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Doc ID: 020836150003 Type: CRP
Recorded: 03/13/2008 at 08:45:58 AM
Fee Amt: \$20.00 Page 1 of 3
Workflow# 2433992
Buncombe County, NC
Otto W. DeBruhl Register of Deeds

BK 4535 PG 665-667

**Prepared By and
Return To:**
Peltz Law Firm, PLLC – Box 83

STATE OF NORTH CAROLINA

COUNTY OF BUNCOMBE

SUPPLEMENTAL
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
RIVER WALK

THIS SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS is made on the day hereinafter set forth by WINDSOR/AUGHTRY COMPANY INC., a South Carolina corporation, hereinafter referred to as DECLARANT, this the 12 day of February, 2008.

RECITALS:

1. Declarant caused to be recorded in the office of the Register of Deeds for Buncombe County, North Carolina a Declaration of Covenants, Conditions and Restrictions, as recorded in Book 4336, at Page 44, and re-recorded in Book 4387, at Page 1314, herein referred to “the Declaration.”
2. Declarant caused to be recorded a plat in Plat Book 102, at Page 64 in the Office of the Register of Deeds for Buncombe County, the boundaries of which are outside the “Property” as the same is defined in the Declaration.
3. Declarant now wishes to subject such property as shown on the aforementioned plat to the Declaration.

4. By and through that deed recorded in Deed Book 4336, at Page 65 in the Office of the Register of Deeds for Buncombe County, Declarant acquired all Declarant rights from MK Properties of Fairview, Inc.

5. In such deed referred to immediately above, MK Properties of Fairview, Inc. reserved the right to consent to all amendments to the Declaration as well as the right to be the Declarant of future phases within River Walk.

6. By execution below, MK Properties of Fairview, Inc. does hereby consent to this Supplemental Declaration affirms that Windsor/Aughtry Company, Inc. shall be the Declarant for all phases within River Walk.

NOW, THEREFORE, Declarant, pursuant to Article XI, Section 3(E) of the Declaration, does hereby subject all of that property shown on that plat recorded in Plat Book 102, at Page 64 in the Office of the Register of Deeds for Buncombe County to the Declaration.

And such property shall be held and conveyed, hypothecated, encumbered, used, occupied and improved subject to those restrictions, covenants, conditions, uses, limitations and obligations all of which are declared and agreed to be in the furtherance of the plan for the division of such property into lots and shall be deemed to run with the land and shall be a burden and benefit to the Declarant, its successors and assigns and any person acquiring and owning an interest in the real property and improvements thereon, their grantees, successors, heirs, administrators, devisees, and assigns. Every grantee of any interest in such property, by the acceptance of a Deed or the conveyance of such interest, whether or not such person shall otherwise consent in writing shall be subject to the provisions of the Declaration of Covenants, Conditions and Restrictions, recorded in Book 4387, at Page 1314 in the Office of the Register of Deeds for Buncombe County, as amended or supplemented shall be deemed to have assented to the same.

The Declaration recorded in Book 4387, at Page 1314 shall remain in full force and effect, as supplemented hereby.

(SIGNATURES OCCUR ON FOLLOWING PAGE)

DECLARANT:

WINDSOR/AUGHTRY COMPANY, INC.

By: *F. Andrew Norwood*
F. Andrew Norwood, President

**CONSENTED TO BY:
MK PROPERTIES OF FAIRVIEW, INC.**

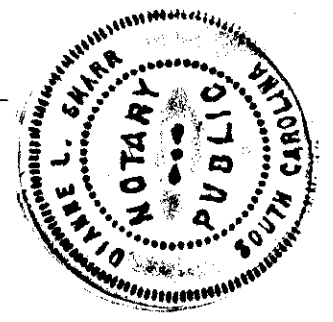
By: *Michael Pierce*
Michael Pierce, President

~~STATE OF NORTH CAROLINA~~
~~COUNTY OF BUNCOMBE~~ ^{SOUTH} ~~GREENVILLE~~

I, a Notary Public of the County and State aforesaid, certify that F. Andrew Norwood personally came before me this day and acknowledged that he is President of WINDSOR/AUGHTRY COMPANY, INC., a South Carolina corporation, and that he, being authorized to do so, executed the foregoing on behalf of the corporation.

Witness my hand and official stamp or seal, this the 12 day of Feb, 2008.

Allianne L. Sman
Notary Public
My Commission Expires: 4-1-2014



STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

I, a Notary Public of the County and State aforesaid, certify that Michael Pierce personally came before me this day and acknowledged that he is President of MK PROPERTIES OF FAIRVIEW, INC., a North Carolina corporation, and that he, being authorized to do so, executed the foregoing on behalf of the corporation.

Witness my hand and official stamp or seal, this the 26 day of February, 2008.



Jami L. Babb
Notary Public
My Commission Expires: 10/2/2012