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STATE OF SOUTH CAROLINA)
COUNTY OF BEAUFORT)

SECOND AMENDMENT TO
DECLARATION OF RESTRICTIONS
AFFIRMATIVE OBLIGATIONS,
CONDITIONS, ETC.

This Second Amendment is made and entered into this 30th day of March, 1992 by O. Dale Malphrus, Fernlakes Associates, John P. Treadaway, III, Susan W. Treadaway, Joe S. Analla, and Wynne Analla (collectively "Owners").

W I T N E S S E T H

WHEREAS, Owners own all of the property known as Fernlakes located in Bluffton Township, Beaufort County, South Carolina as reflected on Exhibit "A" attached hereto and made a part hereof ("Property"); and

WHEREAS, the Property is subject to the Declaration of Restrictions, Affirmative Obligations, Conditions, etc. ("Covenants") recorded in the RMC Office for Beaufort County, South Carolina in Deed Book 210 at Page 1132 and amended by First Amendment to Declaration of Restrictions, Affirmative Obligations, Conditions, Etc. ("First Amendment") as recorded in the RMC Office for Beaufort County, South Carolina in Deed Book 590 at Page 1493; and

WHEREAS, the Owners want to amend the First Amendment as provided hereinbelow.

NOW THEREFORE, for good and valuable consideration the sufficiency of which is hereby acknowledged and pursuant to the terms of the Covenants and First Amendment, the Owners hereby amend Article IV, Section 3 of the First Amendment to increase the building setback from any side lot line from ten (10) feet to fifteen (15') feet and to decrease the building setback from any marsh, swamp, etc. from fifty (50') feet to thirty (30') feet. Section 3 will now read as follows:

"No building or accessory building shall be placed on any lot so that any portion thereof shall be closer to any street, lot line, etc., than fifteen (15') feet from said street, lot line, etc., except than no building may be placed closer than thirty (30') feet from any marsh, swamp, running water or other waterfront area."

This Second Amendment is made and entered into by all of the Owners pursuant to Article VIII, Section 2 of the First Amendment.

Except as modified herein, the remaining terms and conditions of the Covenant and the First Amendment shall remain in full force and effect.

Witness our hands and seals the date first above written.

EXHIBIT "A"

1164

PROPERTY DESCRIPTION

ALL that certain piece, parcel or tract of land situate, lying and being in Bluffton Township, Beaufort County, South Carolina, containing 88.571 acres, more or less, as shown on a plat prepared by R.D. Troddon, Jr., R.L.S., #2712 dated April 25, 1980 and most recently revised March 21, 1984 and being bounded on the North by lands now or formerly owned by Rose Shivar and Julia Rhoad, on the South and East by lands now or formerly owned by A.A. Ulmer, Jr. and Hugh Ulmer, and on the West by portions of the Hubbard Brothers Subdivision and known as Bluffton Heights, Phase II. For a more detailed description to said property as to courses, distances, metes and bounds, reference may be had to said plat recorded in the Office of the Clerk of Court for Beaufort County, South Carolina in Plat Book 32 at Page 75.

ALSO, all those certain pieces, parcels or lots of land, lying and being in Bluffton Township, Beaufort County, South Carolina and being known as Lot Six (6) and a portion of Lot Nine (9) of Block "A" of Hubbard Brothers Subdivision also known as Bluffton Heights, Phase II, all as shown on the above referenced plat of record.

ALSO, all that certain fifty (50) foot road right-of-way known as Merrill Drive and that certain fifty (50') foot road right-of-way known as DeBorde Lane also shown on the above referenced plat of record.

EXHIBIT "A"

Witness:

Juditha Murray
Anne Long

O. Dale Malphrus
O. Dale Malphrus

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

PROBATE

PERSONALLY appeared before me the above witness who, on oath, says that (s)he saw the within named O. Dale Malphrus, sign, seal, and as their act and deed, deliver the within document, and that (s)he with the other witness witnessed the execution thereof.

Juditha Murray

Sworn to before me this 31st
day of March, 1992.

Peggy C. Cooler (SEAL)
Notary Public for South Carolina
My Commission Expires: 17 Oct. 2000

[Signature]

[Signature]
Joe S. Analla

[Signature]
Jody Lee Mays

[Signature]
Wynne Analla

STATE OF SOUTH CAROLINA)
COUNTY OF BEAUFORT)

PROBATE

PERSONALLY appeared before me the above witness who, on oath, says that (s)he saw the within named Joe S. Analla and Wynne Analla, sign, seal, and as their act and deed, deliver the within document, and that (s)he with the other witness witnessed the execution thereof.

[Signature]
Steph B. Tull

Sworn to before me this 31st
day of March, 1992.

[Signature] (SEAL)
Notary Public for South Carolina
My Commission Expires: My Commission Expires
September 12, 2001

Ruben Adams
J. Sh. Swigg
Ruben Adams
J. Sh. Swigg

FERNLAKES ASSOCIATES
BY: WAMSLEY DEVELOPMENT, INC.
James Wamsley

BY: TILTON ENTERPRISES, INC.
John Tilton
PROBATE

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

PERSONALLY appeared before me the undersigned who, on oath, says that (s)he saw the within named Fernlakes Associates by Wamsley Development, Inc. and Tilton Enterprises, Inc., by its corporate officers sign, seal, and as their act and deed, deliver the within written document, and that (s)he with the other witness witnessed the execution thereof.

Ruben Adams

SWORN to before me this 31
day of March, 1992.

[Signature]
Notary Public for South Carolina
My Commission expires: 2/6/01

[Signature]
[Signature]

[Signature]
John P. Treadaway, III
[Signature]
Susan W. Treadaway

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

PROBATE

PERSONALLY appeared before me the above witness who, on oath, says that (s)he saw the within named John P. Treadaway, III and Susan W. Treadaway, sign, seal, and as their act and deed, deliver the within document, and that (s)he with the other witness witnessed the execution thereof.

[Signature]

Sworn to before me this 31st
day of March, 1992.

[Signature] (SEAL)
Notary Public for South Carolina
My Commission Expires: 6-5-96

Notary Public, South Carolina, State at Large
My Commission Expires June 5, 1996

Frontpages Assoc.

FILED AT	BEAUFORT COUNTY S.C.	RECORDED IN BOOK
12:47 O'CLOCK	APR 13 1992	596 PAGE
P.M. <u>[Signature]</u>		<u>1163</u>
REGISTER OF MESNE CONVEYANCES <u>[Signature]</u>		