

BK 1660PG061

FILED-RECORDED

16-2

SUPPLEMENTARY DECLARATION AND FOURTH AMENDMENT TO  
 DECLARATION OF PROTECTIVE COVENANTS  
 FOR LEGEND OAKS PLANTATION  
 (Recorded August 12, 1994, Book 1364, Page 001)

SEP 25 11 01 PM '96  
 LLR: [unclear]  
 REC: [unclear]  
 HESHE DEFEYANES  
 CHERCHETER COUNTY, SC

THIS SUPPLEMENTARY DECLARATION AND FOURTH AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS FOR LEGEND OAKS PLANTATION (the "Supplementary Declaration and Fourth Amendment") is made this 18<sup>th</sup> day of September, 1996, by Plantation Development of South Carolina, Inc., a South Carolina corporation, hereinafter called "Declarant."

W T N E S S E T H:

WHEREAS, the Declarant, by "Declaration of Protective Covenants for Legend Oaks Plantation" dated August 8, 1994, recorded August 12, 1994 in the R.M.C. Office for Dorchester County (the "RMC") in Book 1364 at Page 001 (the "Declaration"), submitted certain property to covenants, conditions and restrictions; and

WHEREAS, by "Amendment To The Declaration Of Protective Covenants For Legend Oaks Plantation" recorded August 30, 1995 in the RMC in Book 1494 at Page 270; by "Amendment To The Declaration Of Protective Covenants For Legend Oaks Plantation" recorded August 30, 1995 in the RMC in Book 1494 at Page 273; and by "Third Amendment To Declaration of Protective Covenants for Legend Oaks Plantation" recorded March 18, 1996 in the RMC in Book 1572 at Page 228, Declarant amended the Declaration; and

WHEREAS, pursuant to Article IX of the Declaration, Declarant retained the right to subject additional property to the provisions of the Declaration by the filing of a Supplementary Declaration; and

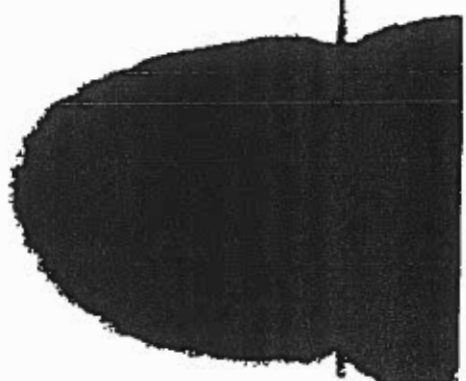
WHEREAS, pursuant to Article XIII, Section 4 of the Declaration, Declarant retained the right to further amend the Declaration; and

WHEREAS, Declarant desires to submit additional property to the Declaration and to amend the Declaration to establish a minimum square footage of heating space that shall be required for any dwelling constructed upon the property submitted to the Declaration by this instrument.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that the Declarant does hereby exercise its right under the Declaration to amend the Declaration as follows:

1. Definitions. The words used in this Supplementary Declaration and Fourth Amendment, unless the context shall clearly indicate otherwise, shall have the same meanings as set forth in the Declaration.

1198-2-03 (REV) 04/87-3  
*Krawcheck + Danon*  
 P.O. Box 1017  
 Char., S.C. 29402



II. The Property. Declarant does hereby declare that, pursuant to Article IX of the Declaration, the real property described in Exhibit "A" attached hereto is and shall be held, transferred, sold, conveyed, given, donated, leased and occupied subject to said Declaration, as amended and supplemented to the date hereof, and shall be held, transferred, sold, conveyed, given, donated, leased and occupied subject to the covenants, restrictions, conditions, easements and affirmative obligations set forth therein, and as further amended hereby.

III. Amendment of Guideline 16. Declarant does hereby declare that, pursuant to Article XIII, Section 4 of the Declaration, Exhibit "E" of the Declaration is hereby amended by adding to Guideline 16 new Paragraphs 6 and 7, which shall read as follows:

- 6. Lots F-1 through F-6, D-15 through D-23, E-63 through E-71 and E-10 through E-17, as further described in Exhibit "A" hereto, shall henceforth have a required minimum heating space for a dwelling thereon of 1,800 square feet and be subject to the same restrictions set out in Paragraph 1 in Guideline 16.
- 7. Lots E-6 through E-9 and D-8 through D-14, as further described in Exhibit "A" hereto, shall henceforth have a required minimum heating space for a dwelling thereon of 2,400 square feet and be subject to the same restrictions set out in Paragraph 2 in Guideline 16.

III. Completeness. Except as herein provided, the Declaration, as previously supplemented and amended, shall remain in full force and effect, without modification, the said Declaration, as previously supplemented and amended and as supplemented and amended hereby, being the complete text of said instrument as of the date hereof.

IN WITNESS WHEREOF, the Declarant has caused this SUPPLEMENTARY DECLARATION AND FOURTH AMENDMENT TO DECLARATION OF PROTECTIVE COVENANTS FOR LEGEND OAKS PLANTATION to be executed the day and year first above written.

WITNESSES:

PLANTATION DEVELOPMENT OF SOUTH CAROLINA, INC.

Jenni P. Graham  
(Witness)

By: Melvin F. Graham  
Its: President

Monter A. Hill  
(Notary)

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STATE OF NORTH CAROLINA )  
COUNTY OF MECKLENBURG ) ) PROBATE

PERSONALLY appeared before me the undersigned witness who, being duly sworn, deposes and says that (s)he saw the within-named Plantation Development of South Carolina, Inc., by its proper corporate officer, sign, seal and as its act and deed deliver the foregoing instrument, and that (s)he together with the other witness whose name appears as a witness, witnessed the execution thereof.

Terri P. Jackson  
(Witness)

SWORN to and subscribed before me  
this 18 day of September, 1996

Marsha A. Hill  
Notary Public for North Carolina  
My Commission Expires: 11/12/98

STATE OF SOUTH CAROLINA  
COUNTY OF BORCHESTER  
Filed for record this 25th  
day of SEP. 1996  
at 5:30 P. M. and recorded  
in book 1160 page 61  
LONDA T. METSERVY

EXHIBIT "A"

ALL those certain pieces, parcels and lots of land situate, lying and being in the County of Dorchester, State of South Carolina, shown and designated on a plat entitled, "FINAL PLAT SHOWING LOTS D-4 THRU D-23, LOTS E-4 THRU E-17, LOTS E-63 THRU E-71, LOTS F-1 THRU F-6, PHASE III, SECTION I, AND THE LOT LINE ADJUSTMENTS OF LOT 2C AND LOT 4C, LEGEND OAKS PLANTATION SUBDIVISION, LOCATED NEAR THE TOWN OF SUMMERVILLE, DORCHESTER COUNTY, SOUTH CAROLINA" by Trico Engineering Consultants, Inc. dated August 14, 1996 and recorded September 10, 1996 in the RMC Office for Dorchester County in Slide J at Page 74.

SAVING AND EXCEPTING, however, all those certain pieces, parcels and lots of land shown and designated as Lots 2-C and 4-C on the aforesaid Plat .

SAID pieces, parcels or tracts of land having such size, shape, dimensions, and boundaries as will by reference to said plat more fully appear.