North Carolina

Watauga County

ASSIGNMENT

THIS ASSIGNMENT made and entered into this 6th day of February, 2020 from the estate of John H. Councill and WWC Development ,LLC, a North Carolina Limited Liability Company, (hereinafter called "Declarant") to the Councill Oaks Property Owners' Association, Inc. (hereinafter called "POA").

WHEREAS, the Declarant is the developer of the Councill Oaks Subdivision; and

WHEREAS, the Declarant subjected all lots in the Councill Oaks Subdivision to the Declaration of Covenants, Conditions and Restrictions for Councill Oaks by a document recorded in Book of Records 1185 beginning at Page 111 in the Watauga County, North Carolina Register of Deeds Office (hereinafter the "Declaration"); and

WHEREAS, the POA was formed on May 23, 2006 by Articles of Incorporation filed with the North Carolina Secretary of State's Office; and

WHEREAS, by oral agreement between the Declarant and the POA and by course of conduct, the POA has exercised the powers and obligations of the Declarant contained in the Declaration with the hereinafter noted exceptions since May 23, 2006; and

WHEREAS, the parties hereto wish to formalize this arrangement in writing and to ratify all actions taken by the POA under the provisions of the Declaration by the execution of this Assignment.

NOW THEREFORE , pursuant to Section 4-5 of the Declaration, the Declarant hereby assigns to the POA all of its rights, authority, duties, obligations,

powers and privileges as contained in the Declaration including, but not limited to, its discretionary powers but excluding the following rights and powers which the Declarant specifically retains:

1. The Declarant's right and power to appoint directors as contained in Section 4-4 of the Declaration.
2. The Declarant's reservation of utility easements as contained in Section 2-20 of the Declaration.
3. The Declarant's rights with respect to amendments to the Declaration as contained in Section 5-4 of the Declaration.

The Declarant hereby ratifies and confirms all actions taken by the POA pursuant to the Declaration from May 23,2006 to the present.

IN WITNESS WHEREOF the undersigned execute this Assignment.

ESTATE OF JOHN H. COUNCILL

By: _____

Paul E. Miller, Jr. Executor

WWC DEVELOPMENT, LLC

By: _____

John T. Winkler, Member-Manager