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FOR REGISTRATION REGISTER OF DEEDS
REBECCA P. SMITH
NEW HANOVER COUNTY, NC
2005 AUG 29 11:45:31 AM
BK: 4895 PG: 3217-3218 FEE: \$14.00

INSTRUMENT # 2005049519

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

SUPPLEMENTAL DECLARATION
OF COVENANTS, CONDITIONS AND
RESTRICTIONS FOR
INDEPENDENCE SOUTH, LLC

This Declaration, Made the 23 day of August, 2005, by **INDEPENDENCE SOUTH, LLC**, hereinafter referred to as "Declarant" or "Developer" for the purposes hereinafter stated;

WITNESSETH:

WHEREAS, Declarant has subjected Phase 1, INDEPENDENCE SOUTH TOWNHOMES, to a Declaration of Covenants, Conditions and Restrictions (the "Declaration") recorded in Book 4869, Pages 4122-4149, New Hanover County Registry; and

WHEREAS, Declarant has added Phase 2, Independence South Townhomes, the same being shown on a map thereof recorded in Map Book 48, Page 200, in the office of the Register of Deeds of New Hanover County; and

WHEREAS, Declarant desires for Phase 2, Independence South Townhomes, to be subject to the Declaration.

NOW, THEREFORE, Declarant hereby declares that all of the property within Phase 2, Independence South, as described above, shall be held, sold and conveyed subject to the Declaration, as amended, which Declaration shall run with the land and be binding on all parties having any right, title or interest in the described property or any part thereof, their heirs, successors or assigns, and shall inure to the benefit of each owner thereof.

IN TESTIMONY WHEREOF, the Declarant has caused this instrument to be signed in its company name by its Member/Manager pursuant to authority of Grantor's Operating Agreement as of the day and year first above written.

INDEPENDENCE SOUTH, LLC (SEAL)

By: [Signature]
Howard A. Penton/III, Manager

STATE OF NORTH CAROLINA
COUNTY OF NEW HANOVER

I, Gillian D'Arcy, a Notary Public of said county do hereby certify that Howard A. Penton III personally appeared before me this day and acknowledged that he is Manager of INDEPENDENCE SOUTH, LLC a North Carolina limited liability company, and that he, as Manager, being authorized to do so, executed this instrument on behalf of the company.

Witness my hand and official stamp or seal, this 23 day of August, 2005.

My Commission expires: April 6, 2009
(SEAL)

Gillian D'Arcy
Notary Public





REBECCA P. SMITH
REGISTER OF DEEDS, NEW HANOVER
216 NORTH SECOND STREET

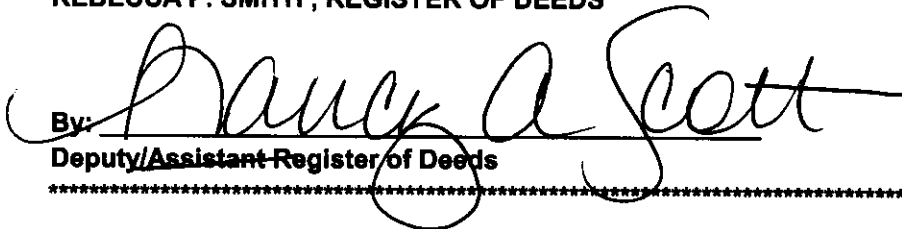
WILMINGTON, NC 28401

Filed For Registration: 08/29/2005 11:45:31 AM
Book: RE 4895 Page: 3217-3218
Document No.: 2005049519
DECL 2 PGS \$14.00
Recorder: NANCY A SCOTT

State of North Carolina, County of New Hanover

The foregoing certificate of GILLIAN D'ARCY Notary is certified to be correct. This 29TH of August 2005

REBECCA P. SMITH , REGISTER OF DEEDS

By: 
Deputy/Assistant Register of Deeds

YELLOW PROBATE SHEET IS A VITAL PART OF YOUR RECORDED DOCUMENT.
PLEASE RETAIN WITH ORIGINAL DOCUMENT AND SUBMIT FOR RE-RECORDING.

2005049519

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