

BOOK 167 PG 0710

FILED
CUMBERLAND COUNTY NC
J. LEE WARREN, JR.
REGISTER OF DEEDS
FILED Sep 14, 2017
AT 03:17:17 pm
BOOK 10167
START PAGE 0710
END PAGE 0712
INSTRUMENT # 29139
RECORDING \$26.00
EXCISE TAX (None)
CL

SUPPLEMENTAL AND AMENDED DECLARATION OF COVENANTS
ROSLIN FARMS WEST SECTION 1 PART 1 PHASE 1,
SECTION 1 PART 2 PHASE 1,
SECTION 1 PHASE 2,
SECTION 2 PHASE 1,
SECTION 2 PHASE 2,
SECTION 3 PART 1, AND
SECTION 4 PART 1

Prepared by and return to: Gardner Law Firm, PLLC

THIS SUPPLEMENTAL AND AMENDED DECLARATION OF COVENANTS is made and entered into this 14th day of September, 2017, by Roslin Farms, LLC, a North Carolina Limited Liability Company, hereinafter referred to as "Declarant", and Charles T. Gardner and wife, Janet K. Gardner, hereinafter referred to as "Developer":

WITNESSETH:

Declarant executed and caused to be recorded a certain "Declaration of Restrictive Covenants" in Book 8353, Page 106, Cumberland County, North Carolina Registry, the terms of which are incorporated herein by this reference. The Declaration has been amended or supplemented by written instruments recorded in Book 8396, Page 317; Book 8604, Page 498; Book 8875, Page 245; Book 9094, Page 620; and Book 9758, Page 81 of the Cumberland County, North Carolina Registry. The Declaration, as amended, (hereinafter the "Declaration") provides that the Declarant may amend these restrictive covenants as long as the Declarant owns any Lot in Roslin Farms West. Declarant owns more than one lot in Roslin Farms West and desires to amend the Declaration as set forth herein.

The Declaration also provides that future sections of Roslin Farms West Subdivision would become subject to the Declaration after recording of the plat for said new section and recording of a Supplemental Declaration which expressly made the new section subject to them. Developer is the owner of and has caused to be recorded a plat of ROSLIN FARMS WEST, SECTION 4, PART 1 (the "New Section") as recorded in Plat Book 140, Page 11, Cumberland County, North Carolina Registry. Developer and Declarant desires the New Section as set forth above to be subject to and bound by the Declaration, and further desires that the said real property as shown on said plat of the New Section be held, transferred, sold, conveyed, given, donated, leased, occupied and used subject to the Declaration, as amended herein.

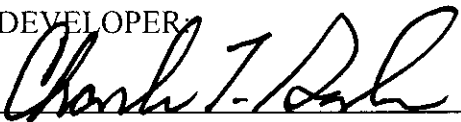
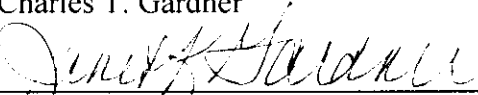
NOW, THEREFORE, in consideration of the premises, the Declarant hereby declares that the Declaration shall be amended and supplemented as follows:

1. Addition of New Section. The New Section shall be and hereby is subject to the Declaration. All references to a recorded plat in the Declaration shall include the plat of the New Section. "Lot" shall included a numbered lot as shown on the plat of the New Section. "Common Properties" in the Declaration shall include the "Mail Center" and "Common Area" as shown on the plat of the New Section.
2. Covenants to apply to New Section only. The following covenants, conditions and restrictions shall apply to each numbered lot of the New Section only and have no bearing on those properties subject to the previous Declaration including all Supplements and Amendments thereto:

- a. The following covenants are intended to ensure ongoing compliance with State Stormwater Management Permit Number SW6160503.
- b. The State of North Carolina is made a beneficiary of these covenants to the extent necessary to maintain compliance with the Stormwater Management Permit.
- c. These covenants are to run with the land and be binding on all persons and parties claiming under them.
- d. The covenants pertaining to stormwater may not be altered or rescinded without express written consent of the State.
- e. Alteration of the drainage as shown on the approved plans may not take place without the concurrence of the state.
- f. This project may not be sold or subdivided, in whole or in part, without first receiving a permit modification from the Division.
- g. Construction of additional impervious areas such that low-density requirements are no longer met will require a permit modification prior to construction. An engineered system will be required to collect and treat the runoff from all built-upon area associated with the project, including that area permitted under the low-density option.
- h. Filling in or piping of any vegetative conveyances (ditches, swales, etc.) associated with this development, except for the average driveway crossings, is strictly prohibited by any persons.
- i. The built-upon areas shall be located a minimum of 30 feet landward of all perennial and intermittent surface waters.

It is further mutually agreed upon, accepted, and understood, that Charles T. Gardner and wife, Janet K. Gardner are the developers of this new section. Declarant, being the developer of all other sections, parts and phases of Roslin Farms West, joins in the execution of this Supplemental and Amended Declaration of Covenants for Roslin Farms West for the purposes of consenting to the annexation of this new section.

IN WITNESS WHEREOF, Developer and Declarant have caused this instrument to be executed in their respective names in the capacity and for the purposes stated therein.

DEVELOPER:

 _____ (SEAL)
 Charles T. Gardner

 _____ (SEAL)
 Janet K. Gardner

NORTH CAROLINA, CUMBERLAND COUNTY
 I certify that the following person(s) personally appeared before me this day and acknowledged to me that he/she/they voluntarily signed the foregoing document for the purposes and in the capacity stated therein: Charles T. Gardner and Janet K. Gardner.

Date: 9-14-2017

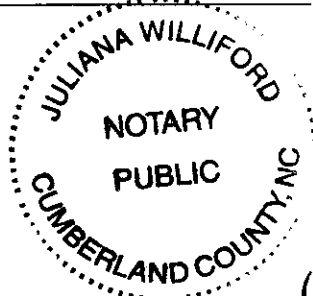


 Notary Public Signature

Juliana Williford

 Notary Public Printed/Typed Name

My commission expires: 2-3-2018



(N.P. SEAL)

(SEE FOLLOWING PAGE FOR EXECUTION AND ACKNOWLEDGMENT OF DECLARANT, ROSLIN FARMS, LLC)

DECLARANT:

ROSLIN FARMS LLC

By: [Signature] (SEAL)

Name: D. Raph Huff III

Title: Member/Manager

NORTH CAROLINA, CUMBERLAND COUNTY

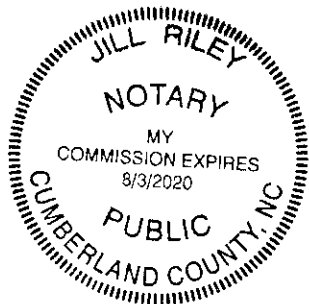
I certify that the following person(s) personally appeared before me this day and acknowledged to me that he/she/they voluntarily signed the foregoing document for the purposes and in the capacity stated therein: D. Raph Huff III, Member/Manager.

Date: 14 September 2017

[Signature]
Notary Public Signature

Jill Riley
Notary Public Printed/Typed Name

My commission expires: 8-3-2020



(N.P. SEAL)