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SUPPLEMENT TO DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS FOR  
ANNEXATION OF PHASE 4, Part 1 THE GARDENS AT CYPRESS LAKES VILLAGE

Prepared by/return to:  
Rebecca F. Person  
231 Fairway Dr  
Fayetteville, NC 28305

THIS SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS OF CYPRESS LAKES VILLAGE FOR ANNEXATION OF PHASE 4, PART 1, THE GARDENS AT CYPRESS LAKES (this "Supplement") is made and entered into this 27 day of April, 2021 by BIRCHWOOD FARMS, INC., a North Carolina corporation, hereinafter referred to as "Declarant":

WITNESSETH:

Declarant executed and caused to be recorded a certain Declaration of Covenants, Conditions, and Restrictions for Cypress Lakes Village Section Five in Book 9416, Page 609 of the Cumberland County, NC, Registry, the terms of which are incorporated herein by this reference. Declarant has caused said Declaration to be amended by written instruments recorded in Book 9534, Page 362, Book 9588, Page 614, Book 9622, Page 536, Book 9700, Page 740 (annexation of Phase 1 The Gardens), Book 9914, Page 193 (annexation of Section Eight); Book 10237, Page 269 (annexation of Phase 2 The Gardens); Book 10471, Page 825 (annexation of Section Ten); and Book 10555, Page 347 (annexation of Phase 3 The Gardens) of the aforesaid Registry. (The aforesaid Declaration of Covenants, Conditions, and Restrictions for Cypress Lakes Village Section Five, as amended, is hereinafter referred to as the "Declaration").

The Declaration provides that additional lots and future sections of Cypress Lakes Village would become subject to the Declaration after recording of the plat for said new lots or new

section and recording of a Supplemental Declaration which expressly made the new lots or new section subject to Declaration. Additionally, the Declaration provides that the Declarant may alter or amend the Declaration as long as Declarant owns any Lot or any portion of the Property (as those terms are defined in the Declaration).

Declarant is the owner of and has caused to be recorded a plat of "Phase 4, Part 1 The Gardens at Cypress Lakes Village" (the "New Section") as recorded in Plat Book 146, Page 122, Cumberland County, North Carolina Registry. Declarant desires the New Section as set forth above be subject to and bound by the Declaration, except as may be amended below, and further desires that the said real property as shown on said plat of the New Section held, transferred, sold, conveyed, given, donated, leased, occupied and used subject to the Declaration, except as amended below.

NOW, THEREFORE, in consideration of the premises, the Declarant hereby expressly declares that the New Section as described above be and hereby is subject to the Declaration, except as amended herein:

1. Annexation of Additional Lots.

- a. All references to a recorded plat in the Declaration shall include the plat of the New Section.
- b. "Lot" or "Lots" as defined in the Declaration shall include the numbered lots as shown on the plat of the New Section, excluding any "common area", "open spaces" or "detention basins" as may be shown on the plat.
- c. "Common Area" as defined in the Declaration shall include common area and common area access as shown on the plat of the New Section, if any.

[REMAINDER OF PAGE LEFT BLANK INTENTIONALLY]

IN WITNESS WHERE, Declarant has hereunto set its hand and seal.

BIRCHWOOD FARMS, INC.

By: Thomas R. Prewitt (SEAL)  
Name: Thomas R. Prewitt  
Title: President

NORTH CAROLINA  
CUMBERLAND COUNTY

I certify that the following person(s) personally appeared before me this day and acknowledged to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Name of Principal: Thomas R. Prewitt, President

Date: 4/27/2021

Angela L. Grack  
Notary Public

Angela L. Grack  
Printed or Typed Name of Notary Public

My commission expires: 3/26/2022

