

8
14
Brooks
932

**THIRD AMENDMENT TO
DECLARATION OF CONDOMINIUM OF
LAKES ESTATES HPR
ADDING PHASE IV**

THIS THIRD AMENDMENT TO DECLARATION OF CONDOMINIUM OF LAKES ESTATES HPR (the "**Third Amendment**"), is made as of November 7, 2007, by Lake Estates, LLC, A South Carolina Limited Liability Company, its successors and assigns ("**Lake Estates**").

WITNESSETH:

WHEREAS, Lake Estates is the Grantor (the "**Grantor**") described in that certain Declaration of Condominium of Lake Estates HPR recorded July 31, 2007, in the Office of the Register of Deeds for Beaufort County, South Carolina, in Book 2605 at Page 429 (the "**Condominium Declaration**"); and

WHEREAS, Lake Estate amended the Condominium Declaration to add Phase II by First Amendment to Declaration of Condominium of Lake Estates HPR adding Phase II dated September 13, 2007 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 2628 at Page 887 ("**First Amendment**")

WHEREAS, Lake Estate amended the Condominium Declaration to add Phase III by Second Amendment to Declaration of Condominium of Lake Estates HPR adding Phase III dated October 31, 2007 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 2648 at Page 1012 ("**Second Amendment**")

WHEREAS, Grantor is the owner of the Property described as Phase 4 of Parcel 3, a portion of Tract 6, Hampton Lake, on a survey prepared by Mack W. Thomas, III, SCPLS No. 14531 of Coastal Surveying Company, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Book 122 at Page 81; and

WHEREAS, Grantor wishes to submit all of Phase IV to condominium ownership and to be added to the Condominium in accordance with the provisions of Article III, Section 3.6.1 and 3.6.2 of the Declaration of Condominium.

ADD DMP Record 12/17/2007 10:45:13 AM
BEAUFORT COUNTY TAX MAP REFERENCE

| Dist | Map | SMap | Parcel | Block | Week |
|------|-----|------|--------|-------|------|
| R614 | 029 | 000 | 0611 | 0000 | 00 |

Thomas L. Brooks, LLC
File No.: _____

NOW THEREFORE, in consideration of the foregoing, the Declaration of Condominium is hereby amended as set forth herein.

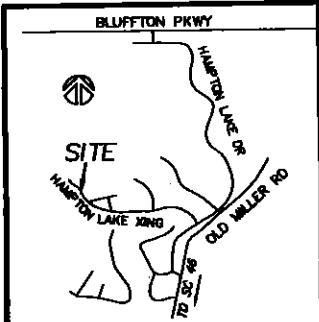
1. **Recitals.** The foregoing recitals are true and correct and are incorporate by this reference.
2. **Effective Date.** The Effective Date of this Amendment shall be the date of recording.
3. **Amendment.**
 - a. Developer does hereby declare and submit to condominium ownership the Property described as Phase IV on Exhibit "A", (including, without limitations, Units 1406 and 1407, as set forth in Exhibit "A", consisting of the legal description, and survey for Phase IV attached hereto and incorporated herein, making said Phase IV, a part of the Condominium and of the Condominium Property of Lake Estates HPR a copy of the asbuilt survey attached as Exhibit "C".
 - b. The ownership in Common Elements, Common Surplus and Common Expenses attributable to each Unit on the addition of Phase IV is reflected on Exhibit "B" to this Third Amendment. When Phase IV is completed and declared a part of this Condominium, each Unit's share, together with all Units previously declared to be a part of this Condominium, will be calculated in accordance with each Unit's ownership interest, as provided in said page of Exhibit "B".
 - c. Verification that the Units were construction according to the Floor Plans attached to the Master Deed as shown on the Architect's Certificate attached hereto as Exhibit "D".
4. **Capitalized Terms.** All capitalized terms shall have the same meanings as defined in the Condominium Declaration unless otherwise defined herein.
5. **No Other Changes.** Except as expressly modified herein, all other provisions of the condominium Declaration are hereby ratified and confirmed.
6. **Owner Acceptance and Ratification.** By acquisition of title to a Unit or Units subject to the Condominium Declaration as amended by this Third Amendment, each Unit Owner thereby irrevocably ratifies, approves and affirms all provision of the Condominium Declaration, as modified by this Third Amendment.

(THIS SPACE INTENTIONALLY LEFT BLANK)

EXHIBIT "A"

DESCRIPTION OF PROPERTY

All that certain piece, parcel or tract of land situate, lying and being in Beaufort County, Bluffton Township, Town of Bluffton, State of South Carolina known as Phase 4 of Tract 6 Parcel 3 Hampton Lake as more particularly shown on the plat prepared by Coastal Surveying Co., Inc., Mack W. Thomas III, S.C.P.L.S #14531 dated October 31, 2007 and recorded in Record Plat Book 122 at Page 73 Office of the Register of Deeds for Beaufort County, South Carolina.



| CURVE TABLE | | | | | |
|-------------|---------|--------|--------|-------------|-----------|
| CURVE | RADIUS | LENGTH | CHORD | BEARING | DELTA |
| C1 | 275.00' | 5.03' | 5.03' | S33°47'10"E | 01°02'53" |
| C2 | 275.00' | 9.30' | 9.30' | S32°17'36"E | 1°56'15" |
| C3 | 475.00' | 12.30' | 12.30' | S32°03'59"E | 1°29'01" |

| LINE TABLE | | |
|------------|--------|---------------|
| LINE | LENGTH | BEARING |
| L1 | 5.00 | N 40°00'50" W |



I:\SUBDIVISIONS\BLUFFTON AREA\HAMPTON LAKE\TRACTS\Tract 6\41404-T6-P3-PH4_ASB.dwg 10/31/2007 10:34:07 AM EDT

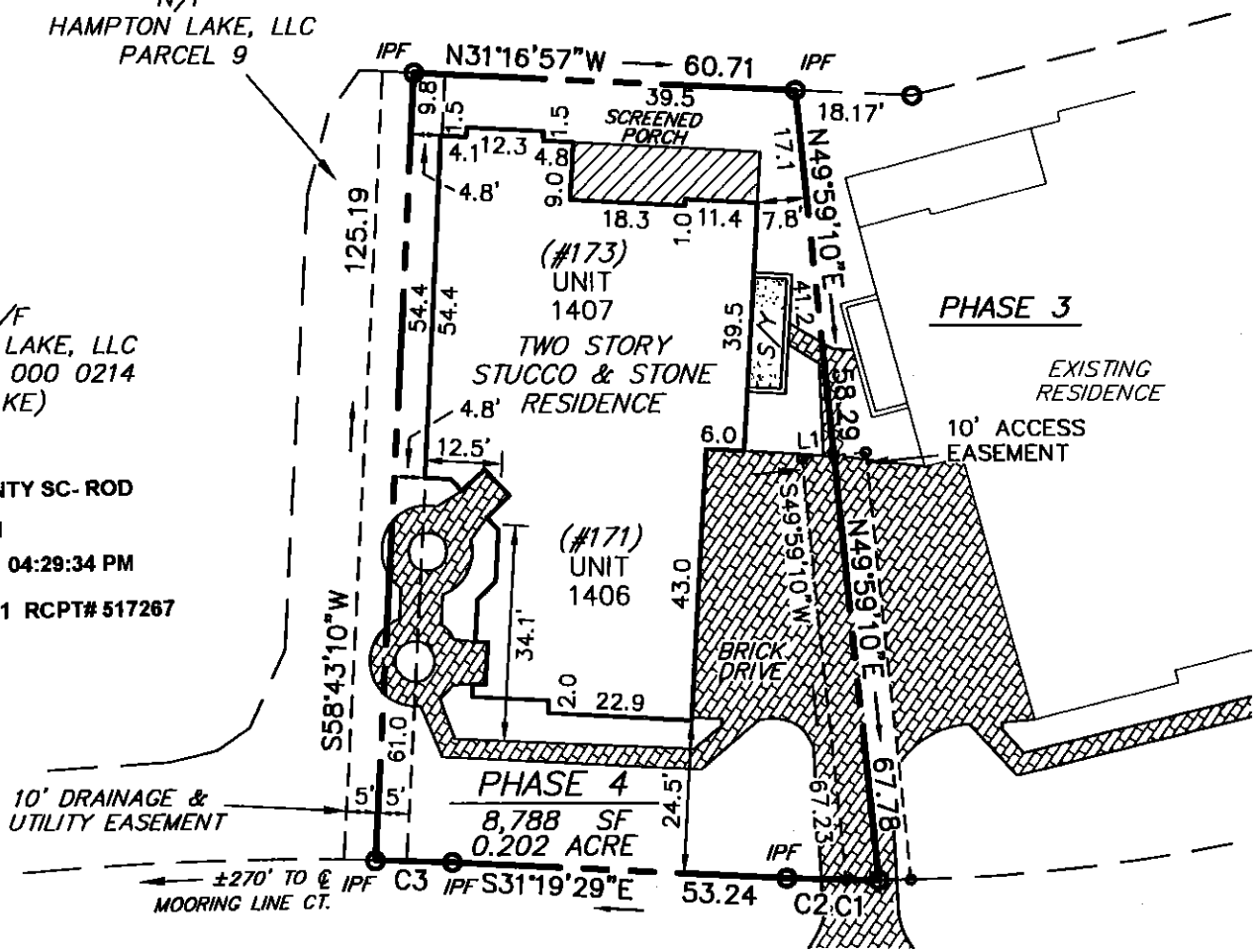
VICINITY MAP
NOT TO SCALE

N/F
HAMPTON LAKE, LLC
R614 037 000 0214
(LAKE)

N/F
HAMPTON LAKE, LLC
PARCEL 9

N/F
HAMPTON LAKE, LLC
R614 037 000 0214
(LAKE)

BEAUFORT COUNTY SC- ROD
BK 00122 PG 0081
DATE: 11/02/2007 04:29:34 PM
INST # 2007080941 RCPT# 517267



HAMPTON LAKE CROSSING
50' R/W

Town of Bluffton
Approved



PARENT A.P.N.
R614-029-000-0611

REFERENCE PLAT:

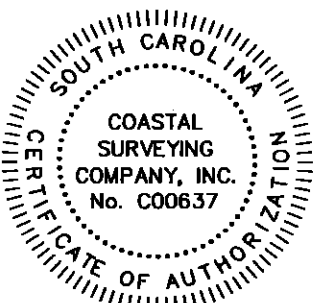
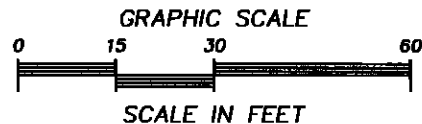
A SUBDIVISION PLAT OF PARCEL 3, TRACT 6,
HAMPTON LAKE BY COASTAL SURVEYING CO.
RECORDED IN PLAT BOOK 121, PAGE 73

NOTES:

- THIS PARCEL IS LOCATED IN FLOOD ZONE "C", NO B.F.E. REQUIRED PER F.I.R.M. PANEL 0080-D, COMMUNITY NO. 450025, REVISED 9/29/86.
- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. NO INVESTIGATIONS FOR EASEMENTS, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS HAVE BEEN MADE THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
- ALL SETBACKS ON LOTS ARE GOVERNED SOLELY BY PRIVATE COVENANTS PURSUANT TO THE COMMUNITY CHARTER OF HAMPTON LAKE COMMUNITY ASSOCIATION, INC.
- ALL LAKES/LAGOONS HAVE A 15' MAINTENANCE EASEMENT ALONG THE PERIMETER OF THE EDGE OF WATER.
- ALL PROPERTY CORNER LOCATIONS FALLING ON PAVERS ARE MARKED WITH A CHISELED "X".

LEGEND

IPF (###X) OLD IRON PIN FOUND MAILING ADDRESS



PREPARED FOR:
LAKE ESTATES, LLC

A CLOSING PLAT OF
LAKE ESTATES HPR
PHASE 4, BUILDING 2-B

A PORTION OF
PARCEL 3, TRACT 6
HAMPTON LAKE

TOWN OF BLUFFTON, BEAUFORT COUNTY
SOUTH CAROLINA

I HEREBY STATE THAT TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF, THE SURVEY SHOWN HEREON WAS MADE IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM STANDARDS MANUAL FOR THE PRACTICE OF LAND SURVEYING IN SOUTH CAROLINA, AND MEETS OR EXCEEDS THE REQUIREMENTS FOR A CLASS "A" SURVEY AS SPECIFIED THEREIN; ALSO THERE ARE NO VISIBLE ENCROACHMENTS OR PROJECTIONS OTHER THAN SHOWN.

Mack W. Thomas 10/31/07
MACK W. THOMAS III
S.C.P.L.S. 14531

COASTAL SURVEYING CO., INC.
49 RIVERWALK BLVD.
BUILDING 8
RIDGELAND, SC 29936
(843) 845-4448

SCALE: 1"=30'
DATE: 10/31/07
FIELD CK: RB
DRAWN BY: JDB
OFFICE CK: MT
JOB#: 41404-T6-P3-PH4_ASB

EXHIBIT "B"

DESCRIPTION OF PERCENTAGE INTEREST IN COMMON ELEMENTS

PHASE I:

| <u>Residence NUMBER</u> <u>COMMON ELEMENTS</u> | <u>STATUTORY VALUE</u> | <u>PERCENTAGE INTEREST IN</u> |
|---|------------------------|-------------------------------|
| 1400 | \$699,000 | 0.0753% |
| 1401 | \$849,000 | 0.0914% |
| 1402 | \$699,000 | 0.0753% |
| 1403 | \$849,000 | 0.0914% |
| 1406 | \$699,000 | 0.0753% |
| 1407 | \$849,000 | 0.0914% |
| 1468 | \$699,000 | 0.0753% |
| 1469 | \$849,000 | 0.0914% |
| 1470 | \$699,000 | 0.0753% |
| 1471 | \$849,000 | 0.0914% |
| 1472 | \$699,000 | 0.0753% |
| 1473 | \$849,000 | 0.0914% |
| Total | \$9,288,000 | 100% |

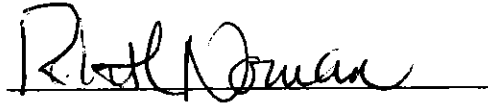
EXHIBIT "C"

As Built survey prepared by Coastal Surveying Co., Inc. by Mack W. Thomas III, S.C.P.L.S.
#14531 dated October 31, 2007 and recorded in Plat Book 122 at Page 81 office of the Register
of Deeds for Beaufort County, South Carolina a copy of which is attached.

EXHIBIT "D"

ARCHITECT'S CERTIFICATE

This is to certify that, to the best of the knowledge of the undersigned, Phase IV of Lake Estates Horizontal Property Regime, consisting of two (2) residences number as follows: 1406 and 1407, have been built substantially in accordance with the Floor Plans more particularly described in Exhibit "B" attached to this Master Deed, except for minor variations which are customary in projects of this nature.



Robert L. Norman, AIA
21 West Park Avenue
Savannah, GA 31401
S.C. Registered Architect

SWORN to before me this 10 day
Of November, 2007.



Notary Public for the State of Georgia
My Commission Expires: _____

EDWARD M. BUTTIMER
Notary Public, Chatham County, GA
My Commission Expires August 8, 2008