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Fee Amt: \$26.00 Page 1 of 8

Currituck County North Carolina
Denise A. Hall Reg of Deeds

Bk **1259** Pg **221-228**

STATE OF NORTH CAROLINA
COUNTY OF CURRITUCK

SUPPLEMENTAL DECLARATION TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS
FOR THE VILLAS AT COROLLA BAY

THIS SUPPLEMENTAL DECLARATION TO DECLARATION OF
COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE VILLAS AT COROLLA
BAY ("Supplemental Declaration") made and entered into the 12th day of July, 2013 by
COROLLA OCEANSIDE, LLC, a North Carolina limited liability company ("Declarant"):

WITNESSETH:

WHEREAS, Declarant caused to be recorded that certain Declaration of
Covenants, Conditions and Restrictions for The Villas at Corolla Bay in Book 1169, at Page 726,
which Declaration was amended pursuant to an Affidavit of Correction in Book 1170 at Page
186 (collectively, the "Declaration"). The capitalized terms set forth in this Supplemental
Declaration shall have the same meaning as set forth in the Declaration unless otherwise defined
or the context shall otherwise prohibit; and

WHEREAS, pursuant to Article II, Section 2.02 and Section 2.03 of the
Declaration, the Declarant may unilaterally subject a portion of the Additional Property to the

Prepared by Ward and Smith, P.A., 127 Racine Drive, University Corporate Center (28403), Post
Office Box 7068, Wilmington, NC 28406-7068
Please return to Ward and Smith, P.A., 127 Racine Drive, University Corporate Center (28403),
Post Office Box 7068, Wilmington, NC 28406-7068
Attention: Samuel B. Franck

No opinion on title is rendered by Ward and Smith, P.A., without a separate written opinion on
title from Ward and Smith, P.A.

Declaration by recording a Supplemental Declaration in the office of the Register of Deeds of Currituck County; and

WHEREAS, Declarant is the owner in fee simple of a portion of the real property described in Exhibit A, which exhibit is attached hereto and incorporated herein by reference; and

WHEREAS, to the extent that the real property described in Exhibit A is not yet part of the property subject to the Declaration, it is part of the Additional Property; and

WHEREAS, pursuant to Article II, Section 2.02 and Section 2.03 of the Declaration, Declarant desires to annex the real property described in Exhibit A into The Villas at Corolla Bay community and subject it to the provisions of the Declaration and the jurisdiction of the Association.

NOW, THEREFORE, the Declarant, pursuant to Article II, Section 2.02 and Section 2.03 of the Declaration, does hereby amend the Declaration as follows:

1. The real property more particularly described on Exhibit A attached hereto and incorporated herein, shall be included within The Villas at Corolla Bay community subject to the Declaration.
2. The real property more particularly described on Exhibit A attached hereto and incorporated herein shall be owned, held and conveyed subject to each and every term and provision of the Declaration.
3. The real property more particularly described on Exhibit A attached hereto and incorporated herein shall be subject to the jurisdiction of the Association and the owners of Lots in The Villas at Corolla Bay shall be members of the Association as set forth in the Declaration.
4. Except as expressly provided in the paragraphs above, the terms and provisions of the Declaration shall continue in full force and effect according to the terms of the same as modified hereby.

EXHIBIT A

All that certain tract or parcel of land lying and being situate in Poplar Grove Township, Currituck County, North Carolina, and being more particularly described as follows:

Beginning at a set iron rod located at the intersection of the eastern right of way line of Ocean Trail - NC 12 (a 100' wide right of way) and the southern right of way line of Herring Street (a 35' wide right of way), as depicted on the map recorded in Plat Cabinet M, at Pages 116-118, in the office of the Register of Deeds of Currituck County; thence from the point and place of beginning running along and with the southern right of way line of Herring Street the following courses and distances: (i) North 46°46'55" East 33.79' to a set iron rod; (ii) thence North 89°18'11" East 22.60' to a set iron rod; (iii) thence along and with a curve to the left having an arc length of 103.14', radius of 130.00', a chord bearing and distance of North 66°34'28" East 100.46' and a delta angle of 45°27'27" to a set iron rod; (iv) thence North 43°50'44" East 99.45' to a set iron rod; (v) thence along and with a curve to the right having an arc length of 54.80', a radius of 97.50', a chord bearing and distance of North 59°56'48" East 54.08' and a delta angle of 32°12'08" to a set iron rod; and (vi) thence North 76°02'52" East 364.89' to a set iron rod located in the eastern line of Lot 3 of Corolla Bay as such lot is depicted on Plat Cabinet M, at Page 34 in the office of the Register of Deeds of Currituck County; thence leaving the southern right of way line of Herring Street and running along and with the eastern line of said Lot 3 South 13°57'08" East 513.77' to an existing iron rod; thence leaving the eastern line of said Lot 3 South 76°49'27" West 230.30' to an existing iron rod; thence South 27°23'56" West 180.29' to an existing iron rod; thence South 41°53'59" West 240.15' to an existing iron rod located in the eastern right of way line of Ocean Trail - NC 12; thence along and with the eastern right of way line of Ocean Trail - NC 12 along a curve to the right having an arc length of 727.01', a radius of 850.00', a chord bearing and distance of North 22°23'16" West 705.06', and a delta angle of 49°00'21" to a set iron rod, to the point and place of beginning.

INCLUDING WITHOUT LIMITATION those certain rights-of-way depicted as "Bonaire Drive" and "Cane Garden Bay Circle", common elements, recreational amenity area, limited common element Courtyards, and open spaces, as shown on the maps recorded in Plat Cabinet L, at Pages 173-175, Plat Cabinet L, at Pages 177-179, Plat Cabinet M, at Pages 27-29, Plat Cabinet M, at Pages 72-74, Plat Cabinet M, at Pages 116-118, and Plat Cabinet M, at Pages 160 - 163 in the office of the Register of Deeds of Currituck County.

TOGETHER WITH that certain right-of-way depicted as "Herring Street," as shown on the maps recorded in Plat Cabinet L, at Pages 173-175, Plat Cabinet L, at Pages 177-179, Plat Cabinet M, at Pages 27-29, Plat Cabinet M, at Pages 72-74, Plat Cabinet M, at Pages 116-118, and Plat Cabinet M, at Pages 160 - 163 in the office of the Register of Deeds of Currituck County.

SAVE AND EXCEPT any and all portions of the above-described property previously conveyed and not currently owned by the Declarant.

FURTHER SAVE AND EXCEPT any and all portions of the above-described property already included in The Villas at Corolla Bay community pursuant to the Declaration.

SUBJECT TO the right of the Declarant, including its successors and assigns, to withdraw the property depicted as the right of way for Herring Street from The Villas at Corolla Bay community and from the encumbrance of the Declaration if deemed appropriate by the Declarant in connection with the dedication of the same as a public right of way. Nothing contained in this Supplemental Declaration shall be deemed a gift or dedication, or be construed to create any rights whatsoever, of any portion of Herring Street or any property, however delineated or described, to the general public, to any governmental authority or for the general public or for any public purpose whatsoever. It is the intention of the Declarant that this Supplemental Declaration shall be strictly limited to and for the purposes expressed herein.

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IN TESTIMONY WHEREOF, the Declarant, acting pursuant to the authority above recited, has executed this Supplemental Declaration under seal and in such form as to be legally binding and effective the day and year upon recording this Supplemental Declaration in the office of the Register of Deeds of Currituck County, North Carolina.

COROLLA OCEANSIDE, LLC (SEAL)

By: [Signature]
Name: Ravi V. Uppalapati
Title: Manager

STATE OF NORTH CAROLINA
COUNTY OF Currituck

I certify that the following person personally appeared before me this day, acknowledging to me that he or she signed the foregoing document for the purpose(s) stated therein, in the capacity indicated therein: Ravi V. Uppalapati

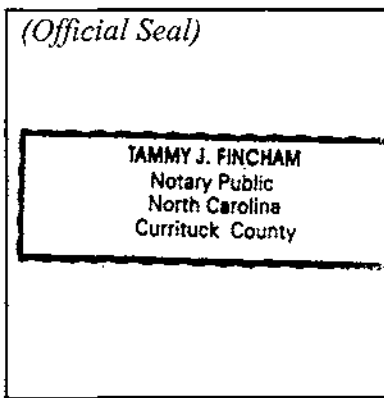
Date July 15, 2013

[Signature]
Signature of Notary Public

TAMMY J. FINCHAM
Notary's printed or typed name

My commission expires: 7-26-2016

UNOFFICIAL Document



Notary seal or stamp must appear within this box.

UNOFFICIAL Document

CONSENT OF LIENHOLDER

TowneBank ("Lender") is the holder of the beneficial interests under that certain deed of trust given by Declarant for the use and benefit of Lender, dated November 15, 2004 and recorded in Book 820, Page 774 on November 15, 2004, as modified by those certain Modifications of Deed of Trust recorded in Book 991 at Page 365, Book 1111 at Page 627, Book 1162 at Page 69, and Book 1164 at Page 100, all in the office of the Register of Deeds of Currituck County, North Carolina. Philip M. Rudisill and Herbert R. Hamlet are the current trustees under said deed of trust pursuant to that certain Substitution of Trustee recorded in Book 1162 at Page 38. Lender and one of the said trustees hereby join in the execution of this document to consent to the terms hereof, and to the imposition of all restrictions, covenants, terms, easements, obligations and other matters set forth in this document on the Property described on Exhibit A, as the same may hereafter be amended, modified, supplemented, or changed.

IN TESTIMONY WHEREOF, the parties have properly executed this document, this the 12th day of July, 2013.

(SIGNATURE PAGES FOLLOW)

TOWNEBANK

(SEAL)

By: _____

Name: Philip M. Rudisill

Title: SEVP / Chief Credit Officer

STATE OF VIRGINIA
CITY OF SUFFOLK

I certify that the following person personally appeared before me this day, acknowledging to me that he or she signed the foregoing document for the purpose(s) stated therein, in the capacity indicated therein: Philip M. Rudisill, SEVP / Chief Credit Officer.

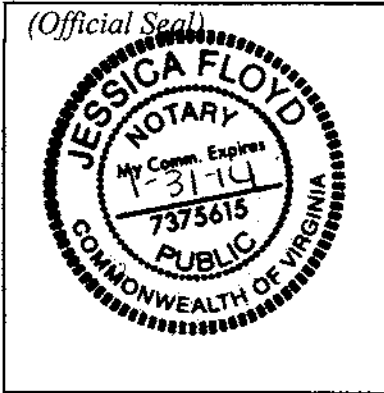
Date: 7/12/13

Jessica Floyd
Signature of Notary Public

Jessica Floyd

Notary's printed or typed name

My commission expires: 1-31-14



Notary seal or stamp must appear within this box.



UNOFFICIAL Document

Philip M. Rudisill (SEAL)

STATE OF VIRGINIA
CITY OF SUFFOLK

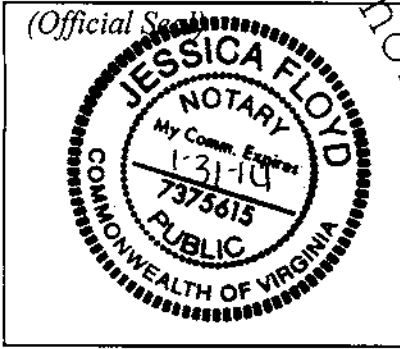
I certify that the following person personally appeared before me this day, acknowledging to me that he signed the foregoing document for the purpose(s) stated therein, in the capacity indicated therein: Philip M. Rudisill.

Date: 7/12/13

Jessica Floyd
Signature of Notary Public

Jessica Floyd
Notary's printed or typed name

My commission expires: 1-31-14



Notary seal or stamp must appear within this box.

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