

Drawn by and mail to:
GWYNN & EDWARDS, PA
5909 Falls of Neuse Rd., Ste. 200
Raleigh, NC 27609

STATE OF NORTH CAROLINA

**SUPPLEMENTAL
DECLARATION OF ANNEXATION
BERKLEE ESTATES SUBDIVISION**

COUNTY OF WAKE

This Declaration of Annexation is made this 23rd day of March, 2017, by **CROSSWIND DEVELOPMENT, INC.**, a corporation organized and existing under the laws of North Carolina, hereinafter referred to as the "Declarant."

W I T N E S S E T H

WHEREAS, Declarant has heretofore recorded that certain Declaration of Covenants, Conditions, Restrictions, Easements, Charges, and Liens for the Berklee Estates Subdivision in Book 16719, Page 1206, recorded in the Wake County Registry, hereinafter referred to as the "Declaration"; and

WHEREAS, pursuant to and in accordance with Article II of the Declaration, Declarant desires to annex additional property and thereby subject such property to the Declaration and to the jurisdiction of the Berklee Estates Homeowners Association, Inc.; and

NOW, THEREFORE, in consideration of the premises, Declarant hereby declares that the property commonly referred to as Future Lot 67 and Open Space Area of Berklee Estates and further identified and described on Exhibit A attached hereto and incorporated herein by reference shall be and hereby is annexed into the property covered by the Declaration and shall be and hereby is made subject to the Declaration and to the jurisdiction of the Berklee Estates Homeowners Association, Inc.

Said Property shall be owned, held, transferred, sold, conveyed, given, donated, devised, inherited, leased, occupied and used subject to the covenants, restrictions, conditions, easements, charges, assessments, affirmative obligations and liens

(hereinafter the "Covenants and Restrictions") contained in the Declaration, which Covenants and Restrictions shall run with the land and be binding on all parties having or acquiring any right, title and interest in the Property or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

IN WITNESS WHEREOF, Declarant has caused this Declaration of Annexation to be executed by its duly authorized officer as of the day and year first above written.

Crosswind Development, Inc.

By: William H. Wynn
Name: William H. Wynn
Title: President

STATE OF NORTH CAROLINA
COUNTY OF Wake :

I, J. Kenneth Edwards, a Notary Public for said County and State, certify that **William H. Wynn** personally came before me this day and acknowledged that he is President of **Crosswind Development, Inc.**, a North Carolina corporation, and that he, as President, being authorized to do so, executed the foregoing on behalf of the corporation.

Witness my hand and notarial seal, this 23rd day of March, 2017.

J. Kenneth Edwards
Notary Public
My Commission Expires: _____



Exhibit A**BERKLEE ESTATES SUBDIVISION**

Future Lot 67 and Open Space Area

BEING all of Tract 2, containing 43,731 square feet or 1.004 acres, as reflected on that map entitled "Recombination Plat, Well Lot & Utility Access Easement Plat for Crosswind Development, Inc.", prepared by Cawthorne, Moss & Panciera, PC, as recorded in Book of Maps 2016, Page 1400, Wake County Registry; and

BEGINNING at an iron stake in the western edge of the old Falls of Neuse-Oxford Road, W. O. Nuckle's corner, and runs thence with said Nuckles line, N. 61° 55' W., 320 ft. to an iron stake and pine pointers; thence N. 20° 5' E., 136 ft. to an iron stake and pine pointers; thence S. 61° 55' E., 320 ft. to an iron stake in the western edge of the old Falls of Neuse-Oxford Road, said stake being Mrs. Estelle L. Davis's corner, now or formerly; thence along the western boundary of the old Falls of Neuse-Oxford Road, S. 20° 5' W., 136 ft. to the beginning, containing one (1) acre, more or less, and being the southeastern portion of Lot # 1, according to the division of the L. L. Lee estate made in November, 1954, as shown on a certain plat dated December 3, 1954, made by J. G. Carroll, Surveyor. See deed dated October 1, 1956, recorded in Book 1253, at page 327. See also deed dated the 12th day of August, 1958, recorded in Book 1328, at page 21, Wake County Registry.

The above referenced properties are also reflected as N/F Crosswind Development, Inc. and located adjoining US Highway 1 on that certain plat recorded in Book of Maps 2017, Page 531, Wake County Registry.