

PC 33  
Killeen

BEAUFORT COUNTY SC-ROD  
BK 3330 Pgs 793-794  
INST# 2014030312 RCPT#746571  
DATE: 06/27/2014 12:40:01 PM  
REC FEES: \$10.00  
CO\$0.00 ST\$0.00 TR\$0.00

After recording, please return to:  
  
Centex Homes  
4000 Faber Place Drive, Suite 100  
North Charleston, SC 29405  
Attention: Matthew Raines

Please cross-reference to instrum  
  
**Book 2359, Page 1969**

STATE OF SOUTH CAROLINA    )  
  )  
COUNTY OF BEAUFORT        )    **FIRST AMENDMENT OF DECLARATION  
  )    OF COVENANTS, RESTRICTIONS AND  
  )    EASEMENTS FOR BAYNARD PARK  
  )    AT BUCKWALTER**

THIS FIRST AMENDMENT OF DECLARATION OF COVENANTS, RESTRICTIONS AND EASEMENTS FOR BAYNARD PARK AT BUCKWALTER (this "Amendment") is made this 28<sup>th</sup> day of May, 2014, by **CENTEX HOMES**, a Nevada general partnership (the "**Declarant**").

WITNESSETH

WHEREAS, the Declarant executed that certain Declaration of Covenants, Restrictions and Easements for Baynard Park at Buckwalter, which was recorded in the Register of Deeds Office for Beaufort County, South Carolina (the "**Public Records**"), on April 21, 2006, in Book 2359, Pages 1969-2016, inclusive (such instrument as may be amended and/or supplemented from time to time is referred to herein as the "**Declaration**"), which restricts and encumbers certain real property located in the Town of Bluffton, Beaufort County, South Carolina; and

WHEREAS, pursuant to the terms of Section A of Article 14 of the Declaration, prior to the Turnover Date (as that term is defined in the Declaration), the Declarant may amend the Declaration by a written instrument duly recorded in the Public Records, without the approval of the Association or any Member thereof, as long as the amendment does not materially alter or modify any Residential Owner's right to the use and enjoyment of such Residential Owner's Lot or Living Unit, or of the Association Property as set forth in this Declaration, and the amendment does not adversely affect the title to any Lot; and

WHEREAS, in order to allow Declarant to complete the orderly development of the Project Declarant now desires to amend the Declaration in order to extend the "Turnover Date" defined in the Declaration.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS THAT pursuant to the powers reserved to the Declarant, the Declarant does hereby amend the Declaration as follows:

1. Terms. All capitalized terms used herein but not defined herein shall have the definitions set forth in the Declaration.

2. The definition of "Turnover Date" set forth in the last paragraph of Article 2 of the Declaration is hereby deleted in its entirety and replaced with the following:

"Turnover Date" means the earlier of (i) the date when one hundred percent (100%) of the Total Planned Units have been conveyed to Residential Owners, or (ii) the date on which Declarant records in the Public Records a document relinquishing its control of the Association to the Members.

3. Except as set forth in this Amendment, the Declaration shall remain in full force and effect, and any ambiguity between this Amendment and the Declaration shall be resolved in favor of this Amendment.

IN WITNESS WHEREOF, Declarant has signed this Amendment this 28<sup>TH</sup> day of May, 2014.

WITNESSES

*Krista Preece*  
*Monty Jackson*

**DECLARANT:**

CENTEX HOMES, a Nevada general partnership

By: Centex Real Estate Corporation,  
a Nevada corporation

Its: *Matthew Raines*  
Managing General Partner

By: *Matthew Raines*

Its: Division Vice President – Land Development

STATE OF SOUTH CAROLINA )

COUNTY OF Charleston

The foregoing instrument was acknowledged before me, this 28 day of May, 2014, by Matthew Raines, Division Vice President – Land Development of Centex Real Estate Corporation, a Nevada corporation, the Managing General Partner of Centex Homes, a Nevada general partnership.

*Monty Jackson* (SEAL)  
Notary Public for South Carolina

My Commission Expires: 2/2/22

G:\LGL\Legal (MAR U Drive)\DIVISIONS (EAST REGION)\Hilton Head\Real Estate\Buckwalter North - Baynard Park - Parkside (BHR)\POA\baynard prk\1st Amendment to Baynard Park CCR.docx