

Type: CONSOLIDATED REAL PROPERTY
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Fee Amt: \$26.00 Page 1 of 5
Iredell County, NC
Ronald N. Wyatt Register of Deeds

BK 2524 PG 773 - 777

PREPARED BY AND RETURN TO:
LAW OFFICES OF ROBERT M. CRITZ, P.A.
PO Box 745, Concord, NC 28026-0745
File No. 26407-C

**SECOND SUPPLEMENTAL DECLARATION
OF
COVENANTS, CONDITIONS AND RESTRICTIONS
OF
ASHLYN CREEK**

THIS SECOND SUPPLEMENTAL DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ("Supplemental Declaration") is made effective the 14th day of November, 2017, by **NIBLOCK DEVELOPMENT CORP.**, a North Carolina Corporation (the "**Declarant**"), acting pursuant to and under the authority of that certain Declaration of Covenants, Conditions and Restrictions, dated July 29, 2008 (the "**Declaration**"), and recorded in Book 1957, Page 1984, Iredell County Registry.

STATEMENT OF PURPOSE

Declarant is entitled, pursuant to Article II, Section 2, of the Declaration to make this Supplemental Declaration for the purpose of bringing certain additional land (as defined in the Declaration) within the scheme of the Declaration. This Declaration has been previously supplemented by that instrument recorded in Book 2340, Page 123, Iredell County Registry.

NOW, THEREFORE, Declarant does hereby supplement the Declaration, as follows:

Submitted electronically by "Law Offices of Robert M. Critz, P.A."
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Iredell County Register of Deeds.

1. Declarant does hereby subject to the Declaration that additional real property being developed as a part of Ashlyn Creek described in that Deed dated March 13, 2017, from US Developments, LLC, to Niblock-Richardson Development, LLC, recorded in Book 2479, Page 287, Iredell County Registry, and being hereby more particularly described as follows:

(OLD DESCRIPTION)

Lying and being in the Town of Mooresville, Coddle Creek Township, Iredell County, North Carolina, on the west side of the right-of-way of Kistler Farm Road (S.R. #1148), adjoining the property of Ashlyn Creek Subdivision (Map Book 54, Page 119), Thomas Bowles, Sr. (PIN No. 4666-61-9298), Allen W. Bentley (Book 1298, Page 2355, and Book 763, Page 368), and being more particularly described as follows:

BEGINNING at an existing 1" iron pipe lying on the western edge of the right-of-way of Kistler Farm Road (S.R. #1148), being the southeastern corner of Bowles, and running thence with the western edge of the right-of-way of Kistler Farm Road, S. 3-19-45 E. 502.73 feet to an existing 3/4" iron pipe, the northeastern corner of Bentley (Book 1298, Page 2355); thence with the line of Bentley (Book 1298, Page 2355), N. 79-47-35 W. 1,365.44 feet to an existing 1/2" iron rebar, the southeastern corner of Bentley (Book 763, Page 368); thence two (2) courses and distances with the line of Bentley (Book 763, Page 368), as follows: (1) N. 10-12-25 E. 242.11 feet to an existing 3/4" iron pipe; and thence (2) N. 10-11-38 E. 354.46 feet to an existing 1" iron rebar, the northeastern corner of Bentley (Book 763, Page 368) in the southern line of Lot No. 10 of Ashlyn Creek Subdivision (Map Book 54, Page 113); thence with the southern line of Lots Nos. 10, 9, 8, 7, 6, 5, 4, and Common Area of Ashlyn Creek Subdivision (Map Book 54, Page 113) and Bowles, S. 74-51-18 E. (passing existing 1/2" iron rods online at 35.874 feet, 115.82 feet, 484.38 feet, and 713.17 feet) 1,252.50 feet to the point of BEGINNING, containing 16.205 acres, more or less, as shown on that survey by Russell L. Whitehurst, PLS, of Eagle Engineering, Inc., dated September 5, 2012, and signed and sealed on October 21, 2013.

The hereinabove described property is hereinafter referred to as the "Submitted Property".

2. The Submitted Property, also being shown on that Final Plat prepared by Eagle Engineering entitled "**BROOKSIDE SUBDIVISION**" which is to be recorded in the Iredell County Registry, is hereby brought within the scheme of the Declaration, and the jurisdiction of the Association, and shall hereafter be subject to the benefits, agreements, restrictions and obligations set forth in the Declaration.

3. Except as expressly supplemented hereby, the Declaration shall remain in full force and effect.

4. Niblock-Richardson Development, LLC, a North Carolina limited liability company, joins in the execution of this Declaration for the purpose of consenting hereto and submitting to the provisions, regulations, and general content hereof.

IN WITNESS WHEREOF, the undersigned has caused this instrument to be signed in its corporate name by its duly authorized officer and its seal to be hereunto affixed by authority of the Board of Directors, effective the day and year first above written.

DECLARANT:

NIBLOCK DEVELOPMENT CORP.

By: 
William T. Niblock, President

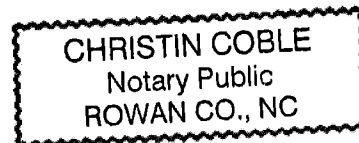
**NORTH CAROLINA
CABARRUS COUNTY**

I, Christin Coble, a Notary Public in and for Rowan County, State of North Carolina do hereby certify that William T. Niblock, President, personally appeared before me this day and acknowledged that he is President of Niblock Development Corp., a corporation, and that he as President, being authorized to do so, executed the foregoing on behalf of said corporation.

Witness my hand and notarial seal, this the 14th day of November, 2017.


Notary Public

My Commission Expires: 02/17/2018



**CONSENT OF NIBLOCK-RICHARDSON DEVELOPMENT, LLC
TO RESTRICTIVE COVENANTS**

Niblock-Richardson Development, LLC, as the owner of that property described in Deed dated March 13, 2017, Book 2479, Page 287, Iredell County Registry, joins in the execution of this Second Supplemental Declaration of Covenants, Conditions and Restrictions of Ashlyn Creek for the purpose of consenting hereto and submitting to the provisions, regulations, and general content hereof.

NIBLOCK-RICHARDSON DEVELOPMENT, LLC,
a North Carolina limited liability company

By: Niblock Investment Partners, LLC,
a North Carolina limited liability company
Manager

By: Niblock Homes, LLC,
a North Carolina limited liability company
Manager

By: 
William T. Niblock, Authorized Signer

**NORTH CAROLINA
CABARRUS COUNTY**

I, Christin Coble, a Notary Public in and for said State and County of Rowan, do hereby certify that William T. Niblock, authorized signer for Niblock Homes, LLC, a North Carolina limited liability company, Manager of Niblock Investment Partners, LLC, a North Carolina limited liability company, the Manager of Niblock-Richardson Development, LLC, a North Carolina limited liability company, personally appeared before me this day, and being by me duly sworn, says that he executed the foregoing and annexed instrument for and on behalf of Niblock Homes, LLC, Manager of Niblock Investment Partners, LLC, the Manager of Niblock-Richardson Development, LLC, and that his authority to execute and acknowledge said instrument is contained in that CONSENT OF MANAGER OF NIBLOCK HOMES, LLC, TO ACTION WITHOUT MEETING, which is an instrument duly executed and acknowledged, and recorded in Book 12240, Page 26, in the Office of the Register of Deeds for Cabarrus County, North Carolina, and that this instrument was executed under and by virtue of the authority given by said instrument; that the said William T. Niblock acknowledged the due execution of the foregoing and annexed instrument for the purpose therein expressed for and on behalf of Niblock Homes, LLC, Manager of Niblock Investment Partners, LLC, the Manager of Niblock-Richardson Development, LLC.

Witness my hand and notarial seal, this the 14th day of November, 2017.

Christin Coble
Notary Public

My Commission Expires: 02/17/2018

