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**FOURTH AMENDMENT TO
DECLARATION OF COVENANTS, CONDITIONS
AND RESTRICTIONS FOR
CALHOUN STREET PROMENADE**

**THIS FOURTH AMENDMENT DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS FOR CALHOUN STREET PROMENADE**
("Declaration") is executed this 21 day of, November, 2012, by State of Mind Street
Partners, LLC, a *South Carolina Limited Liability Company* ("State of Mind").

WITNESSETH:

WHEREAS, Calhoun Street Development, LLC previously submitted a certain tract of land located in Bluffton Township, Beaufort County, South Carolina, commonly known as the Calhoun Street Promenade, which consists of approximately 7.842 acres, to a Declaration of Covenants, Conditions and Restrictions for Calhoun Street Promenade dated September 10, 2007 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Record Book 2629 at Page 723 (the "Declaration"); and

WHEREAS, Calhoun Street Development, LLC caused for the Declaration to be amended by virtue of the First Amendment dated April 1, 2008 and recorded in the Office of Register of Deeds for Beaufort County, South Carolina, in Record Book 2708 at Page 455; by Second Amendment dated May 6, 2010 and recorded in Record Book 2958 at Page 168, and by Third Amendment dated August 10, 2010 and recorded in Record Book 3005 at Page 663; and

WHEREAS, Calhoun Street Development assigned its declarant rights as set forth in the Declaration and amendments thereto to State of Mind by Assignment dated September 15, 2012 and thereafter recorded in the Office of the Register of Deeds for Beaufort County, South Carolina; and

WHEREAS, a revision to the Plat of the Calhoun Street Promenade has been undertaken whereby Lot #9A has been slightly reconfigured and Building #11 has been subdivided into Building #11A, Building #11B and Building #11C, which revised Plat is further described below; and

WHEREAS, State of Mind, as holder of Declarant rights under the Declaration; hereby executes and submits for recording pursuant to the provisions of Article Twelve of the Declaration this Fourth Amendment to the Declaration to incorporate the revised

Plat into the Declaration and adjust the member voting percentages in the Calhoun Street Promenade Owner's Association, Inc.

NOW, THEREFORE, State of Mind does hereby submit this Fourth Amendment to Declaration of Covenants, Conditions and Restrictions for Calhoun Street Promenade providing as follows:

1. The Definition of "Plat" as set forth in Section 1.11 of the Declaration is amended as follows:

"Plat" shall mean that the Plat identified as a Plat of Calhoun Street Promenade entitled "Calhoun Street Promenade, An As-Built Survey and Proposed Subdivision of Parcel 18 at the Intersection of Bluffton Road and May River Road, Map 39A, Dist. 614, Town of Bluffton, Beaufort County, South Carolina, prepared by T-Square Group, Inc., certified by Forrest F. Baughman, dated July 12, 2007, and last revised November 13, 2012, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Plat Book 135 at Page 160.

2. Exhibit "A" to the Declaration is amended as follows:

The property hereby submitted to the terms of this Declaration includes all those certain pieces and parcels of land whatsoever, collectively consisting of 7.801 acres, more or less, including but not limited to all Buildings, Lots, Asphalt areas, Buffer areas, Fire Lane areas, driveways and parking areas, as shown and described on a plat entitled "An As-Built Survey and Proposed Subdivision of Parcel 18 at the Intersection of Bluffton Road and May River Road, Map 39A, Dist. 614, Town of Bluffton, Beaufort County, South Carolina" dated July 12, 2007, and last revised November 13, 2012, prepared by T-Square Group, Inc., certified by Forrest F. Baughman, PLS #4922, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Plat Book 135 at Page 160.

3. The total acreage referenced at the end of the first paragraph of Section 2.3 Voting Rights of the Declaration is hereby amended from "1.83 acres" to "1.847 acres".

4. The Percentage Voting Rights of the Calhoun Street Promenade Owner's Association as set forth on Exhibit "C" of the Declaration is amended as attached hereto.

5. All other terms, conditions and provisions of the Declaration and amendments thereto shall remain unchanged.

IN WITNESS WHEREOF, the undersigned have executed this document as of the day and year first above written.

Signed, sealed and delivered
in the presence of:

STATE OF MIND STREET PARTNERS, LLC
a South Carolina Limited Liability Company

[Signature]
(signature of witness #1)

By: [Signature]
William G. Herbkersman

[Signature]
(signature of notary public)

Its: **Managing Member**

STATE OF SOUTH CAROLINA)
)
COUNTY OF BEAUFORT)

ACKNOWLEDGMENT

The undersigned notary public does hereby certify that William G. Herbkersman, as Managing Member of State of Mind Street Partners, LLC, a South Carolina Limited Liability Company, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 21 day of November, 2012.

[Signature]
Notary Public for South Carolina
My commission expires: 3-28-13



STATE OF SOUTH CAROLINA)
) JOINDER
COUNTY OF BEAUFORT)

CALHOUN STREET PROMENADE OWNERS' ASSOCIATION, INC. hereby joins in the foregoing First Amendment to Declaration of Covenants, Conditions and Restrictions for Calhoun Street Promenade for the purpose of acknowledging the terms and conditions of said Declaration and consenting thereto, intending that it and its Successors and Assigns shall be bound thereby.

WITNESS: CALHOUN STREET PROMENADE OWNERS' ASSOCIATION, INC.

John D. Beuch
(signature of witness #1)

By: William G. Herbkersman
William G. Herbkersman, Director

W. Hand
(signature of notary public)

STATE OF SOUTH CAROLINA)
) ACKNOWLEDGMENT
COUNTY OF BEAUFORT)

The undersigned Notary Public does hereby certify that William G. Herbkersman personally appeared before me this day and acknowledged the due execution of the foregoing instrument on behalf of Calhoun Street Promenade Owners' Association, Inc.

Witness my hand and official seal this 21 day of November, 2012.

W. Hand
Notary Public for South Carolina
My commission expires: 3-28-13



EXHIBIT "C"

PERCENTAGE VOTING RIGHTS

CALHOUN STREET PROMENADE OWNER'S ASSOCIATION

		Acreage	Percentage Voting Rights	
Lot	1	0.030	1.6 %	
	2	0.035	1.9	
	3	0.035	1.9	
	4	0.030	1.6	
	5	0.030	1.6	
	6	0.039	2.1	
	7	0.030	1.6	
	8	0.030	1.6	
	9	0.039	2.1	
	10	0.035	1.9	
	11	0.033	1.8	
	12	0.033	1.8	
	13	0.033	1.8	
	14	0.033	1.8	
	15	0.033	1.8	
	16	0.033	1.8	
	17	0.022	1.2	
	18	0.022	1.2	
	9A	0.041	2.2	
9B	0.051	2.8		
Bldg	1	0.148	8.0	
	2A	0.084	4.5	
	2B	0.046	2.5	
	3	0.182	9.9	
	4	0.120	6.5	
	10	0.185	10.0	
	11A	0.041	2.2	
	11B	0.031	1.7	
	11C	0.031	1.7	
	12	0.105	5.7	
	13	0.105	5.7	
	14	0.102	5.5	
	TOTAL		<u>1.847</u>	<u>100%</u>