State, do hereby certify that R. Wayne Bailey personally came before me this day and acknowledges that he is Member/Manager of **GARNER ROAD ASSOCIATES, LLC**, a North Carolina limited liability company, and that by authority duly given and as the act of the corporation on behalf of the limited liability company, the foregoing instrument was signed in its name by it Member/Manager.

Witness my hand and official seal this 20<sup>th</sup> day of May 2008

Carole Findley  
Notary Public:

Commission Expires: November

