

10/16 RB  
Brooks  
1780

**TENTH AMENDMENT TO  
DECLARATION OF CONDOMINIUM OF  
LAKE ESTATES HPR  
ADDING PHASE XI**

THIS TENTH AMENDMENT TO DECLARATION OF CONDOMINIUM OF LAKE ESTATES HPR (the "TENTH Amendment"), is made as of March 31, 2009, 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 Estates 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 Estates 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**, Lake Estates amended the Condominium Declaration to add Phase IV by Third Amendment to Declaration of Condominium of Lake Estates HPR adding Phase IV dated November 7, 2007 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 2648 at Page 1020 ("Third Amendment")

**WHEREAS**, Lake Estates amended the Condominium Declaration to add Phase V by Fourth Amendment to Declaration of Condominium of Lake Estates HPR adding Phase V dated January 25, 2008 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 2687 at Page 2483 ("Fourth Amendment")

**WHEREAS**, Lake Estates amended the Condominium Declaration to add Phase VI by Fifth Amendment to Declaration of Condominium of Lake Estates HPR adding Phase VI dated March 3, 2008 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 2070 at Page 58 ("Fifth Amendment")

ADD DMP Record 6/17/2009 11:26:55 AM  
BEAUFORT COUNTY TAX MAP REFERENCE  
-----  
Dist Map SMap Parcel Block Week  
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R614 029 000 1701 0000 00  
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**WHEREAS**, Lake Estates amended the Condominium Declaration to add Phase VII by Sixth Amendment to Declaration of Condominium of Lake Estates HPR adding Phase VII dated April 17, 2008 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 2712 at Page 1288 and re-recorded in Book 2729 Page 2534 (“Sixth Amendment”)

**WHEREAS**, Lake Estates amended the Condominium Declaration to add Phase VIII by Seventh Amendment to Declaration of Condominium of Lake Estates HPR adding Phase VIII dated July 1, 2008 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 2743 at Page 718 (“Seventh Amendment”)

**WHEREAS**, Lake Estates amended the Condominium Declaration to add Phase IX by Eighth Amendment to Declaration of Condominium of Lake Estates HPR adding Phase IX dated July 1, 2008 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 2743 at Page 727 (“Eighth Amendment”)

**WHEREAS**, Lake Estates amended the Condominium Declaration to add Phase X by Ninth Amendment to Declaration of Condominium of Lake Estates HPR adding Phase X dated November 20, 2008 and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Book 2786 at Page 586 (“Ninth Amendment”)

**WHEREAS**, Lake Estates filed a Subdivision Plat of Parcel 4 a portion of Tract 6 Hampton Lake 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 121 Page 75;

**WHEREAS**, the Condominium Declaration provides Lake Estates may alter the sequence of phases and Lake Estates will alter Phase XI to Building 12A a portion of Parcel 7 Tract 6 Hampton Lake;

**WHEREAS**, Grantor is the owner of the Property described as Phase 11 of Parcel 7, 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 126 at Page 197; and

**WHEREAS**, Grantor wishes to submit all of Phase XI 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.

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 XI on Exhibit "A", (including, without limitations, Units 1444 and 1445), as set forth in Exhibit "A", consisting of the legal description, and survey for Phase XI attached hereto and incorporated herein, making said Phase XI, 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 XI is reflected on Exhibit "B" to this Tenth Amendment. When Phase XI 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 Tenth Amendment, each Unit Owner thereby irrevocably ratifies, approves and affirms all provision of the Condominium Declaration, as modified by this Tenth Amendment.

THIS SPACE INTENTIONAL LEFT BLANK

IN WITNESS WHEREOF, the Grantor has caused the foregoing Tenth Amendment to Declaration of Condominium to be executed by its undersigned, duly authorized signatories on the date set forth above.

WITNESSES:

**LAKE ESTATES, LLC,**  
**A South Carolina Limited Liability Company**

Deborah E. Edhart  
Signature of Witness

Warren Flick  
By: Warren Flick, Manager

[Signature]  
Signature of Notary Public

STATE OF SOUTH CAROLINA     )  
   )  
COUNTY OF BEAUFORT            )

**ACKNOWLEDGMENT**

I, Thomas L. Brooks, a Notary Public for the aforesaid State, do hereby certify that **Warren Flick, Manager of Lake Estates, 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 31<sup>st</sup> day of March, 2009.

[Signature]  
(Signature of Notary Public and Seal)  
Notary Public for SC  
My Commission Expires: ~~7/16/2016~~  
4/24/16

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 11 of Tract 6 Parcel 7 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 and recorded in Record Plat Book 126 at Page 197 Office of the Register of Deeds for Beaufort County, South Carolina.

EXHIBIT "B"

DESCRIPTION OF PERCENTAGE INTEREST IN COMMON ELEMENTS

PHASE XI:

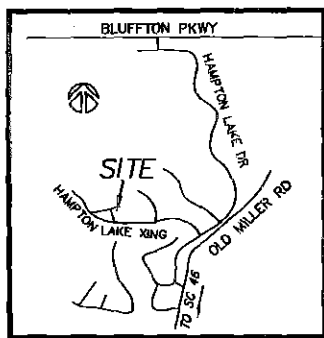
<u>Residence NUMBER</u> <u>COMMON ELEMENTS</u>	<u>STATUTORY VALUE</u>	<u>PERCENTAGE INTEREST IN</u>
1400	\$699,000	0.025087%
1401	\$849,000	0.030470%
1402	\$699,000	0.025087%
1403	\$849,000	0.030470%
1404	\$699,000	0.025087%
1405	\$849,000	0.030470%
1406	\$699,000	0.025087%
1407	\$849,000	0.030470%
1408	\$699,000	0.025087%
1409	\$849,000	0.030470%
1410	\$699,000	0.025087%
1411	\$849,000	0.030470%
1436	\$699,000	0.025087%
1437	\$849,000	0.030470%
1438	\$699,000	0.025087%
1439	\$849,000	0.030470%
1444	\$699,000	0.025087%

1445	\$849,000	0.030470%
1456	\$699,000	0.025087%
1457	\$849,000	0.030470%
1458	\$699,000	0.025087%
1459	\$849,000	0.030470%
1460	\$699,000	0.025087%
1461	\$849,000	0.030470%
1462	\$699,000	0.025087%
1463	\$849,000	0.030470%
1464	\$699,000	0.025087%
1465	\$849,000	0.030470%
1466	\$699,000	0.025087%
1467	\$849,000	0.030470%
1468	\$699,000	0.025087%
1469	\$849,000	0.030470%
1470	\$699,000	0.025087%
1471	\$849,000	0.030470%
1472	\$699,000	0.025087%
1473	\$849,000	0.030470%
Total	\$27,864,000	100%

EXHIBIT "C"

As Built survey prepared by Coastal Surveying Co., Inc. by Mack W. Thomas III, S.C.P.L.S. #14531 dated March 9, 2009 and recorded in Plat Book 127 at Page 160 and recorded to correct the Phase number in Plat Book 127 at Page 162 office of the Register of Deeds for Beaufort County, South Carolina a copy of which is attached.



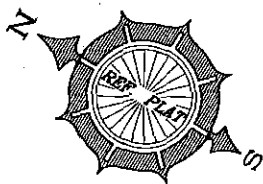


CURVE TABLE					
CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	25.00	39.27	35.36	N 14°13'42" E	90°00'00"

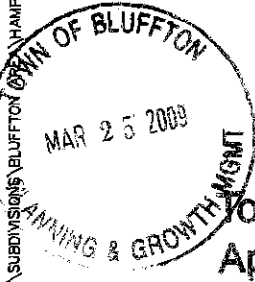
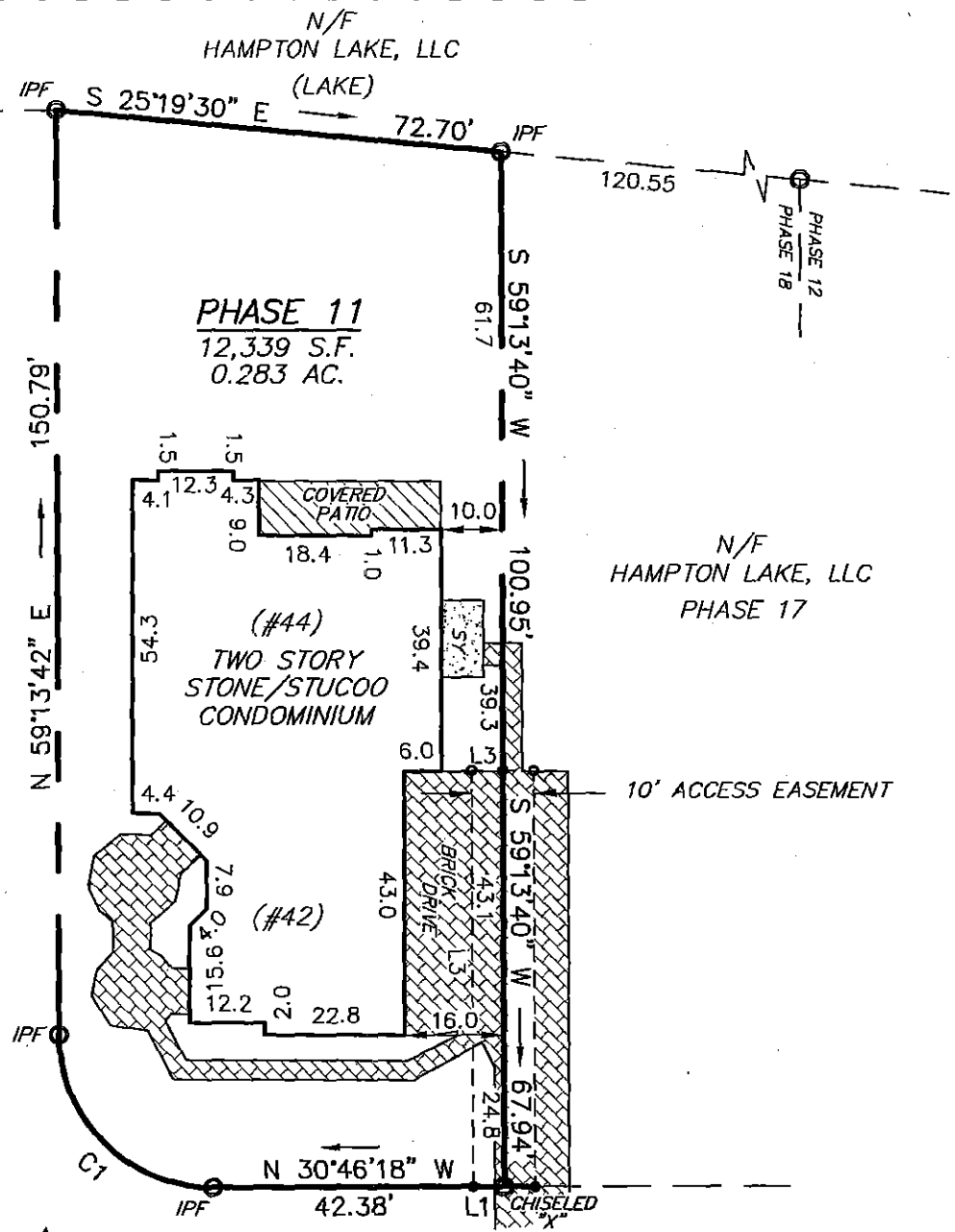
VICINITY MAP - NTS

LINE TABLE		
LINE	LENGTH	BEARING
L1	5.00	N 30°46'18" W
L3	67.94'	N 59°13'40" E
L3	5.00	S 30°46'20" E

I:\SUBDIVISIONS\BLUFFTON\TRACT 6\141404-16-P7-PH11\_ASB.dwg 3/25/2009 8:55:34 AM EDT



MOORING LINE COURT  
50' R/W



Town of Bluffton  
Approved

*Kate Woodruff*

MOORING LINE PLACE  
50' R/W

NOTES:

- THIS PROPERTY LIES IN FLOOD ZONE C, NO B.F.E. REQUIRED PER FIRM PANEL 450025 0080-D DATED 9/29/86
- THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. SAID PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, AND/OR ANY OTHER FACTS OF RECORD THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
- THIS PLAT DOES NOT CERTIFY THE ABSENCE OR PRESENCE OF U.S. ARMY CORPS OF ENGINEERS JURISDICTIONAL WETLANDS.
- ALL LAKES/AGOONS HAVE A 15' MAINTENANCE EASEMENT ALONG THE PERIMETER OF THE EDGE OF WATER.
- THIS SURVEY IS INTENDED ONLY FOR WHOM IT WAS PREPARED AND IS NOT TRANSFERABLE TO ANYONE, INCLUDING WITHOUT LIMITATION, SUBSEQUENT OWNERS OF THIS PROPERTY.
- THE CERTIFIER HAS NOT INVESTIGATED OR BEEN INSTRUCTED TO INVESTIGATE THE EXISTENCE OR NONEXISTENCE OF ANY OVERLAY DISTRICTS, SUCH AS; AIRPORT, MILITARY, NOISE, CRASH POTENTIAL OR ENVIRONMENTAL ISSUES.
- ALL SETBACKS ARE GOVERNED SOLELY BY PRIVATE COVENANTS PURSUANT TO THE COMMUNITY CHARTER OF HAMPTON LAKE COMMUNITY ASSOCIATION, INC.

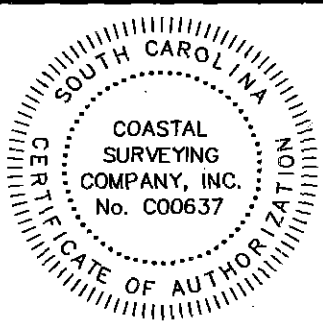
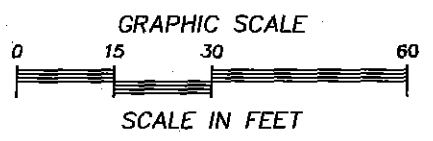
BEAUFORT COUNTY SC- ROD  
BK 00127 PG 0162  
DATE: 03/26/2009 10:59:33 AM  
INST # 2009016906 RCPT# 579585

P.I.D. R614-029-000-1701

REFERENCE PLAT:  
- PLAT BOOK 126, PAGE 197

LEGEND

- IPF OLD IRON PIN FOUND
- (#XX) MAILING ADDRESS
- SY SERVICE YARD



SCALE: 1" = 30'  
DATE: 3/09/09  
FIELD CK: RB  
DRAWN BY: MT  
OFFICE CK: EI  
JOB#: 41404-T6-P7-PH12

REVISED 3/25/09 - PHASE NUMBER  
PREPARED FOR:  
LAKE ESTATES, LLC

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* 3/25/09  
MACK W. THOMAS III  
S.C.P.L.S. 14531

A CLOSING PLAT OF  
**LAKE ESTATES HPR**  
PHASE 11, BUILDING 12A  
  
A PORTION OF  
PARCEL 7, TRACT 6  
HAMPTON LAKE  
TOWN OF BLUFFTON, BEAUFORT COUNTY  
SOUTH CAROLINA

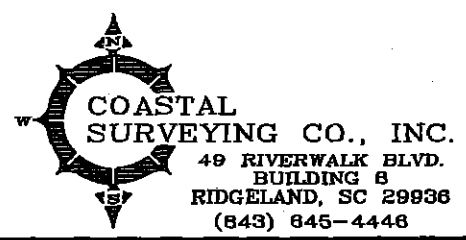


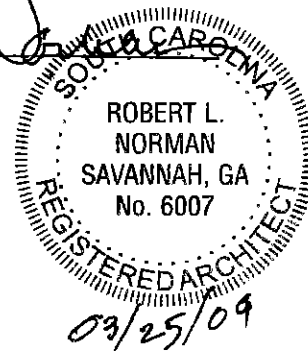
EXHIBIT "D"

ARCHITECT'S CERTIFICATE

This is to certify that, to the best of the knowledge of the undersigned, Phase XI of Lake Estates Horizontal Property Regime, consisting of two (2) residences number as follows: 1444 and 1445, 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.

*[Handwritten signature]*

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



SWORN to before me this 25<sup>th</sup> day  
Of March, 2008

*[Handwritten signature]*

Notary Public for the State of Georgia  
My Commission Expires: \_\_\_\_\_

Rhina Andonie  
Notary Public, Chatham County, Georgia  
My Commission Expires April 25, 2009