

FOR REGISTRATION  
Sharon A. Davis  
REGISTER OF DEEDS  
Durham County, NC  
2018 Jan 05 02:39:12 PM  
BK:8343 PG:226-229  
DECLARATION  
FEE: \$26.00  
INSTRUMENT # 2018000577



Prepared by and return to:  
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Post Office Box 17047  
Raleigh, NC 27619-7047

STATE OF NORTH CAROLINA  
COUNTY OF DURHAM

**ANNEXATION DECLARATION TO DECLARATION OF COVENANTS,  
CONDITIONS, RESTRICTIONS, EASEMENTS, CHARGES AND LIENS FOR  
SOUTHPOINT TRAILS**

**THIS ANNEXATION DECLARATION TO DECLARATION OF COVENANTS,  
CONDITIONS, RESTRICTIONS, EASEMENTS, CHARGES AND LIENS FOR  
SOUTHPOINT TRAILS** (the "Annexation Declaration") is made by **751 LLC**, a North Carolina limited liability company ("Declarant"), and shall be effective upon the recordation of this Annexation Declaration in the office of the Durham County Register of Deeds.

**W I T N E S S E T H:**

WHEREAS, Declarant is the Declarant under that certain Declaration of Covenants, Conditions, Restrictions, Easements, Charges and Liens for Southpoint Trails recorded in Book 7855, Page 897, Durham County Registry (as amended and supplemented from time to time, the "Declaration"); and

WHEREAS, in accordance with the Declaration, Declarant may cause certain additional property to be made subject to the terms and scheme of the Declaration by filing an annexation declaration in the office of the Durham County Register of Deeds containing a description of such additional property; and

WHEREAS, Declarant desires to subject certain real property (the "Additional Property") to the covenants, conditions and restrictions of the Declaration in accordance with the Declaration; and

WHEREAS, a legal description of the Additional Property is attached hereto as Exhibit A; and

WHEREAS, Article XIII, Section 2 of the Declaration provides that during the Declarant Control Period, Declarant, without the consent or joinder of the Owners or other Person, shall have the unilateral right to make any amendments or modifications which Declarant deems necessary or desirable. The Declarant Control Period has not expired and Declarant now desires to amend the Declaration in certain respects as set forth herein.

NOW, THEREFORE, BE IT RESOLVED, that the foregoing recitals are incorporated herein by this reference and the Declaration, the terms of which are incorporated herein by this reference, shall hereby be supplemented and amended as follows:

1. Capitalized Terms. All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the Declaration.

2. Annexation. In accordance with the Declaration, Declarant does hereby declare that the Additional Property is and shall hereafter be held, used, transferred, mortgaged, sold, conveyed and occupied subject to the Declaration and the covenants, conditions, restrictions, easements, charges and liens set forth in the Declaration and to the jurisdiction of the Association pursuant to the terms of the Declaration, the Articles, Bylaws and rules and regulations, all of which shall run with the title to the Additional Property and any part thereof and be binding upon all parties owning any right, title or interest in and to such Additional Property or any part thereof, their heirs, successors and assigns.

5. Effect of Annexation Declaration. Except as expressly provided herein, all covenants, conditions, restrictions and easements established by and contained in the Declaration shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, Declarant has executed this Annexation Declaration on the date and year set forth in the acknowledgment below.

Declarant:

751 LLC,  
a North Carolina limited liability company

By: [Signature]  
Name: Jeff Gelman  
Title: Manager

ORANGE COUNTY, FL

I certify that the following person personally appeared before me this day and acknowledged to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated: Jeff Gelman.

Date: 1/2/18

My Commission Expires: 10/11/19

[Signature]

Notary Public  
Print Name: Nijmah Suid

[Affix Notary Stamp or Seal]

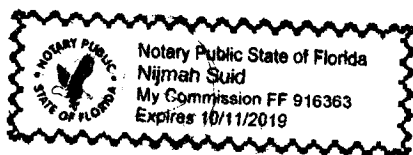


EXHIBIT A

**Legal Description of the Additional Property**

**PHASE 1d Lots:**

BEING all those certain tracts or parcels of land designated as Lots 20 and 21, Southpoint Trails Subdivision, Phase 1d as shown on plat of survey recorded in Plat Book 197, Pages 69 and 70, Durham County Registry, which plat is referenced for a more particular description;

AND

**PHASE 2b Lots:**

BEING all those certain tracts or parcels of land designated as Lots 67, 68, 69, 70, 71, 72, 73, 74 and 75 Southpoint Trails Subdivision, Phase 2b as shown on plat of survey recorded in Plat Book 197, Pages 301 and 302, Durham County Registry, as corrected in Plat Book 198, Pages 106 and 107, Durham County Registry, which plats are referenced for a more particular description;

AND

**PHASE 2c Lots:**

BEING all those certain tracts or parcels of land designated as Lots 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65 and 66 Southpoint Trails Subdivision, Phase 2c as shown on plat of survey recorded in Plat Book 198, Pages 22 and 23, Durham County Registry, as corrected in Plat Book 198, Pages 108 and 109, Durham County Registry, which plats are referenced for a more particular description.