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WAKE COUNTY, NC 297  
LAURA M RIDDICK  
REGISTER OF DEEDS  
PRESENTED & RECORDED ON  
06/16/2011 AT 16:07:22

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Drawn by and RETURN TO: Brian S. Edlin  
JORDAN PRICE WALL GRAY JONES & CARLTON, PLLC  
PO BOX 10669  
Raleigh NC 27605  
STATE OF NORTH CAROLINA

**LIMITED ASSIGNMENT OF  
DECLARANT RIGHTS**

COUNTY OF WAKE

This Limited Assignment of Declarant Rights ("Assignment") is made and entered into by and between **DUNCAN'S RIDGE PARTNERS, LLC** a North Carolina limited liability company ("Declarant"), and the **DUNCAN'S RIDGE ASSOCIATION, INC.**, a North Carolina nonprofit corporation (hereinafter the "Association");

**WITNESSETH**

WHEREAS, Declarant is the developer of the planned community located in the Wake County, North Carolina, known as Duncan's Ridge; and

WHEREAS, the Declarant recorded the Declaration of Covenants and Conditions for Duncan's Ridge at book 11028, page 2608 of the Wake County Registry ("Declaration"); and

WHEREAS, Article VII requires any improvement on a Lot to be pre-approved by the Declarant, or the Architectural Review Board, if such review responsibility has been delegated to the Association by the Declarant; and

WHEREAS, the Declarant desires to delegate a portion of its architectural control rights and assign (to be exercised by either the Association or the Declarant) the right to enforce the Declaration with respect to the architectural control rights under the

Declaration to the Association, except those rights of architectural review for new home construction under Article VII of the Declaration;

NOW, THEREFORE, in consideration of the premises, Declarant, as Assignor, does hereby assign and set over to the Association, as Assignee, all of Assignor's rights of architectural control as set forth in Article VII of the Declaration over any improvements or alterations to any Lot which shall be proposed or made after the issuance of an initial certificate of occupancy for a dwelling situated on a Lot within Duncan's Ridge. The Declarant will retain control over new construction; however, the Declarant agrees to allow the Board for the Association to review plans for new construction and the Declarant will solicit and consider input and recommendations from the Association's Board of Directors as to new construction towards the goal of ensuring new construction is consistent with the plan and scheme of the development and harmonious with existing homes and plans.


Declarant, as Assignor, further assigns to the Association the right to enforce the Declaration with respect to the architectural control rights delegated herein under the Declaration, said enforcement to be exercised by either the Association or the Declarant.

Except as provided for herein, Declarant shall retain all review and approval authority for all new construction of residential dwellings within Duncan's Ridge, up to the point of the issuance of a certificate of occupancy being issued for such dwelling, at which time architectural control for such property shall immediately vest with the Architectural Review Board appointed by the Board of Directors of the Association.

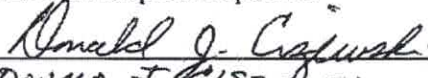
By signing below, Assignee accepts such limited assignment and the obligations thereof.

IN WITNESS WHEREOF, Declarant and the Association has each caused this Limited Assignment of Declarant Rights to be signed in its corporate name by its duly authorized officer, as of the date set forth in the notary acknowledgment below.

**DUNCAN'S RIDGE PARTNERS, LLC**  
A North Carolina limited liability company

By:   
Thomas A. Beebe  
Manager

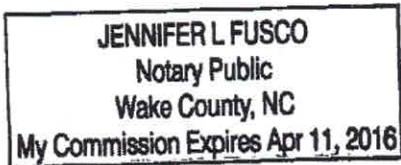
**DUNCAN'S RIDGE ASSOCIATION, INC.**  
A North Carolina nonprofit corporation

By:   
Dawalo J. Kiszewski  
President

STATE OF NORTH CAROLINA -- COUNTY OF WAKE

I, Jennifer L Fusco a Notary Public for the County and State aforesaid, certify that Thomas A. Berke, personally appeared before me this day and acknowledged that he is  President of **Duncan's Ridge Partners, LLC**, a North Carolina limited liability company, and that he as the Manager being authorized to do so, executed the foregoing on behalf of the corporation.

WITNESS my hand and official seal, this the 20<sup>th</sup> day of May, 2011.



Jennifer L Fusco  
Notary Public  
My commission expires: April 11, 2016

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STATE OF NORTH CAROLINA -- COUNTY OF WAKE

I, DAVE CASSADY a Notary Public for the County and State aforesaid, certify that Donald J. Ciszewski, personally appeared before me this day and acknowledged that he is President of **Duncan's Ridge Association, Inc.**, a North Carolina nonprofit corporation, and that he as President being authorized to do so, executed the foregoing on behalf of the corporation.

WITNESS my hand and official seal, this the 25<sup>th</sup> day of May, 2011.



Dave Cassady  
Notary Public  
My commission expires: Oct 16 2012



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**Yellow probate sheet is a vital part of your recorded document.  
Please retain with original document and submit for rerecording.**



**Wake County Register of Deeds  
Laura M. Riddick  
Register of Deeds**

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