

WAKE COUNTY, NC 1303
LAURA M RIDDICK
REGISTER OF DEEDS
PRESENTED & RECORDED ON
07/19/2005 AT 15:51:05

BOOK:011475 PAGE:01817 - 01821

PREPARED BY AND HOLD FOR: AARON D. GARRETT, ATTORNEY AT LAW
(BOX #67)

STATE OF NORTH CAROLINA SUPPLEMENTAL DECLARATION OF
 COVENANTS, CONDITIONS AND
COUNTY OF WAKE RESTRICTIONS FOR THE BLOOMFIELD
 HOMEOWNERS ASSOCIATION, INC. AND FOR
 BLOOMFIELD SUBDIVISION

THIS SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND
CONDITIONS FOR THE BLOOMFIELD HOMEOWNERS ASSOCIATION, INC. AND FOR
BLOOMFIELD SUBDIVISION, made and entered into this 30th day of June, 2005
by MONTCLAIR LLC, a North Carolina limited liability company (hereinafter referred to as the
"Declarant").

WITNESSETH:

WHEREAS, Declarant has heretofore filed that certain instrument entitled
"DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE
BLOOMFIELD HOMEOWNERS ASSOCIATION, INC. AND FOR BLOOMFIELD
SUBDIVISION", said instrument being recorded on the 5th day of December, 2001 in Book 9194,
Page 1936, as corrected and re-recorded in Book 9298, Page 2271, and as amended in Book 9298,
Page 2307, and in Book 9521, Page 2638, all of the Wake County Registry, North Carolina (said
instrument, being hereinafter referred to as the "Declaration"); and

WHEREAS, paragraph A of Article II of the Declaration provides in part that "The
Declarant shall have the right to annex into and bring within the scheme of the Declaration
additional properties which are located within any phase of Bloomfield Subdivision, or any
property which is contiguous at any point with the Property or any additions to the Property"; and

WHEREAS, pursuant to paragraph B of Article II of the Declaration, additions to the
Property authorized under paragraph A of Article II of the declaration shall be made by filing of
record in the Office of the Register of Deeds of Wake County, North Carolina, a "Supplemental
Declaration of Covenants, Conditions and Restrictions (the 'Supplemental Declaration') with
respect to the additional property, which said Supplemental Declaration shall describe the property
being annexed"; and

WHEREAS, the "Declarant" is the owner of all of the real property described in Exhibit
"A" attached hereto, which said Exhibit "A" is incorporated herein by reference, and the real

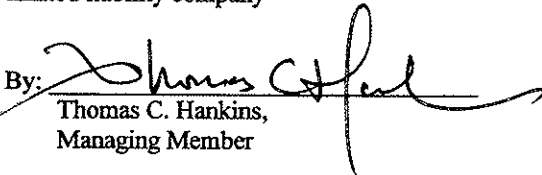
property described in the attached Exhibit "A" is located within Bloomfield Subdivision, and is contiguous to the Property described in the Declaration; and

WHEREAS, pursuant to the authority set forth in paragraph A of Article II of the Declaration, Declarant desires to bring the real property described in the attached Exhibit "A" (the "additional property") within the plan, scope and operation of the Declaration.

NOW, THEREFORE, Declarant hereby declares that the real property described in the attached Exhibit "A" is and shall be held, transferred, sold and conveyed subject to all of the terms and provisions of that certain instrument entitled "DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE BLOOMFIELD HOMEOWNERS ASSOCIATION, INC. AND FOR BLOOMFIELD SUBDIVISION" recorded in Book 9194, Page 1936, as corrected and re-recorded in Book 9298, Page 2271, and as amended in Book 9298, Page 2307, and in Book 9521, Page 2638 all of the Wake County Registry, North Carolina; that said real property shall be subject to all of the terms, requirements, restrictions and conditions of said Declaration, the provisions of which are incorporated herein by reference as if fully set out; that the terms and provisions of said Declaration shall inure to the benefit of each and every owner of each of the lots described in the attached Exhibit "A", their heirs, successors and assigns, and shall be binding on each and every one of them; and that said terms and provisions shall run with the title to the real property described in the attached Exhibit "A".

IN WITNESS WHEREOF, the Declarant has executed this Supplemental Declaration the day and year first above written.

Montclair, LLC, a North Carolina
limited liability company

By: 
Thomas C. Hankins,
Managing Member

By: 
Glenn Futrell,
Managing Member

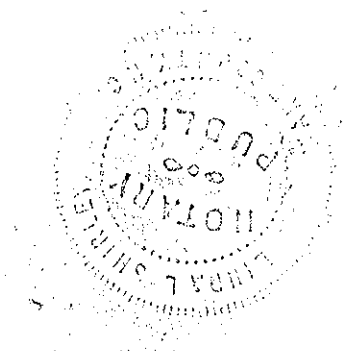
STATE OF NORTH CAROLINA
COUNTY OF WAKE

I, the undersigned Notary Public of the County and State aforesaid, hereby certify that THOMAS C. HANKINS and GLENN FUTRELL each personally came before me this day and each acknowledged that they are the Managers and Members of MONTCLAIR, LLC, a North Carolina limited liability company, and that each acknowledged the execution of the foregoing Supplemental Declaration of Covenants, Conditions and Restrictions on behalf of and as the act of said limited liability company.

WITNESS my hand and official stamp or seal, this 30 day June, 2005.


Notary Public

My commission expires: 8-10-08



CONSENTED AND AGREED TO:

The undersigned FIDELITY BANK, a North Carolina Banking corporation (hereinafter referred to as the "Bank"), and David E. Royal, Trustee and Substitute Trustee, hereby each acknowledge each and every term and provision of the foregoing Supplemental Declaration and each agrees that the liens of the Bank's three (3) Deeds of Trust on the Properties described in said three (3) Deeds of Trust recorded in Book 8883, Page 2582, and Book 10520, Page 2739, and Book 11052, Page 238, all of the Wake County Registry, North Carolina, shall be and are hereby subordinated to all the terms and provisions of the foregoing Declaration.

IN WITNESS WHEREOF, the Trustee has hereunto set his hand and seal and the Bank has caused this instrument to be signed in its corporate name by its duly authorized officers and its corporate seal to be hereunto affixed by authority of its Boards of Directors, this the 30th day of June, 2005.

FIDELITY BANK, a North Carolina Banking corporation

By: Eat W Whiteley

President

David E. Royal (SEAL)
David E. Royal, Trustee and Substitute Trustee

NORTH CAROLINA
Wake COUNTY

I, the undersigned, a Notary Public for the County and State aforesaid, hereby certify that David E. Royal, Trustee and Substitute Trustee, personally came before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed.

WITNESS my hand and official seal, this the 30th day of June, 2005.



Valerie Conklin
Notary Public

My commission expires: 10-12-2008

NORTH CAROLINA
Wake COUNTY

I, the undersigned, a Notary Public for the County and State aforesaid, hereby certify that Ernst W Whiteley personally came before me this day and acknowledged that he/she is _____ President of FIDELITY BANK, a North Carolina banking corporation, and that by authority duly given and as the act of said corporation, the foregoing instrument was signed in its name by him/her as its _____ President.

WITNESS my hand and official seal, this the 30th day of June, 2005.

(Notarial Seal)

Valerie Conklin
Notary Public

My commission expires: 10-12-2008



EXHIBIT A
(LEGAL DESCRIPTION)

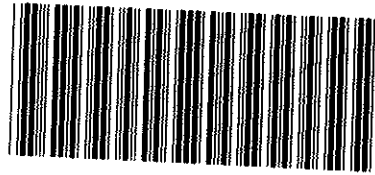
Lying and being near the Town of Holly Springs, in Panther Branch Township, Wake County, North Carolina, and being more particularly described as follows:

TRACT 1: PHASE 3A - BLOOMFIELD SUBDIVISION RESIDENTIAL LOTS

BEING all of Lots 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 149, 150, 151, 152, 153, 154, 155, 171, 172, 173, 174 and 175 of BLOOMFIELD SUBDIVISION, PHASE 3A, as shown and identified on those certain plats entitled "SUBDIVISION MAP OF BLOOMFIELD SUBDIVISION, PHASE 3A, A CLUSTER SUBDIVISION" by Kenneth Close, Inc., Land Surveying, dated 4-5-01 and recorded in Book of Maps 2005, Pages 01447 and 01448, Wake County Registry, North Carolina, to which plats reference is hereby made for a more particular description.

TRACT 2: PHASE 3A - BLOOMFIELD SUBDIVISION PERMANENT OPEN SPACE

BEING all of the property shown, designated and depicted as "COMMON OPEN SPACE/PASSIVE RECREATION CONSERVATION OF NATURAL HAZARD AREAS (172,480 sq. ft./3.960 acres)", "50' NEUSE RIVER RIPARIAN BUFFER", "20' SANITARY SEWER EASEMENT", and "20' DRAINAGE EASEMENT" as depicted on those certain plats entitled "SUBDIVISION MAP OF BLOOMFIELD SUBDIVISION, PHASE 3A, A CLUSTER SUBDIVISION" by Kenneth Close, Inc., Land Surveying, dated 4-5-01 and recorded in Book of Maps 2005, Pages 01447 and 01448, Wake County Registry, North Carolina, to which plats reference is hereby made for a more particular description.



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Yellow probate sheet is a vital part of your recorded document.
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 5 of Linda L. Shirley
Valerie Conklin

_____ 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: Sheila Chestnut
~~Assistant~~/Deputy Register of Deeds

This Customer Group _____ # of Time Stamps Needed

This Document _____ New Time Stamp
5 # of Pages