

STATE OF NORTH CAROLINA)
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 COUNTY OF IREDELL)
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AGREEMENT TO BE BOUND BY
 DECLARATION OF COVENANTS,
 CONDITIONS AND RESTRICTIONS
 FOR CURTIS POND, INC.

This Agreement to Be Bound by Declaration of Covenants, Conditions and Restrictions for Curtis Pond, INC. (“Agreement”) is entered into by _____ (“Owner(s)”) and with the consent of Curtis Pond Owners Association, Inc., (“Association”) a North Carolina Non-Profit Corporation, as more fully set forth below.

RECITALS

WHEREAS, Curtis Pond, INC. caused to be recorded a Declaration of Covenants, Conditions and Restrictions for Curtis Pond, INC. (“Declaration”) in the Iredell County Office of the Register of Deeds (“Registry”) in Book 1172 at Page 1162;

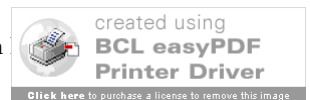
WHEREAS, Curtis Pond, INC. also caused to be recorded the following documents (the “Supplemental Declarations”):

- (a) First Supplemental Declaration of Covenants, Conditions and Restrictions for Curtis Pond Subdivision recorded in the Registry in Book 1194 at Page 1259;
- (b) Second Supplemental Declaration of Covenants, Conditions and Restrictions for Curtis Pond Subdivision recorded in the Registry in Book 1219 at Page 985;
- (c) Third Supplemental Declaration of Covenants, Conditions and Restrictions for Curtis Pond Subdivision recorded in the Registry in Book 1237 at Page 870; and
- (d) Fourth Supplemental Declaration of Covenants, Conditions and Restrictions for Curtis Pond Subdivision recorded in the Registry in Book 1315 at Page 102.

WHEREAS, by apparent drafting error of Curtis Pond, INC., the Declaration’s terms appear to only cover that portion of the Curtis Pond subdivision comprising Phase 1;

Owner(s) Initials: _____

Association _____



WHEREAS, _____ is/are currently the record title holder(s) to Lot _____ located in Phase _____ of Curtis Pond;

WHEREAS, pursuant to Article III, Section 12 of the Articles, the Association has the power to “annex additional residential property and Common Area which is not provided for in the Declaration, provided that any such...additional annexation shall have the assent of two-thirds (2/3) of each class of members;” and

WHEREAS, the Association voted to annex all of Phases 2, 3 and 4 within the scheme of the Declaration and authorized to Director or officer signing herein to execute this document for the purpose of annexing the Owner(s)’ Lot within the scheme of the Declaration as such Lot is within one of the foregoing Phases.

NOW, THEREFORE, pursuant to the foregoing, the parties hereto hereby agree as follows:

1. The foregoing Recitals are incorporated by reference.
2. The property described in the attached Exhibit A, is and shall be held, transferred, sold, conveyed, and occupied subject to the covenants, restrictions, easements, charges, and liens set forth in the Declaration of Covenants, Conditions and Restrictions for Curtis Pond, INC. (“Declaration”) in the Iredell County Office of the Register of Deeds (“Registry”) in Book 1172 at Page 1162, any valid amendments or supplements thereto, and the valid Supplemental Declarations referenced above, and the provisions of the foregoing documents shall run with the real property described in the attached Exhibit A and be binding on all parties owning any right, title or interest in said real property or any part thereof, their heirs, successors, devisees and assigns, and shall inure to the benefit of each owner thereof.
3. Owner recognizes and agrees that one of the results of agreeing to be bound by the Declaration is that Owner is and shall be a member of the Association with all of the rights and obligations of membership in the Association. Owner also agrees to be bound by all Governing Documents.
4. The Association consents to the annexation of the property described in the attached Exhibit A.

[SIGNATURE PAGE TO FOLLOW]

EXHIBIT A

BEING ALL of Lot ____ of Curtis Pond Subdivision, Phase ____, as same is shown on Plat recorded in Map Book ____ at Page ____ of the Iredell County Registry.

Please mail to:
Curtis Pond Owners Association Annexation Request
William Douglas Management Company
4523 Park Rd Suite 201A
Charlotte, NC 28209