

FOR REGISTRATION  
J. David Granberry  
REGISTER OF DEEDS  
Mecklenburg County, NC  
2013 OCT 29 03:33:18 PM  
BK:28797 PG:91-112  
FEE:\$54.00  
INSTRUMENT # 2013168806

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**FIRST SUPPLEMENT TO  
DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR SHOPTON RIDGE**

Charlotte, Mecklenburg County  
North Carolina

October 16, 2013

Prepared by and when recorded, return to  
Shannon O'Donnell, Esq.  
American Asset Corporation  
3700 Arco Corporate Drive, Suite 350  
Charlotte, NC 28273



**FIRST SUPPLEMENT TO  
DECLARATION OF  
COVENANTS, CONDITIONS AND RESTRICTIONS  
FOR SHOPTON RIDGE**

Charlotte, Mecklenburg County  
North Carolina

October 16, 2013

Prepared by and when recorded, return to  
Shannon O'Donnell, Esq.  
American Asset Corporation  
3700 Arco Corporate Drive, Suite 350  
Charlotte, NC 28273

**FIRST SUPPLEMENT TO  
DECLARATION OF COVENANTS,  
CONDITIONS AND RESTRICTIONS  
FOR SHOPTON RIDGE**

**THIS FIRST SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR SHOPTON RIDGE** (the "Supplement") is made this 16 day of October, 2013, by **SHOPTON RIDGE BUSINESS PARK LIMITED PARTNERSHIP**, a North Carolina limited partnership ("Declarant"), **SHOPTON DEVELOPMENT, LLC**, a Delaware limited liability company, **LIBERTY SHOPTON A, LLC**, a Delaware limited liability company, **LIBERTY SHOPTON B, LLC**, a Delaware limited liability company, **LIBERTY PROPERTY LIMITED PARTNERSHIP**, a Pennsylvania limited partnership, **SHOPTON RIDGE 18A, LLC**, a Delaware limited liability company, **SHOPTON RIDGE 18D, LLC**, a Delaware limited liability company, **SHOPTON RIDGE 18C, LLC**, a Delaware limited liability company and **SHOPTON RIDGE OWNERS ASSOCIATION, INC.**, a North Carolina non-profit organization.

**WITNESSETH:**

The parties hereto are members of the Association pursuant to that certain Declaration of Covenants, Conditions and Restrictions for Shopton Ridge recorded in Book 17559 at page 851 of the Mecklenburg Public Registry (as may be amended and supplemented from time to time, the "Declaration"). Terms spelled with initial capital letters in this Supplement shall have the meanings given in the Declaration unless otherwise defined herein.

Article II, Section 2 of the Declaration provides that additional land adjacent to the Existing Property and within one-half mile of the boundary of the Existing Property may be brought within the scheme of the Declaration and the jurisdiction of the Association, with the consent of a majority of the Total Votes and a majority of the Institutional Lenders.

The parties hereto represent a majority of the Total Votes, as defined in Section 3 of Article III of the Declaration), and have agreed to bring that certain tract or parcel of real property described on Exhibit A attached hereto and incorporated herein by this reference (the "Additional Land") within the scheme of the Declaration and the jurisdiction of the Association.

Declarant is the owner of fee simple title to the Additional Land, and joins in this Supplement for the purposes of subjecting the Additional Land to the Declaration and the jurisdiction of the Association.

The Association is the property owners association under the Declaration, and joins in this Supplement for the sole purposes of acknowledging that this Supplement brings the Additional Land within the scheme of the Declaration and the jurisdiction of the Association.

**NOW THEREFORE**, pursuant to the terms of the Declaration, the parties hereto do hereby supplement the Declaration as follows:

1. Additional Land. In accordance with Article II of the Declaration, the parties hereto declare that the Additional Land shall hereafter be held, used, transferred, sold and conveyed subject to the protective covenants, conditions and restrictions and all other terms and provisions set forth in the Declaration (as

amended and supplemented from time to time); and, whenever referred to therein, the terms "Properties" and "Lot" shall include the Additional Land and "Owner" shall include the fee simple owner of any portion of the Additional Land.

2. Successors and Assigns. This Supplement shall be binding upon, and inure to the benefit of the parties hereto and their respective successors and permitted assigns.

3 Governing Law. This Supplement shall be governed by and construed in accordance with the laws and judicial decisions of the State of North Carolina without reference to choice of law principles.

4. Counterparts. This Supplement may be executed in two or more counterparts, each of which will be deemed an original, but all of which together constitute one and the same document. To facilitate execution of this Supplement, the parties may execute and exchange counterparts of the signature pages to this Supplement by facsimile or other electronic form of communication.

**(Remainder of Page Left Intentionally Blank. Signatures on Next Page.)**

IN WITNESS WHEREOF, the Owners have caused this Declaration to be executed effective as of the day and year first above written and the Association has joined in the execution of and consented to this Declaration for the purposes hereinabove set forth.

**SHOPTON RIDGE BUSINESS PARK  
LIMITED PARTNERSHIP**, a North Carolina  
limited partnership

By: Shopton Ridge Business Park GP, LLC,  
its general partner

By:   
Paul L. Herndon, Vice President

STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

I certify that the following person(s) personally appeared before me this day, and  
*(check one of the following)*

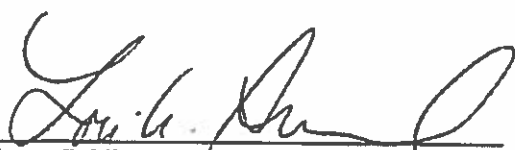
XXX I have personal knowledge of the identity of the principal(s); or  
\_\_\_\_\_ I have seen satisfactory evidence of the principal's identity, by a current state or federal  
identification with the principal's photograph in the form of: *(check one of*  
*the following)*  
\_\_\_\_\_ a driver's license, or  
\_\_\_\_\_ in the form of \_\_\_\_\_; or  
\_\_\_\_\_ a credible witness (i) personally known to me, (iii) unaffected by this instrument and the  
transaction to which it relates and (iii) who personally knows such principal(s), has sworn  
to the identity of the principal(s);

Each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose  
stated therein and in the capacity indicated:

Vice President of the general partner of Shopton Ridge Business Park Limited  
Partnership

Paul L. Herndon  
[Name(s) of principal(s)]

Date: July 18, 2013

  
Notary Public  
Printed Name Lori A. Sumarel

(Official Seal) **LORI A. SUMEREL**  
NOTARY PUBLIC  
Mecklenburg County, North Carolina  
My Commission Expires May 12, 2015

My commission expires: May 11, 2015

SHOPTON DEVELOPMENT, LLC,  
a Delaware limited liability company

By: [Signature]  
Name: David T. Allen  
Title: Authorized Member

STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

I certify that the following person(s) personally appeared before me this day, and  
(check one of the following)

\_\_\_\_\_  
\_\_\_\_\_

I have personal knowledge of the identity of the principal(s); or  
I have seen satisfactory evidence of the principal's identity, by a current state or federal  
identification with the principal's photograph in the form of: (check one of  
the following)

\_\_\_\_\_ a driver's license, or  
\_\_\_\_\_ in the form of \_\_\_\_\_; or

\_\_\_\_\_ a credible witness (i) personally known to me, (ii) unaffected by this instrument and the  
transaction to which it relates and (iii) who personally knows such principal(s), has sworn  
to the identity of the principal(s);

Each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose  
stated therein and in the capacity indicated:

Authorized member  
\_\_\_\_\_ President of Shopton Development, LLC

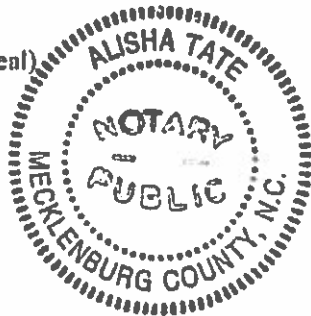
David T. Allen  
[Name(s) of principal(s)]

Date: Oct 11, 2013

Alisha Tate  
Notary Public  
Printed Name Alisha Tate

My commission expires: 6-23-18

(Official Seal)



**LIBERTY SHOPTON A, LLC**, a Delaware limited liability company

By: Liberty Property Limited Partnership, sole member

By: Liberty Property Trust, sole general partner

By:   
Michael T. Hagan  
Chief Investment Officer

STATE OF Pennsylvania  
COUNTY OF Chester

I certify that the following person(s) personally appeared before me this day, and  
*(check one of the following)*

\_\_\_\_\_

I have personal knowledge of the identity of the principal(s); or  
I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of: *(check one of the following)*

\_\_\_\_\_ a driver's license, or  
\_\_\_\_\_ in the form of \_\_\_\_\_; or

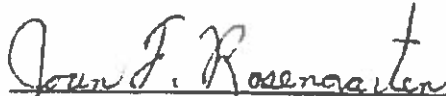
\_\_\_\_\_ a credible witness (i) personally known to me, (ii) unaffected by this instrument and the transaction to which it relates and (iii) who personally knows such principal(s), has sworn to the identity of the principal(s);

Each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Chief Investment Officer at Liberty Property Trust, the sole gp of Liberty Property Limited Partnership, the sole member of Liberty Shopton A, LLC  
[title]

Michael T. Hagan  
[Name(s) of principal(s)]

Date: May 10, 2013

  
Notary Public  
Printed Name JOAN F. ROSENGARTEN

(Official Seal)

My commission expires: \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Joan F. Rosengarten, Notary Public  
Tredyffrin Twp., Chester County  
My Commission Expires May 17, 2016  
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

**LIBERTY SHOPTON B, LLC**, a Delaware limited liability company

By: Liberty Property Limited Partnership, sole member

By: Liberty Property Trust, sole general partner

By: [Signature]  
Michael T. Hagan  
Chief Investment Officer

STATE OF Pennsylvania  
COUNTY OF Chester

I certify that the following person(s) personally appeared before me this day, and  
(check one of the following)

\_\_\_\_\_  
\_\_\_\_\_

I have personal knowledge of the identity of the principal(s); or  
I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of: (check one of the following)

\_\_\_\_\_ a driver's license, or  
\_\_\_\_\_ in the form of \_\_\_\_\_; or

\_\_\_\_\_ a credible witness (i) personally known to me, (ii) unaffected by this instrument and the transaction to which it relates and (iii) who personally knows such principal(s), has sworn to the identity of the principal(s);

Each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Chief Investment Officer of Liberty Property Trust the sole gp of Liberty Property Limited Partnership the sole member of Liberty Shopton B, LLC  
[title]

Michael T. Hagan  
[Name(s) of principal(s)]

Date: May 10, 2013

[Signature]  
Notary Public  
Printed Name JOAN F ROSENGARTEN

(Official Seal)

My commission expires: \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Joan F. Rosengarten, Notary Public  
Trudyfrin Twp., Chester County  
My Commission Expires May 17, 2016  
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES



**LIBERTY PROPERTY LIMITED PARTNERSHIP**, a Pennsylvania limited partnership

By: Liberty Property Trust, sole general partner

By: *[Signature]*  
Michael T. Hagan  
Chief Investment Officer

STATE OF Pennsylvania  
COUNTY OF Chester

I certify that the following person(s) personally appeared before me this day, and  
*(check one of the following)*

- \_\_\_\_\_
- \_\_\_\_\_
- \_\_\_\_\_

I have personal knowledge of the identity of the principal(s); or  
I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of: *(check one of the following)*

\_\_\_\_\_ a driver's license, or  
\_\_\_\_\_ in the form of \_\_\_\_\_; or

\_\_\_\_\_ a credible witness (i) personally known to me, (ii) unaffected by this instrument and the transaction to which it relates and (iii) who personally knows such principal(s), has sworn to the identity of the principal(s);

Each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Chief Investment Officer of Liberty Property Trust, the Solegp of Liberty Property Limited Partnership  
[title]

Michael T. Hagan  
[Name(s) of principal(s)]

Date: MAY 10, 2013

*[Signature]*  
Notary Public  
Printed Name JOAN F ROSENGARTEN

(Official Seal)

My commission expires: \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Joan F. Rosengarten, Notary Public  
Trescowfin Twp., Chester County  
My Commission Expires May 17, 2016  
MEMBER, PENNSYLVANIA ASSOCIATION OF NOTARIES

SHOPTON RIDGE 18A, LLC, a Delaware limited liability company

By: Shopton Ridge Investors, LLC, its sole member

By: TCA Shopton Ridge, LLC, its administrative member

By: Trinity Capital Advisors, LLC, its manager

By: [Signature]  
David T. Allen  
Authorized Member

STATE OF North Carolina

COUNTY OF Mecklenburg

I certify that the following person(s) personally appeared before me this day, and  
(check one of the following)

I have personal knowledge of the identity of the principal(s); or  
I have seen satisfactory evidence of the principal's identity, by a current state or federal  
identification with the principal's photograph in the form of: (check one of  
the following)

a driver's license, or  
in the form of \_\_\_\_\_; or  
a credible witness (i) personally known to me, (ii) unaffected by this instrument and the  
transaction to which it relates and (iii) who personally knows such principal(s), has sworn  
to the identity of the principal(s);

Each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose  
stated therein and in the capacity indicated:

Authorized member of Shopton Ridge 18A, LLC  
[title]

David T. Allen  
[Name(s) of principal(s)]

Date: Oct. 11, 2013

Alisha Tate  
Notary Public  
Printed Name: Alisha Tate

(Official Seal)



My commission expires: 10-23-15

SHOPTON RIDGE 18D, LLC, a Delaware limited liability company

By: Shopton Ridge Investors, LLC, its sole member

By: TCA Shopton Ridge, LLC, its administrative member

By: Trinity Capital Advisors, LLC, its manager

By: [Signature]  
David T. Allen  
Authorized Member

STATE OF North Carolina  
COUNTY OF Mecklenburg

I certify that the following person(s) personally appeared before me this day, and  
(check one of the following)

I have personal knowledge of the identity of the principal(s); or  
 I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of: (check one of the following)  
 a driver's license, or  
 in the form of \_\_\_\_\_; or  
 a credible witness (i) personally known to me, (ii) unaffected by this instrument and the transaction to which it relates and (iii) who personally knows such principal(s), has sworn to the identity of the principal(s);

Each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Authorized member of Shopton Ridge 18D, LLC  
[title]

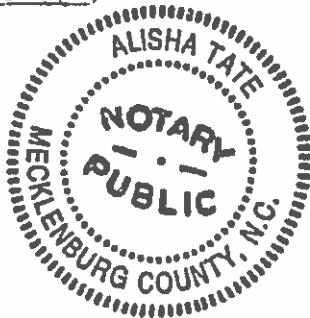
David T. Allen  
[Name(s) of principal(s)]

Date: Oct 11, 2013

Alisha Tate  
Notary Public  
Printed Name Alisha Tate

My commission expires: 6-23-13

(Official Seal)



SHOPTON RIDGE 18C, LLC, a Delaware limited liability company

By: Shopton Ridge Investors, LLC, its sole member

By: TCA Shopton Ridge, LLC, its administrative member

By: Trinity Capital Advisors, LLC, its manager

By: [Signature]  
David T. Allen  
Authorized Member

STATE OF North Carolina  
COUNTY OF Mecklenburg

I certify that the following person(s) personally appeared before me this day, and  
(check one of the following)

\_\_\_\_\_

I have personal knowledge of the identity of the principal(s); or  
I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of: (check one of the following)

\_\_\_\_\_ a driver's license, or  
\_\_\_\_\_ in the form of \_\_\_\_\_; or

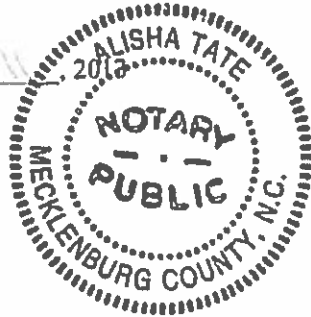
\_\_\_\_\_ a credible witness (i) personally known to me, (ii) unaffected by this instrument and the transaction to which it relates and (iii) who personally knows such principal(s), has sworn to the identity of the principal(s);

Each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

Authorized member of Shopton Ridge 18C, LLC  
[title]

David T. Allen  
[Name(s) of principal(s)]

Date: Feb 11, 2018

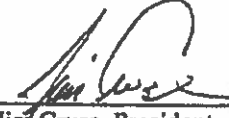


(Official Seal)

Alisha Tate  
Notary Public  
Printed Name Alisha Tate

My commission expires: 6/23/18

SHOPTON RIDGE OWNERS  
ASSOCIATION, INC., a North Carolina  
corporation

By:   
Jim Cruse, President

STATE OF NORTH CAROLINA  
COUNTY OF MECKLENBURG

I certify that the following person(s) personally appeared before me this day, and  
*(check one of the following)*

XXX I have personal knowledge of the identity of the principal(s); or  
\_\_\_\_\_ I have seen satisfactory evidence of the principal's identity, by a current state or federal  
identification with the principal's photograph in the form of: *(check one of*  
*the following)*


\_\_\_\_\_ a driver's license, or  
\_\_\_\_\_ in the form of \_\_\_\_\_; or  
\_\_\_\_\_ a credible witness (i) personally known to me, (ii) unaffected by this instrument and the  
transaction to which it relates and (iii) who personally knows such principal(s), has sworn  
to the identity of the principal(s);

Each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose  
stated therein and in the capacity indicated:

President of Shopton Ridge Owners Association, Inc.

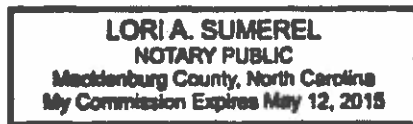
Jim Cruse  
[Name(s) of principal(s)]

Date: March 25, 2013

  
Notary Public  
Printed Name Lori A. Sumner

(Official Seal)

My commission expires: May 12, 2015



**CONSENT AND SUBORDINATION OF DEED OF TRUST**

THRIVENT FINANCIAL FOR LUTHERANS, a Wisconsin corporation being the Beneficiary under that certain Deed of Trust and Security Agreement and Fixture Financing Statement, from SHOPTON RIDGE 30-D, LLC, a North Carolina limited liability company ("Trustor"), to Chicago Title Insurance Company, as Trustee, recorded in the Office of Mecklenburg County, North Carolina, on December 3, 2010, in Book 26118, Page 397, as amended by that certain Amendment of Deed of Trust and Security Agreement and Fixture Financing Statement recorded in the Office of Mecklenburg County, North Carolina, on May 13, 2011, in Book 26479, Page 511 and as assumed and further amended by that certain Assumption and Modification Agreement recorded in the Office of Mecklenburg County, North Carolina on November 9, 2012 in Book 27812, Pages 66-77, (as amended and assumed, the "Deed of Trust"), does hereby consent to the recordation of the foregoing First Supplement to Declaration of Covenants, Conditions and Restrictions for Shopton Ridge (the "Declaration") and to the terms and provisions thereof; and Beneficiary does hereby consent to the subordination of the lien of the Deed of Trust to the provisions of the Declaration. The execution of this Consent and Subordination of Deed of Trust by Beneficiary shall not be deemed or construed to have the effect of creating between Borrower and Beneficiary the relationship of partnership or of joint venture nor shall anything contained hereunder be deemed to impose upon Beneficiary any of the liabilities, duties or obligations of Borrower under the Declaration. Beneficiary executes this Consent and Subordination of Deed of Trust solely for the purposes set forth herein. The said Trustee under the Deed of Trust also joins in and executes this Consent and Subordination as Trustee of said Deed of Trust for the said purposes hereinabove set forth.

**BENEFICIARY:**

**THRIVENT FINANCIAL FOR LUTHERANS,**  
a Wisconsin corporation

By Mark O. Swenson MS  
Name: Mark O. Swenson  
Title: Vice President

**TRUSTEE:**

**CHICAGO TITLE INSURANCE COMPANY**

By:   
Name: Donald P. Milling, Jr.  
Title: Vice President

STATE OF MINNESOTA

COUNTY OF HENNEPIN

I certify that the following person(s) personally appeared before me this day, and

*(check one of the following)*

X  
\_\_\_\_\_

I have personal knowledge of the identity of the principal(s); or  
I have seen satisfactory evidence of the principal's identity, by a current state or federal  
identification with the principal's photograph in the form of *(check one of  
the following)*

\_\_\_\_\_ a driver's license, or  
\_\_\_\_\_ in the form of \_\_\_\_\_; or

\_\_\_\_\_ a credible witness (i) personally known to me, (ii) unaffected by this instrument and the  
transaction to which it relates and (iii) who personally knows such principal(s), has sworn  
to the identity of the principal(s);

Each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose  
stated therein and in the capacity indicated:

Vice President \_\_\_\_\_ of Thrivent Financial for Lutherans  
[title]

Mark O. Swenson  
[Name(s) of principal(s)]

Date: 5/31, 2013

Dean L. Bussey  
Notary Public  
Printed Name Dean L. Bussey

(Official Seal)

My commission expires: 1/31/15



Mecklenburg County  
North Carolina

I certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: **David P. Milling, Jr.**

Date: July 9, 2013

*Alicia J. Neely*  
Official Signature of Notary

Alicia J. Neely, Notary Public  
Notary's printed or typed name

(Official Seal)

My commission expires: Sept. 19, 2015






**CONSENT AND SUBORDINATION OF DEED OF TRUST**

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, an Indiana corporation, successor by merger to Jefferson-Pilot Life Insurance Company being the Lender under that certain Deed of Trust, Security Agreement and Fixture Filing, from SHOPTON RIDGE 30-A, LLC, a North Carolina limited liability company ("Borrower"), to The Fidelity Company, as Trustee, recorded in the Office of Mecklenburg County, North Carolina, on July 30, 2004, in Book 17559, Page 891 (the "Deed of Trust"), does hereby consent to the recordation of the foregoing First Supplement to Declaration of Covenants, Conditions and Restrictions for Shopton Ridge (the "Declaration") and to the terms and provisions thereof; and Beneficiary does hereby consent to the subordination of the lien of the Deed of Trust to the provisions of the Declaration. The execution of this Consent and Subordination of Deed of Trust by Beneficiary shall not be deemed or construed to have the effect of creating between Borrower and Beneficiary the relationship of partnership or of joint venture nor shall anything contained hereunder be deemed to impose upon Beneficiary any of the liabilities, duties or obligations of Borrower under the Declaration. Beneficiary executes this Consent and Subordination of Deed of Trust solely for the purposes set forth herein. The said Trustee under the Deed of Trust also joins in and executes this Consent and Subordination as Trustee of said Deed of Trust for the said purposes hereinabove set forth.

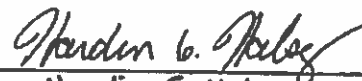
LENDER:

**THE LINCOLN NATIONAL LIFE INSURANCE  
COMPANY,**  
an Indiana corporation

By:   
v.c. Name: David Spatzman  
Title: Vice President

TRUSTEE:

**THE FIDELITY COMPANY,**  
a North Carolina corporation

By:   
Name: Hardin G. Halsey  
Title: President

STATE OF North Carolina

COUNTY OF Guilford

I certify that the following person(s) personally appeared before me this day, and  
(check one of the following)

\_\_\_\_\_

I have personal knowledge of the identity of the principal(s); or  
I have seen satisfactory evidence of the principal's identity, by a current state or federal  
identification with the principal's photograph in the form of: (check one of  
the following)

\_\_\_\_\_

a driver's license, or  
in the form of \_\_\_\_\_; or

\_\_\_\_\_

a credible witness (i) personally known to me, (ii) unaffected by this instrument and the  
transaction to which it relates and (iii) who personally knows such principal(s), has sworn  
to the identity of the principal(s);

Each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose  
stated therein and in the capacity indicated:

Vice President of the Lincoln National Life Insurance Company  
[title]

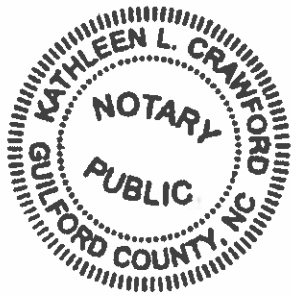
David Spearman  
[Name(s) of principal(s)]

Date: April 26, 2013

Kathleen L. Crawford  
Notary Public  
Printed Name Kathleen L. Crawford

(Official Seal)

My commission expires: 4/9/16



STATE OF North Carolina  
COUNTY OF Forsyth

I certify that the following person(s) personally appeared before me this day, and  
*(check one of the following)*

I have personal knowledge of the identity of the principal(s); or  
 I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of: *(check one of the following)*  
 a driver's license, or  
 in the form of \_\_\_\_\_; or  
 a credible witness (i) personally known to me, (ii) unaffected by this instrument and the transaction to which it relates and (iii) who personally knows such principal(s), has sworn to the identity of the principal(s);

Each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

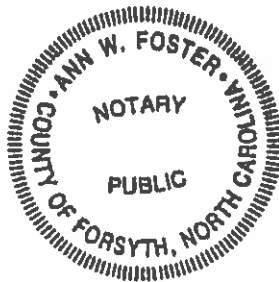
President of The Fidelity Company  
[title]

Hardin G. Halsey  
[Name(s) of principal(s)]

Date: May 8, 2013

Ann W. Foster  
Notary Public  
Printed Name Ann W. Foster

(Official Seal)




My commission expires: 5/31/13

**CONSENT AND SUBORDINATION OF DEED OF TRUST**

THE LINCOLN NATIONAL LIFE INSURANCE COMPANY, an Indiana corporation, successor by merger to Jefferson-Pilot Life Insurance Company being the Lender under that certain Deed of Trust, Security Agreement and Fixture Filing, from SHOPTON RIDGE 30-B, LLC, a North Carolina limited liability company ("Borrower"), to The Fidelity Company, as Trustee, recorded in the Office of Mecklenburg County, North Carolina, on December 1, 2005, in Book 19707, Page 867 (the "Deed of Trust"), does hereby consent to the recordation of the foregoing First Supplement to Declaration of Covenants, Conditions and Restrictions for Shopton Ridge (the "Declaration") and to the terms and provisions thereof; and Beneficiary does hereby consent to the subordination of the lien of the Deed of Trust to the provisions of the Declaration. The execution of this Consent and Subordination of Deed of Trust by Beneficiary shall not be deemed or construed to have the effect of creating between Borrower and Beneficiary the relationship of partnership or of joint venture nor shall anything contained hereunder be deemed to impose upon Beneficiary any of the liabilities, duties or obligations of Borrower under the Declaration. Beneficiary executes this Consent and Subordination of Deed of Trust solely for the purposes set forth herein. The said Trustee under the Deed of Trust also joins in and executes this Consent and Subordination as Trustee of said Deed of Trust for the said purposes hereinabove set forth.

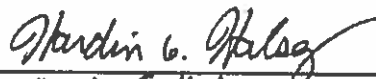
LENDER:

**THE LINCOLN NATIONAL LIFE INSURANCE  
COMPANY,**  
an Indiana corporation

By:   
v.c. Name: David Spracklin  
Title: Vice President

TRUSTEE:

**THE FIDELITY COMPANY,**  
a North Carolina corporation

By:   
Name: Hardin G. Halsey  
Title: President

STATE OF North Carolina

COUNTY OF Guilford

I certify that the following person(s) personally appeared before me this day, and  
(check one of the following)

\_\_\_\_\_  
\_\_\_\_\_

I have personal knowledge of the identity of the principal(s); or  
I have seen satisfactory evidence of the principal's identity, by a current state or federal  
identification with the principal's photograph in the form of: (check one of  
the following)

\_\_\_\_\_ a driver's license, or  
\_\_\_\_\_ in the form of \_\_\_\_\_; or

\_\_\_\_\_ a credible witness (i) personally known to me, (iii) unaffected by this instrument and the  
transaction to which it relates and (iii) who personally knows such principal(s), has sworn  
to the identity of the principal(s);

Each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose  
stated therein and in the capacity indicated:

Vice President \_\_\_\_\_ of The Lincoln National Life Insurance Company  
[title]

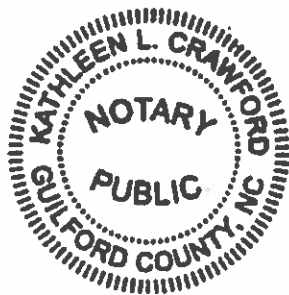
David Spearman \_\_\_\_\_  
[Name(s) of principal(s)]

Date: April 26, 2013

Kathleen E. Crawford  
Notary Public  
Printed Name Kathleen E. Crawford

(Official Seal)

My commission expires: 6/9/16



STATE OF North Carolina  
COUNTY OF Forsyth

I certify that the following person(s) personally appeared before me this day, and  
*(check one of the following)*

- I have personal knowledge of the identity of the principal(s); or
- I have seen satisfactory evidence of the principal's identity, by a current state or federal identification with the principal's photograph in the form of: *(check one of the following)*
  - a driver's license, or
  - in the form of \_\_\_\_\_; or
- a credible witness (i) personally known to me, (ii) unaffected by this instrument and the transaction to which it relates and (iii) who personally knows such principal(s), has sworn to the identity of the principal(s);

Each acknowledging to me that he or she voluntarily signed the foregoing document for the purpose stated therein and in the capacity indicated:

President of The Fidelity Company  
[title]

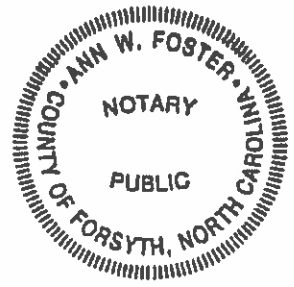
Hardin G. Halsey  
[Name(s) of principal(s)]

Date: May 8, 2013

Ann W. Foster  
Notary Public  
Printed Name Ann W. Foster

My commission expires: 5/31/13

(Official Seal)



**EXHIBIT A**

**Additional Land**

**COMMENCING** at a *N.C.G.S. Monument, "Shopton"*, having coordinates of **N:523,015.0629, E:1,413,721.9954**; thence **S 83°22'29" E** a distance of **2,770.82** feet to an *new iron rod* said point being located Northerly Right-of-Way of Shopton Road (S.R. 1155), a variable width Public Right-of-Way, said point also being located on the northeasterly corner of Lot 2, Shopton Ridge Business Park as recorded in Map Book 39, Page 948, Mecklenburg County Registry; which is the **POINT OF BEGINNING**; having coordinates of **N:522,695.3733, E:1,416,474.3105**, thence with said Right-of-Way one (1) course and distance, 1) **S 88°49'32" E** a distance of **383.94** feet to an *existing iron pin* said point being located Northwesterly corner of Lot 5, Shopton Ride Business Park, as recorded in Map Book 42 Page 915, Mecklenburg County Registry; thence with said Lot 5, one (1) course and distance, 1) **S 01°19'32" W** passing an *existing iron rod* at 4.97' for a total distance of **220.00** feet to an *existing iron pin* said point being located along the northerly line of Lot 8, Shopton Ridge Business Park, as recorded in Map Book 42, Page 915 Mecklenburg County Registry; thence with said line one (1) course and distance 1) **N 88°33'11" W** a distance of **187.28** feet to an *existing iron rod* said point being located on a northeasterly corner of Lot 2, Shopton Ridge Business Park, as recorded in Map Book 39, Page 948, Mecklenburg County Registry, thence with said property two (2) courses and distances 1) **N 88°33'11" W** a distance of **74.49'** feet to an *existing iron rod*, 2) thence **N 27°53'38" W** a distance of **250.28** feet back to the **POINT OF BEGINNING**: Containing **70,788** square feet or **1.6251** acres as shown on a survey by R.B. Pharr and Associates P.A. dated November 20, 2006, (Map File W-3142).