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Currituck County, NC
Charlene Y Dowdy Register of Deeds
BK 1183 PG 544-547

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NORTH CAROLINA
CURRITUCK COUNTY

**SUPPLEMENTAL DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
THE CURRITUCK CLUB
(Magnolia Bay)**

WITNESSETH:

THIS SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS (the "Supplement") is dated this 28th day of December, 2011, and is made by **THE CURRITUCK ASSOCIATES RESIDENTIAL PARTNERSHIP**, a North Carolina General Partnership (the "Declarant").

WHEREAS, the Declarant is the developer of The Currituck Club which development has been governed by the Declaration of Covenants, Conditions and Restrictions of December 14, 1995 recorded in Book 377 at Page 281 of the Public Registry of Currituck County, North Carolina as amended by supplementary filings in Book 381 at Page 468; Book 388 at Page 569; Book 396 at Page 639; Book 412 at Page 378; Book 416 at Page 807; Book 501 at Page 148; Book 542 at Page 23; Book 586 at Page 228; Book 600 at Page 832; Book 620 at Page 923; Book 632 at Page 507; Book 724 at Pages 50-51; Book 724 at Page 821; Book 737 at Page 785; Book 756 at Page 901; Book 809 at Pages 585-592; Book 966 at Page 479; Book 981 at Page 510, and Book 1173 at Page 634, the initial declaration and all previous supplementary amendments being hereinafter referred to as the "Master Declaration"

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WHEREAS, pursuant to Article One, Section 2, of the Master Declaration, Declarant has the right to bring within the scheme and operation of the Master Declaration all or any portions of the real property described in Exhibit B of the Master Declaration; and

WHEREAS, DMD, L.L.C., a North Carolina limited liability company ("DMD"), recorded the Declaration of Covenants, Conditions and Restrictions, Magnolia Bay Subdivision in Book 380, at Page 433 in the office of the Register of Deeds of Currituck County (as amended and supplemented, the "Magnolia Bay Declaration"), which purported to subject Phase 1 of Magnolia Bay Subdivision, as depicted on the plat recorded in Plat Cabinet F, Pages 20-21 in the office of the Register of Deeds of Currituck County, to the terms of the Master Declaration; and

WHEREAS, DMD and Declarant caused to be recorded a Supplemental Declaration Number One to Declaration of Covenants, Conditions and Restrictions of Magnolia Bay Subdivision in Book 439, at Page 303 in the office of the Register of Deeds of Brunswick County ("Magnolia Bay Supplemental Declaration"), which purported to ratify the terms of the Magnolia Bay Declaration and subject Phase 2 of Magnolia Bay Subdivision as shown on the plat recorded in Plat Cabinet F, Pages 309-310 in the office of the Register of Deeds of Currituck County, to the terms of the Master Declaration; and

WHEREAS, subsequent to the recording of the aforesaid plats, Declarant has filed at Plat Cabinet F, Pages 62-63, an amended plat of Phase 1 of Magnolia Bay, at Plat Cabinet G, Page 180, an amended plat of Phase 2 of Magnolia Bay, and at Plat Cabinet G, Page 279, in the office of the Register of Deeds of Currituck County an amended plat for the South Beach Pool & Tennis Center located in the Magnolia Bay Subdivision; and

WHEREAS, to the extent that the Magnolia Bay Declaration and Magnolia Bay Supplemental Declaration were not effective to subject all of Phase 1 and Phase 2 of Magnolia Bay Subdivision to the Master Declaration, Declarant wishes to record this Supplemental Declaration to add Phase 1 and Phase 2 of Magnolia Bay Subdivision as shown on the plats recorded in Plat Cabinet F, Pages 62-63, Plat Cabinet G, Page 180, and Plat Cabinet G, Page 279, in the office of the Register of Deeds of Currituck County (collectively, "Magnolia Bay") to The Properties and subject Magnolia Bay to the terms and provisions of the Master Declaration; and

WHEREAS, Magnolia Bay described herein constitutes a portion of the real property decried in Exhibit B of the Master Declaration; and

WHEREAS, Declarant and Owner desire to bring Magnolia Bay within the scheme and operation of the Master Declaration and to subject Magnolia Bay to all of the terms, covenants, conditions and restrictions of the Master Declaration as provided for therein.

NOW, THEREFORE, the Declarant hereby declares that Magnolia Bay as shown on the plats recorded in Plat Cabinet F, Pages 62-63, Plat Cabinet G, Page 180, and Plat Cabinet G, Page 279, in the office of the Register of Deeds of Currituck County is and shall be held, transferred, sold, conveyed and occupied subject to and together with the terms, conditions and provisions of the covenants, conditions, restrictions, easements, charges and liens set forth in the

Master Declaration, and Magnolia Bay shall constitute and be part of "The Properties" as that term is defined and provided for in the Master Declaration.

Except as hereby supplemented, the Master Declaration shall remain in full force and effect in accordance with the covenants, conditions, restrictions, terms and provisions therein.

(Signature is on the following page.)

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IN WITNESS WHEREOF, the Declarant has caused the Supplement to be duly executed as of the date first above written.

THE CURRITUCK ASSOCIATES -
RESIDENTIAL PARTNERSHIP,
a North Carolina general partnership

By: BODDIE-NOELL ENTERPRISES, INC.,
A North Carolina corporation, Managing General
Partner

By: Douglas E. Anderson
Executive Vice President

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STATE OF NORTH CAROLINA
COUNTY OF NASH

I, Donna S. Batchelor, a Notary Public of the County and State aforesaid, certify that Douglas E. Anderson personally came before me this day and acknowledged that he is Ex. Vice President of BODDIE-NOELL ENTERPRISES, INC., a North Carolina corporation which is the managing general partner of THE CURRITUCK ASSOCIATES - RESIDENTIAL PARTNERSHIP, and that by authority duly given and as the act of the corporation and of the partnership, the foregoing instrument was signed in its name by him as its Ex. Vice President, in its capacity as a general partner of The Currituck Associates - Residential Partnership.

Witness my hand and official stamp or seal, this the 26 day of December, 2011.

Official Signature of Notary: Donna S. Batchelor
Notary's Printed or Typed Name: Donna S. Batchelor, Notary Public

My Commission Expires: May 12, 2012
(Official Seal)

DONNA S. BATCHELOR
NOTARY PUBLIC
NASH COUNTY, N.C.

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