

STATE OF SOUTH CAROLINA )  
COUNTY OF LEXINGTON )

**DECLARATION OF ANNEXATION (QUAIL CREEK SUBDIVISION)**

THIS DECLARATION OF ANNEXATION (this "Supplemental Declaration") is made this 30th day of August, 2017, by The Villas at Quail Creek Community Association, Inc., a South Carolina non-profit corporation (the "Association"). All terms not otherwise defined herein shall have the meanings set forth in the Declaration (as hereinafter defined).

## RECITALS

WHEREAS, D.R. HORTON, INC. was the "Declarant" under that certain Declaration of Covenants, Conditions, and Restrictions for The Villas at Quail Creek (the "Declaration"), dated August 6, 2015, and recorded in the Office of the Register of Deeds for Lexington County, South Carolina in Book 17835 at Page 242; and

WHEREAS, pursuant to Section 3.3 of the Declaration, Declarant's Class B membership has terminated because all of the Lots in the Community have been conveyed to other Owners; and

WHEREAS, pursuant to the definitions section of the Declaration, the "Declarant Control Period" has ended because the Declarant ceases to own any real property located in the property as described in Exhibit A and Exhibit B of the Declaration; and

WHEREAS, Section 17.3 of the Declaration provide that the Declaration may be amended by a written instrument executed by the Association and authorized by the affirmative vote of at least sixty-seven percent (67%) of all Lot owners (Exhibit "A"), which is equivalent to nine (9) of the current twelve (12) lots existing in The Villas at Quail Creek, Phase 9A; and

WHEREAS, the Association desires, along with the approval of sixty-seven percent (67%) to annex the property described on Exhibit "B" attached hereto ("Private Detention Pond (0.86 Ac), Phase 9B, and 9C") to the Declaration and to the covenants, conditions and restrictions set forth therein and to place Private Detention Pond (0.86 Ac), Phase 9B, and 9C within the jurisdiction of the Association.

NOW, THEREFORE, the Association hereby annexes Private Detention Pond (0.86 Ac), Phase 9B, and 9C to the Declaration and to the covenants, conditions and restrictions set forth therein and places the Private Detention Pond (0.86 Ac), Phase 9B, and 9C within the jurisdiction of the Association.

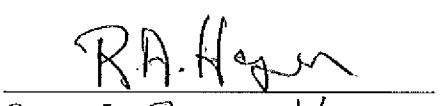
My Commission Expires: 6/11/2027  
Exhibit A

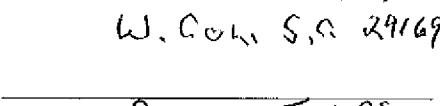
WHEREAS, Section 17.3 of the Declaration provides that the Declaration may be amended by a written instrument executed by the Association and authorized by the affirmative vote of at least sixty-seven percent (67%) of all Lot owners (Exhibit "A"), which is equivalent to nine (9) of the current twelve (12) lots existing in The Villas at Quail Creek, Phase 9A; and

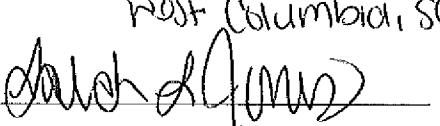
NOW, THEREFORE, each owner signing below consents to and agrees that the Association will annex the property known as Private Detention Pond (0.86 Ac), Phase 9B, and 9C to the Declaration and to the covenants, conditions and restrictions set forth therein and places the Private Detention Pond (0.86 Ac), Phase 9B, and 9C into the Subdivision the Villas at Quail Creek.

  
Owner 1: Shance & Preston Clinkscales  
Date: Aug 20, 2017  
Address: 2035 Chipmunk Lane  
W. Columbia, SC 29169

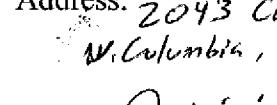
  
Owner 3: Carlos A. Goto  
Date: Aug. 20, 2017  
Address: 2038 Chipmunk Ln  
W. Columbia, SC 29169

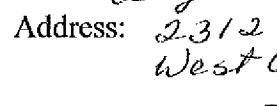
  
Owner 5: Rick Hagen  
Date: Aug 20, 2017  
Address: 2315 CHIPMUNK CT  
W. Coli, SC 29169

  
Owner 7: Sarah Jones  
Date: August 20, 2017  
Address: 2041 Chipmunk Ln  
West Columbia, SC 29169

  
Owner 2: Michael K. Smith  
Date: Aug 20, 2017  
Address: 2053 Chipmunk Lane

  
Owner 4: Greg Jones  
Date: Aug 20, 2017  
Address: 2043 Chipmunk Ln  
W. Columbia, SC 29169

  
Owner 6: Patricia Chandler  
Date: Aug. 20, 2017  
Address: 2312 Chipmunk Ct.  
West Columbia, SC 29169

  
Owner 8: Robin S. Richburg  
Date: 8/20/17  
Address: 2039 Chipmunk Lane  
West Columbia, SC 29169

Owner 9: Mary Patricia Sheldon

Date: 8/20/17

Address: 2311 Chipmunk Court  
W. Columbia, SC 29164



Exhibit B

All that certain piece, parcel, or lot of land with the improvements thereon, situate, lying and being in the County of Lexington, State of South Carolina, being shown and delineated as "Private Detention Pond 0.86 Ac" on a Final Plat of Quail Creek Subdivision - Phase 9A prepared by Construction Support Services dated July 26, 2016, and recorded in Oversized Plat Book 19124 at Page 110. Reference being made to said latter plat for a more complete and accurate description thereof. All measurements being a little more or less.

Also

All those certain pieces, parcels or lots of land with the improvements thereon, situate, lying and being in the County of Lexington, State of South Carolina, being shown and delineated as Lots 13, 14, 15, 16 & 17 on a Final Plat of Quail Creek Subdivision - Phase 9B prepared by Construction Support Services dated February 3, 2017, and recorded in Oversized Plat Book 19124 at Page 111. Reference being made to said latter plat for a more complete and accurate description thereof. All measurements being a little more or less.

Also

All those certain pieces, parcels or lots of land with the improvements thereon, situate, lying and being in the County of Lexington, State of South Carolina, being shown and delineated as Lots 18, 19, 20, 21, 22, 23, 24 & 25 on a Final Plat of Quail Creek Subdivision - Phase 9C prepared by Construction Support Services dated May 22, 2017, and recorded in Oversized Plat Book 19299 at Page 99. Reference being made to said latter plat for a more complete and accurate description thereof. All measurements being a little more or less.

### ADDITIONAL PROVISIONS

1. Every Owner of a Lot in Phase 9B and Phase 9C shall be an Owner and a Class A Member of the Association and shall be entitled to one (1) vote for each Lot.
2. Every Owner in Phase 9B and Phase 9C shall be subject to Assessments as provided in the Declaration.
3. This Supplemental Declaration shall be governed by and construed in accordance with the laws of the State of South Carolina (without regard to its conflict of law rules).

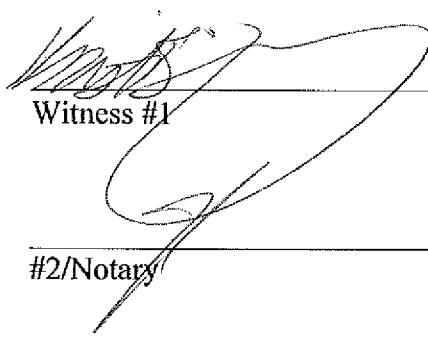
IN WITNESS WHEREOF, the Association has caused this Supplemental Declaration to be executed on the day and year first above written.

FURTHER RESOLVED, that all actions taken by the Association and its directors with regard to the subject matter of the foregoing resolutions prior to the date hereof shall be and hereby are approved, adopted, ratified and affirmed.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal.

Date: 30 day of August, 2017 Signed, Sealed and

Delivered in the Presence of:

  
\_\_\_\_\_  
Witness #1  
\_\_\_\_\_  
#2/Notary

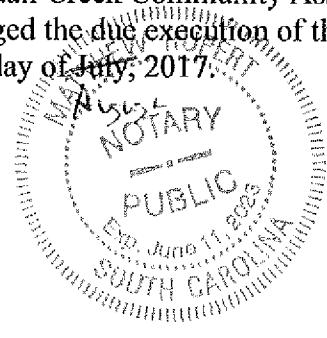
  
\_\_\_\_\_  
Allen R. Wenner  
for Villas at Quail Creek Community (L.S.) Assoc.  
The Villas at Quail Creek Community  
Association, Inc.

Witness By: Allen R. Wenner, President

STATE OF SOUTH CAROLINA  
COUNTY OF Lexington  
ACKNOWLEDGMENT

S.C. §30-5-30  
(EFFECTIVE JANUARY 1, 1995)

I, a Notary Public for South Carolina, do hereby certify that Allen R. Wenner as President of The Villas at Quail Creek Community Association, Inc. personally appeared before me this day and acknowledged the due execution of the foregoing instrument. Witness my hand and seal this  
30 day of July, 2017.



\_\_\_\_\_  
Notary Public

(L.S.)

