2021007126
AVERY COUNTY NC FEE $26.00
PRESENTED & RECORDED
11/12/2021 08:07:48 AM

RENEE DELLINGER
REGISTER OF DEEDS
BY: CHERYL GARLAND
DEPUTY

BK: RE 569
PG: 210 - 211

NORTH CAROLINA
AVERY COUNTY

SUPPLEMENTARY DECLARATION
EAGLES NEST DEVELOPMENT

THIS SUPPLEMENTARY DECLARATION is made on the 10th day of November 2021, by Eagles Nest Holdings, LLC, a North Carolina limited liability company, hereinafter referred to as "ENH" or "Declarant".

WHEREAS, the Declaration of Covenants Reservations and Restrictions for Eagles Nest Development was originally recorded in Deed Book 474 at page 2179 of the Avery County Registry, and as the same has since been amended, restated and supplemented by instruments recorded in the Avery County Registry, (hereinafter referred collectively as the "Declaration") and;

WHEREAS, Declarant Rights were assigned to ENH by instrument dated September 28, 2017 and recorded in Deed Book 512 at Page 2159 of the Avery County Registry.

WHEREAS, under the authority mentioned in the aforementioned Declaration, Declarant assigned to ENH the Special Developer Rights set forth in the Declaration with respect to the ENH Property, including the right to develop the ENH Property as part of the Lodges at Eagles Nest, to unilaterally file a Supplementary Declaration creating one or more new sections within Eagles Nest, and imposing on the lots in such section or sections discrete restrictive covenants

NOW THEREFORE, ENH, under authority granted from the Declarant, hereby Supplements the Declaration above referenced as follows:

1. The property shown on Plat recorded in Plat Book 45 at Page 332-333; Avery County Registry, also recorded in Deed Book 549 at Page 1926 and being known as Parcel ID 193000677192, and having been included within the Lodges at Eagles Nest Subdivision, is hereby constituted as Lots RS-1 through RS-9 of the Red Sky Section of the Lodges at Eagles Nest. The Red Sky Section and each of the lots therein shall hereafter be held, developed and conveyed subject to the Declaration, the same being incorporated herein by reference and the owners of such lots when conveyed from ENH, shall be entitled to all of the privileges and obligations attendant upon membership in the Lodges at Eagles Nest Property Owners Association to the same degree and in the same manner as if such lots had been part of the original sections of the development.

Submitted electronically by "Waterfront Group PLC, LLC"
in compliance with North Carolina statutes governing recordable documents
and the terms of the submitter agreement with the Avery County Register of Deeds.

2. All of the restrictions contained within the Declaration shall apply to the Red Sky Section Lots in the same manner as apply to the Eagles Nest North Section, except that lots within the Red Sky Section shall contain a minimum of 3500 square feet of heated living space.

3. Red Sky lots shall be pay annual assessments in the amount of $6,000.00 per lot per year. Each lot shall be charged the same assessment regardless of whether the lot is developed or undeveloped. All other terms of assessments and payments will be in accordance as those terms recorded in the Declaration of Covenants Reservations and Restrictions for Eagles Nest Development recorded in Deed Book 474 at page 2179 of the Avery County Registry, and as the same has since been amended, restated and supplemented by instruments recorded in the Avery County Registry.

Eagles Nest Holdings, LLC

By: _____

William N. Adkins, Manager

STATE OF NORTH CAROLINA
COUNTY OF MECKLENBURG

I, Constance M. Nantz, certify that the following person personally appeared before me this day, acknowledging to me that he signed the foregoing document for the purpose(s) stated therein, in the capacities indicated therein: William N. Adkins

Date: November 11, 2021

CONSTANCE M. NANTZ NOTARY PUBLIC My Commission Expires February 13, 2024 LINCOLN COUNTY, NC

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Constance M. Nantz – Notary

My commission expires: 2/13/24