

FILED-RECORDED  
RMC / ROD

2005 JUN 17 PM 3:00

MARGARET L. BAILEY  
DORCHESTER COUNTY, SC

10<sup>2</sup>

**SECOND SUPPLEMENTAL  
DECLARATION OF PROTECTIVE COVENANTS  
FOR  
LEGEND OAKS PLANTATION WEST END**

THIS SECOND SUPPLEMENTAL DECLARATION OF PROTECTIVE COVENANTS FOR LEGEND OAKS PLANTATION WEST END (this "Supplemental Declaration") is made this 16<sup>th</sup> day of June, 2005, by LEGEND OAKS WEST VENTURE, LLC ("Declarant").

WHEREAS, Declarant subjected certain real property (the "Property") to the Declaration of Protective Covenants for Legend Oaks Plantation West End, recorded in Book 4308 at Page 003 of the Register of Mesne Conveyances, Dorchester County, South Carolina (as supplemented and/or amended, the "Declaration"); and

WHEREAS, the Declaration has been supplemented by that certain Supplemental Declaration of Protective Covenants for Legend Oaks West End, recorded in Book 4316, Page 228 of the Register of Mesne Conveyances, Dorchester County, South Carolina; and

WHEREAS, pursuant to the Declaration, land within the property described in Exhibit C to the Declaration may be annexed to the Property and brought within the scheme of the Declaration; and

WHEREAS, Declarant is the owner of certain real property located in Dorchester County, South Carolina and more particularly described on Exhibit A attached hereto (the "Tract"), which Tract is within in the land described in Exhibit C to the Declaration; and

WHEREAS, Declarant desires to annex the Tract into the Property and bring it within the scheme of the Declaration;

THEREFORE, Declarant by this Supplemental Declaration does hereby

1. Annex the Tract to the Property, and make the Tract a part of the Property which is subject to the Declaration, such that the operation and effect of the Declaration shall extend to the Tract; and

2. Establish that the Tract shall hereafter be a "Neighborhood" as such term is defined in the Declaration, known and referred to as the "The Preserve at the Club at Legend Oaks" (hereinafter referred to as the "Preserve"); and

3. Provide that all roads and common areas within the Preserve shall be "Preserve Common Property". Preserve Common Property shall be deemed to be "Common Property" for purposes of the Declaration, except that: (a) the costs of repair and maintenance of Preserve Common Property shall be charged solely against Lots within the Preserve; and (b) the Preserve Common Property shall be for the sole benefit of Owners of Lots within the Preserve. Therefore, without limiting the generality of the foregoing, with regard to Preserve Common Property, in construing the provisions of Article XI of the Declaration, the term "Lot Owner" or "Owner of a Lot" shall be deemed to mean "Preserve Lot Owner" or "Owner of a Lot in the Preserve".

[SIGNATURES ON FOLLOWING PAGES]

In witness whereof, the undersigned has executed and sealed this instrument this 16 day of June, 2005.

LEGEND OAKS WEST VENTURE, LLC (L.S.)

By: [Signature]

Manager

[Signature] [WITNESS]  
PRINTED NAME: Terri C. Heisey

[Signature] [WITNESS]  
PRINTED NAME: Maureen Madden

STATE OF NORTH CAROLINA

ACKNOWLEDGMENT

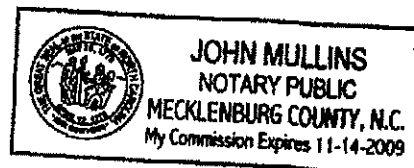
COUNTY OF MECKLENBURG

I, John Mullins, a Notary Public for the County and State aforesaid, certify that Stephen A. Rosenburgh personally came before me this day and acknowledged that he is the Manager of Legend Oaks West Venture, LLC, that he executed the foregoing instrument, and acknowledged to me that the same was the act of the said limited liability company, and that he executed the same as the act of such entity for the purposes and consideration therein expressed and in the capacity therein stated.

WITNESS my hand and official stamp or seal, this 16 day of JUNE, 2005.

[Signature] (L.S.)

Notary Public for NORTH CAROLINA  
My Commission Expires: 11-14-2009



## CONSENT

The undersigned does hereby consent to the recording of this Second Supplemental Declaration of Protective Covenants, and for itself and its successors and assigns, joins in this Second Supplemental Declaration for the purposes of consenting to it and being bound by its terms.

In witness whereof, the undersigned has executed and sealed this instrument this 16 day of June, 2005.

LEGEND OAKS WEST FUNDING, LLC (L.S.)

By: [Signature]

Manager

Terri C. Heisey [WITNESS]

PRINTED NAME: Terri C. Heisey

Marsen Madder [WITNESS]

PRINTED NAME: Marsen Madder

STATE OF NORTH CAROLINA

## ACKNOWLEDGMENT

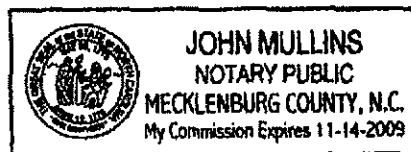
COUNTY OF MECKLENBURG

I, John Mullins, a Notary Public for the County and State aforesaid, certify that Stephen A. Rosenburgh personally came before me this day and acknowledged that he is the Manager of Legend Oaks West Funding, LLC, that he executed the foregoing instrument, and acknowledged to me that the same was the act of the said limited liability company, and that he executed the same as the act of such entity for the purposes and consideration therein expressed and in the capacity therein stated.

WITNESS my hand and official stamp or seal, this 16 day of June, 2005.

[Signature] (L.S.)

Notary Public for NORTH CAROLINA  
My Commission Expires: 11-14-2009



## EXHIBIT A

## The Tract

All of that property shown on that certain map or plat of The Club at Legend Oaks, Phase 9, Section 3A, recorded in Plat Cabinet K, Slide 155, of the Dorchester County Register of Mesne Conveyances (the "Map").

TID: \_\_\_\_\_

STATE OF SOUTH CAROLINA  
COUNTY OF DORCHESTER  
Filed for record this 17th  
Day of June 2005  
at 8:00 M and recorded  
in book 4762 page 93  
MARGARET L. BAILEY  
REGISTER OF DEEDS