

Prepared by and mail to: R. Bruce Laney @ P.O. Drawer 2086, High Point, NC 27261

NORTH CAROLINA  
DAVIDSON COUNTY

**AMENDMENT TO AND ANNEXATION OF  
PROPERTY TO DECLARATION OF  
COVENANTS, CONDITIONS, AND  
RESTRICTIONS**

This Amendment to and Annexation of Additional Property to Declaration of Covenants, Conditions, and Restrictions for Swansgate Subdivision is made this 11 day of May, 2000 by Swansgate Properties Limited Partnership, a North Carolina Limited Partnership, hereinafter referring to as Declarant; and Miriam O. Kimsey, Charles Edgar Sams, Jr., Ronald R. Krull and wife, Michele F. Krull, William W. Armfield and wife, Cynthia Brower Armfield, and Jennifer M. Boyles and husband, Thomas Charles Boyles as individual owners of Lots in Swansgate Subdivision, Phase IA, Sheet III of VI.

**WITNESSETH:**

Declarant is the developer of a certain subdivision known as Swansgate located in Abbotts Creek Township, Davidson County, North Carolina. Declarant has caused to be recorded a Declaration of Covenants, Conditions, and Restrictions in Book 913, Page 220 in the Office of the Register of Deeds of Davidson County, North Carolina (the "Declaration"), as amended in Book 1019, Page 1323 of the Davidson County Registry.

Article IX, Section 1, of the Declaration authorizes the Declarant to submit additional areas or lands to the Declaration, and Declarant desires to add the land described herein and therefore to subject the property described herein to the Declaration.

Now, therefore, Declarant declares that all the property described herein shall be held and conveyed subject to the easements, restrictions, covenants, and conditions set forth in the Declaration of Covenants, Conditions, and Restrictions for Swansgate as recorded in Book 913, Page 220 of the Davidson County Registry, as amended in Book 1019, Page 1323. The conditions and requirements of the Declaration shall run with the real property described herein, shall be binding on all parties having any right, title, or interest in the property described herein or any part thereof, shall be binding upon their heirs, successors and assigns, and shall inure to the benefit of each owner thereof. By accepting a deed to any portion of the property described herein, the purchaser thereof agrees to abide by all of said covenants, conditions, and restrictions, including the requirement to pay any assessments levied thereon and to comply with the provisions of the Homeowners Association established therein.

The property which is the subject of this addition and modification is more particularly described as follows:

DAVIDSON COUNTY NC  
**Book 1188**  
**Pages 1373-1376**  
FILED 4 PAGE(S)  
06/29/2000 12:47 PM  
RONALD W. CALLICUTT  
Register of Deeds

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0014693

Davidson County, North Carolina; and being all of Lots 36A and 38A of the Exclusion Plat for recordation, property of Swansgate Properties, as per plat thereof recorded in Plat Book 25, Page 18 in the Office of the Register of Deeds of Davidson County, North Carolina.

The individual lot owners join in this amendment to consent to the amendment; to subject their respective Lot to the terms and conditions of the Declaration; and to acknowledge the Declaration and all of its terms and conditions are binding upon their Lot and upon their heirs, successor and assigns. The owners are as follows:

- Lot 36A - Miriam O. Kimsey
- Lots 39 & 38A - Charles Edgar Sams, Jr. and wife, Cynthia B. Sams
- Lot 41 - Ronald R. Krull and wife, Michele F. Krull
- Lot 42 - William W. Armfield and wife, Cynthia Bower Armfield
- Lot 43 - Jennifer M. Boyles and husband, Thomas Charles Boyles
- Swansgate Limited Properties Partnership is the owner of Lots 40, 49, & 50

In witness whereof the parties have acknowledged the execution of this document the day and year first above written.

Miriam O. Kimsey (SEAL)  
Miriam O. Kimsey

Charles Edgar Sams, Jr. (SEAL)  
Charles Edgar Sams, Jr.

\_\_\_\_\_ (SEAL)

Ronald R. Krull (SEAL)  
Ronald R. Krull

Michele F. Krull (SEAL)  
Michele F. Krull

William W. Armfield (SEAL)  
William W. Armfield

Cynthia Bower Armfield (SEAL)  
Cynthia Bower Armfield

Jennifer M. Boyles (SEAL)  
Jennifer M. Boyles

Thomas Charles Boyles (SEAL)  
Thomas Charles Boyles

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Swansgate Properties Limited Partnership

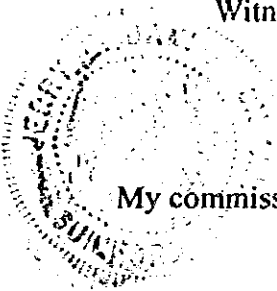
By: William B. Millis  
William B. Millis, General Partner

By: William E. Price, Jr.  
William E. Price, Jr., General Partner

NORTH CAROLINA  
COUNTY OF Guilford

I, a Notary Public of the aforesaid state and County do hereby certify that Miriam O. Kimsey, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this 24 day of June, 2000.



Jerry L. Bain  
Notary Public

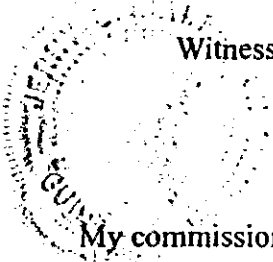
My commission expires: 5/11/02 May 11, 2002

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NORTH CAROLINA  
COUNTY OF Guilford

I, a Notary Public of the aforesaid state and County do hereby certify that Charles Edgar Sams, Jr., personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this 15 day of June, 2000.



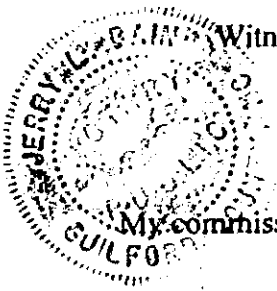
Jerry L. Bain  
Notary Public

My commission expires: May 11, 2002

NORTH CAROLINA  
COUNTY OF Guilford

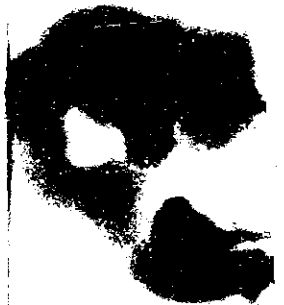
I, a Notary Public of the aforesaid state and County do hereby certify that Ronald R. Krull and wife, Michele F. Krull, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this 16 day of June, 2000.



Jerry L. Bain  
Notary Public

My commission expires: May 11, 2002



NORTH CAROLINA  
COUNTY OF Swain

I, a Notary Public of the aforesaid state and County do hereby certify that William W. Armfield and wife, Cynthia Brower Armfield, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this 16 day of June, 2000.

Jerry L. Bain  
Notary Public

My commission expires May 11, 2002

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NORTH CAROLINA  
COUNTY OF Swain

I, a Notary Public of the aforesaid state and County do hereby certify that Jennifer M. Boyles and husband, Thomas Charles Boyles, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal this 16 day of June, 2000.

Jerry L. Bain  
Notary Public

My commission expires May 11, 2002

STATE OF North Carolina  
COUNTY OF Swain

I, Jerry L. Bain, a Notary Public for said County and State, certify that, **William E. Millis & William E. Price, Jr., General Partners of Swansgate Properties Limited Partnership**, a Limited Partnership, appeared before me this day and acknowledged the due execution of the foregoing instrument on behalf of the company.

Witness my hand and official stamp or seal, this 16 day of June, 2000

My Commission Expires May 11, 2002

Jerry L. Bain

Notary Public, Swain County  
The foregoing (or annexed) certificate(s) of \_\_\_\_\_

Jerry L. Bain

Notary Public (Notaries Public) is certified to be correct  
this 29 day of June, 2000

Ronald W. Galloway, Register of Deeds  
Ronald W. Galloway

