

2-0
13
Barry
Johnson
979

BEAUFORT COUNTY SC - ROD
BK 02314 PGS 2528-2534
FILE NUM 2006009960
02/03/2006 09:20:52 AM
REC'D BY C SEABROOK RCPT# 394140
RECORDING FEES 13.00

After recording, please return to:

BARRY L. JOHNSON, PA
10 Pinckney Colony Road, Suite 200
Okatie, SC 29909

Cross reference to Original Covenants recorded in Book 01959, Page 1658; First Amendment thereto recorded in Book 02009, Page 965; and Second Amendment thereto recorded in Book 02271, Page 540.

STATE OF SOUTH CAROLINA)
)
)
COUNTY OF BEAUFORT)

**THIRD AMENDMENT TO THE DECLARATION OF COVENANTS, RESTRICTIONS
AND PROVISIONS FOR THE SINGLE-FAMILY DETACHED LOTS AND THE
TOWNHOME LOTS OF ALLENWOOD**

WHEREAS, B C & W, LLC, a South Carolina limited liability company, is the Declarant under that certain Declaration of Covenants, Restrictions and Provisions for the Single-Family Detached Lots and the Townhome Lots of Allenwood, dated May 21, 2004 and recorded May 24, 2004 in the Office of the RMC for Beaufort County, South Carolina in Book 01959, page 1658, as amended (the "Covenants"); and

WHEREAS, the Covenants, as amended from time to time, encumber certain real property located in the Allenwood Subdivision, Hilton Head Island, South Carolina; and

WHEREAS, pursuant to Article II, Section 2.2 of the Covenants, the Declarant retained the right to subject Future Development to the provisions of the Covenants by filing a Supplementary Declaration; and

WHEREAS, pursuant to the terms of Article XII, Section 12.1 of the Declaration, the Declarant may amend the Declaration at any time, by written instrument duly recorded in the Office of the Register of Deeds for Beaufort County, with or without the prior consent or approval of any Owner or mortgagee holding a lien on any Lot or Parcel; and

WHEREAS, the Declarant now desires to annex additional property located in Phase VI, Allenwood Subdivision, as more particularly described in Exhibit "A" (the "Additional Property") and to make certain other amendments.

{1146.00026301.DOC 2}

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS THAT B C & W, LLC, as Declarant, and the Allenwood Homeowners Association, Inc., as required by Article II, Section 2.2(a) of the Covenants, hereby resolve and declare as follows:

1. All of the said Additional Property, as more particularly described in Exhibit "A", shall hereafter be owned, held, used, enjoyed and conveyed subject to the terms of the Covenants, which shall run with the title to all said Additional Property and shall be binding upon all Persons having any right, title or interest in such Additional Property, their heirs, successors, successor-in-title and assigns.
2. Exhibits "B" and "C" to the Covenants are amended and replaced in their entirety with Exhibits "B" and "C" hereto.
3. Any capitalized terms contained herein and not specifically defined herein shall have the meanings set forth in the Covenants.
4. Except as specifically amended and modified by this Amendment, the Covenants shall continue in full force and effect in accordance with its terms

[Signatures on following pages]

IN WITNESS WHEREOF, the Declarant has set its hand and seal this 2ND day of February, 2006.

WITNESSES:

DECLARANT:

[Handwritten signatures of witnesses]

B C & W, LLC, a South Carolina limited liability company

[Handwritten signature of Christopher P. Gannon]

By: Christopher P. Gannon
Its: Managing Member

STATE OF SOUTH CAROLINA)

COUNTY OF BEAUFORT)

ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this 2ND day of February, 2006 on behalf of B C & W, LLC, by Christopher P. Gannon, its Managing Member.

[Handwritten signature of Notary Public] (SEAL)

Notary Public for South Carolina

My commission expires: April 05, 2009

IN WITNESS WHEREOF, the Allenwood Homeowners Association, Inc. has set its hand and seal this 2nd day of February, 2006.

WITNESSES:

DECLARANT:

[Handwritten signatures of witnesses]

Allenwood Homeowners Association, Inc., a
South Carolina non-profit corporation

[Handwritten signature of Christopher P. Gannon]
By: Christopher P. Gannon
Its: President

STATE OF SOUTH CAROLINA)

COUNTY OF BEAUFORT)

ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me this 2nd day of February, 2006 on behalf of Allenwood Homeowners Association, Inc., by Christopher P. Gannon, its Managing Member.

[Handwritten signature of Notary Public] (SEAL)
Notary Public for South Carolina
My commission expires: April 05, 2009

EXHIBIT A

ALL those certain pieces, parcels or lots of land, situate, lying and being in the Town of Hilton Head Island, Beaufort County, State of South Carolina, and being shown and designated as Lots 109-122 and 134-150 on that certain plat entitled "SUBDIVISION PLAT OF: ALLENWOOD, PHASE VI, SITUATE ON LOTS 113, 114, 115 & 116, COTTON HOPE PLANTATION, HITLON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA", prepared by Sea Island Land Survey, LLC, dated January 27, 2005 and recorded February 3, 2006 in the RMC Office for Beaufort County in Plat Book 111, Page 123.

EXHIBIT B

Allenwood Single-Family Detached Home Lots

Phase I, Lots 1-10

Phase II, Lots 11-23

Phase III, Lots 24-51

Phase V, Lots 52-64

{1146.00026301.DOC 2}

EXHIBIT C

Allenwood Townhome Lots

Phase I, Lots 65-92, 151-156

Phase II, Lots 11-23

Phase IV, Lots 93-108, 123-133

Phase VI, Lots 109-122, 134-150

{1146.00026301.DOC 2}