

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

NORTH CAROLINA
JOHNSTON COUNTY

**SUPPLEMENTARY PROTECTIVE COVENANTS
FOR BENNINGTON PLACE SUBDIVISION
PHASES V, VI and VII**

THIS SUPPLEMENTARY DECLARATION, made this 7th day of November, 2000, by FOUR OAKS BANK & TRUST COMPANY, a North Carolina Corporation, and MDM DEVELOPMENT, INC., a North Carolina Corporation, hereinafter jointly 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 Subdivision, Phase V, recorded in Plat Book 57, Page 19, Johnston County Registry, and Bennington Place Subdivision, Phases VI and VII, recorded in Plat Book 55, Page 27, 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 Protective Covenants recorded in Deed Book 1775, Page 749, Johnston County Registry, except as amended hereinbelow, 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 Protective Covenants recorded in Deed Book 1775, Page 749, Johnston County Registry, except as amended hereinbelow.

Declarant hereby amends Article X, Section 5 of said Restrictive Covenants to read as follows:

Article X, Section 5. Dwelling Size. No residential structure which has an area less than one thousand (1,000) finished, heated square feet, exclusive of porches, breezeways, steps and

garages, shall be erected, placed or permitted to remain on any lot. Any multi-story house shall have at least 600 square feet of heated area on the first floor, with a total of at least 1,000 square feet of heated living area overall. The Architectural Review Board shall have the right to allow a 10% deviation from this requirement.

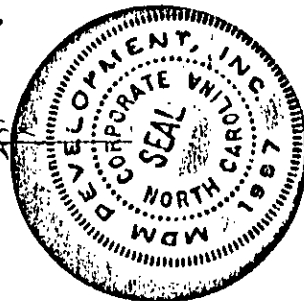
IN WITNESS WHEREOF, Declarant has hereunto set their hands and seals, the day and year first above-written.

Declarant: FOUR OAKS BANK & TRUST COMPANY,
a North Carolina Corporation

By: Clyde Vandy
~~SENIOR EXECUTIVE VICE~~ President

Declarant: MDM DEVELOPMENT, INC.,
a North Carolina Corporation

By: Sandra P. Phillips
Vice President

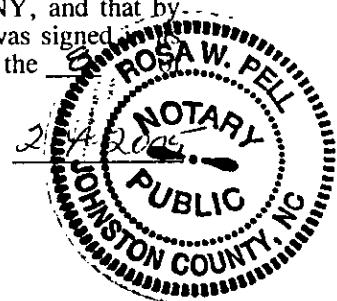


STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON

I, the undersigned notary public, in and for the County and State aforesaid, do hereby certify that CLIFTON L. PAINTER appeared before me, and acknowledged that he or she is the ~~SENIOR EXEC VICE~~ President 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 ~~SENIOR EXEC VICE~~ President. Witness my hand and notarial stamp or seal on this the 24 of November, 2000.

Rosa W. Pell
NOTARY PUBLIC

My commission expires:



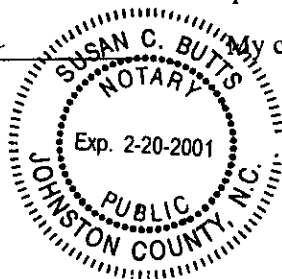
STATE OF NORTH CAROLINA
COUNTY OF JOHNSTON

I, the undersigned notary public, in and for the County and State aforesaid, do hereby certify that Sandra P. Phillips appeared before me, and acknowledged that he or she is the Vice President of MDM DEVELOPMENT, INC., and that by authority duly given and as an act of the corporation the foregoing instrument was signed in its name by its Vice President. Witness my hand and notarial stamp or seal on this the 24 of November, 2000.

Susan C. Butts
NOTARY PUBLIC

My commission expires:

2/20/2001



State of North Carolina-Johnston County
 The foregoing Certificate(s) of Rosa W Pell
Susan C Davis
 Notary (Notaries) Public is (are) certified to be
 correct.
 This instrument was prepared for registration and
 recorded in Book 1988 Page 875
 This Nov 13 2000 at 12:01 PM
 Cecil M. Massengill [Signature]
 Register of Deeds Deputy Register of Deeds



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