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STATE OF NORTH CAROLINA

PRESENTED FOR FIRST SUPPLEMENTARY DECLARATION OF
REGISTRATION COVENANTS, CONDITIONS AND RESTRICTIONS

COUNTY OF MECKLENBURG

90 FEB 14 AM 10:53

THIS SUPPLEMENTAL DECLARATION made on this 14 day of February, 1990 by RICE DEVELOPMENT CORPORATION and AYRSHIRE CORPORATION (hereinafter referred to as "Declarant") and DON GALLOWAY HOMES, INC.

W I T N E S S E T H:

WHEREAS, RICE DEVELOPMENT CORPORATION and DON GALLOWAY HOMES, INC. are the owners of that property shown on maps of ROUGEMONT, Section 2 and ROUGEMONT, Section 3, which maps are recorded in Map Book 23 at Page 530 and Map Book 23 at Page 529, respectively, of the Mecklenburg County Public Registry; and

WHEREAS, Declarant has heretofore imposed Covenants, Conditions and Restrictions upon ROUGEMONT, SECTION 1, which map appears of record in Map Book 23 at Page 872 of the Mecklenburg County Public Registry; and

WHEREAS, the aforesaid Declaration of Covenants Conditions and Restrictions is recorded in Book 5972 at Page 580 of the Mecklenburg County Public Registry and provides therein Article II, Section 2, that "... additional land within the area described in the metes and bounds description ... as SCHEDULE A ... may be annexed to the existing property by Declarant ..."; and

WHEREAS, Declarant desires to incorporate the aforesaid ROUGEMONT, Section 2 and ROUGEMONT, Section 3, as same is shown on maps thereof recorded in Map Book 23 at Page 530 and Map Book 23 at Page 529, respectively, of the Mecklenburg County Public Registry within the properties subject to the aforesaid Declaration of Covenants, Conditions and Restrictions, and to impose certain other restriction as to the size of structures placed thereon.

NOW, THEREFORE, pursuant to the provisions of the aforesaid Declaration of Covenants, Conditions and Restrictions, Declarant does hereby annex ROUGEMONT, Section 2 and ROUGEMONT, Section 3 as shown on the aforesaid map to the properties which are subject to the Declaration of Covenants, Conditions and Restrictions recorded in Book 5972 at Page 580 of the Mecklenburg County Public Registry, to the end that ROUGEMONT, Section 2 and ROUGEMONT, Section 3, as aforesaid, shall be within the scheme of said Declaration, and to the further end, that all present and future owners of all Lots shown on maps recorded in Map Book 23 at Page 530 and Map Book 23 at Page 529, respectively, of the Mecklenburg County Public Registry shall be subject to the terms and conditions of the aforesaid Declaration, and shall have the rights and privileges therein set out; subject, however, to the following, which shall replace Article IV, Section 3 thereof insofar as its pertains to ROUGEMONT, Section 2 and ROUGEMONT, Section 3:

Size of Structures. No residential structure shall be erected or placed having a finished floor area of less than 1800 square feet.

Unintentional violations not exceeding two percent (2%) of the minimum square foot requirements herein set forth shall not be considered a violation of this Section.

IN WITNESS WHEREOF, the undersigned Declarant and DON GALLOWAY HOMES, INC. have caused this instrument to be executed in their corporate names, and their corporate seals affixed hereto by authority of their Boards of Directors, the day and year first above written.

12:30 #8175 000

02/14/90

RICE DEVELOPMENT CORPORATION

By: [Signature] President

Asst. Secretary

(CORPORATE SEAL)

DRAWN BY AND MAILED TO
PARHAM, HELMS & KELLAM
1329 EAST MOREHEAD
CHARLOTTE, NC 28204
CA

(wht31/doc-rougel)

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