

Prepared by and Hold for: Kristoff Law Offices, P.A.

NORTH CAROLINA  
JOHNSTON COUNTY

**SUPPLEMENTARY DECLARATION OF COVENANTS,  
CONDITIONS, AND RESTRICTIONS  
FOR BENNINGTON PLACE TOWNHOME COMMUNITY  
PHASES II, III, IV and V**

THIS SUPPLEMENTARY DECLARATION, made this 13<sup>th</sup> day of September, 1999, by FOUR OAKS BANK & TRUST COMPANY, a North Carolina Corporation, hereinafter referred to as Declarant.

WITNESSETH:

WHEREAS, Declarant is the owner of certain real property located in the Town of Clayton, Clayton Township, Johnston County, North Carolina, which is more particularly described as Bennington Place Townhome Community, Phases II, III, IV and V, recorded in Plat Book 55, Page 26, Johnston County Registry, reference to which is hereby made; and,

WHEREAS, Declarant will convey said real property subject to the covenants, conditions, restrictions, reservations and charges as set forth in that certain Declaration of Covenants, Conditions and Restrictions recorded in Deed Book 1775, Page 766, Johnston County Registry, and which shall run with the lots and be binding on all parties having any right, title or interest therein and their heirs, successors and assigns, and which shall inure to the benefit of each owner thereof; and,

WHEREAS, Declarant desires to insure the most appropriate development and improvement of each lot, to protect the lot owners against such improper use as would depreciate the value of the property to each, to preserve insofar as practicable the natural beauty of each lot, to guard against the erection thereon of poorly designed or proportioned structures and structures built of substandard or unsuitable materials, to secure and maintain proper setbacks with adequate free space between structures, and in general to provide for a high quality of improvements.

NOW, THEREFORE, Declarant hereby declares that all of the real property as described hereinabove shall be held, sold and conveyed subject to that certain Declaration of Covenants, Conditions and Restrictions recorded in Deed Book 1775, Page 766, Johnston County Registry.

IN WITNESS WHEREOF, Declarant has hereunto set their hands and seals, the day and year first above-written.

Declarant:

FOUR OAKS BANK & TRUST COMPANY,  
a North Carolina Corporation

By:

Clifford V. Vile  
President



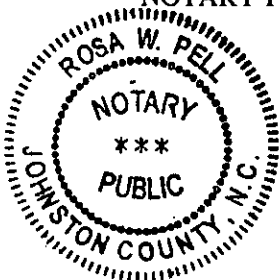
Wanda T. Blow  
Secretary

STATE OF NORTH CAROLINA  
COUNTY OF JOHNSTON

I, the undersigned notary public, in and for the County and State aforesaid, do hereby certify that Wanda T. Blow appeared before me, and acknowledged that he or she is the \_\_\_\_\_ Secretary of FOUR OAKS BANK & TRUST COMPANY, and that by authority duly given and as an act of the corporation the foregoing instrument was signed in its name by its \_\_\_\_\_ President, sealed with its corporate seal and attested by him or her as its \_\_\_\_\_ Secretary. Witness my hand and notarial stamp or seal on this the \_\_\_\_\_ of September, 1999.

Rosa W. Pell  
NOTARY PUBLIC

My commission expires: 2-4-2000



State of North Carolina-Johnston County  
The foregoing Certificate(s) of Rosa W Pell

Notary (Notaries) Public is (are) certified to be correct.

This instrument was prepared for registration and recorded in Book 1868 Page 944

This Sept 14 1999 at 4:25 PM

Phyllis N Wall  
Register of Deeds Phyllis N Wall  
Deputy Register of Deeds