

STATE OF SOUTH CAROLINA ) FIRST AMENDMENT TO THE DECLARATION OF  
 ) COVENANTS AND RESTRICTIONS FOR  
COUNTY OF CHARLESTON ) SCHIEVELING PLANTATION

This First Amendment to Declaration of Covenants and Restrictions for Schieveling Plantation made by Schieveling Plantation Development, L.L.C., A South Carolina Limited Liability Company, (hereinafter referred to as the "Developer") is made this 30<sup>th</sup> day of October, 2001.

**WITNESSETH:**

WHEREAS, Developer hereby amends the Declaration of Covenants and Restrictions for Schieveling Plantation as is hereinafter set forth; and,

WHEREAS, the Declaration of Covenants and Restrictions for Schieveling Plantation recorded in the R.M.C. Office For Charleston County in Book V351 at Page 151 recorded November 25, 2000 shall remain in full force and effect, except to the extent modified herein.

The following amendments are hereby made:

1. PROPERTY SUBJECT TO THIS DECLARATION

The real property subjected to these Restrictive Covenants is in the City of Charleston, County of Charleston, State of South Carolina, and are shown on the plats of Schieveling Plantation entitled "PLAT SHOWING: THE SUBDIVISION OF TMS NO. 358-00-00-006 INTO SCHIEVELING PLANTATION PHASE 1, LOTS 105-140; PARCELS A, C-F, P, S AND T; NEW RIGHTS-OF-WAY; AND TRACT A2B RESIDUAL, PROPERTY OWNED BY SCHIEVELING PLANTATION DEVELOPMENT, L.L.C., LOCATED IN THE CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA" by HOFFMAN LESTER ASSOCIATES, INC. dated May 25, 2000 and duly recorded in the RMC office for Charleston County, South Carolina in Plat Book EE at Pages 137-138 (as referenced in the Legal Description attached as Exhibit "A") AND "PLAT SHOWING: THE SUBDIVISION OF TMS NO. 358-00-00-006 INTO SCHIEVELING PLANTATION PHASES II-IV AND VII, LOTS 1-36, 38-46, AND 48-59; PARCELS H, I, AND Q; NEW RIGHTS-OF-WAY; AND TRACT A2B RESIDUAL, AND THE ADJUSTMENT OF THE PROPERTY LINE BETWEEN PARCEL P AND TRACT A2B RESIDUAL, PROPERTY OWNED BY SCHIEVELING PLANTATION DEVELOPMENT, L.L.C., LOCATED IN THE CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA.", by HOFFMAN LESTER ASSOCIATES, INC. dated June 14, 2001 and recorded in Plat Book EE, at Page 980-981 in the RMC office for Charleston County (as referenced in the Legal Description attached as Exhibit "A"). Said plats are incorporated herein by reference and are hereinafter called the "Plats." It is the intent of the declarant to subject all property in the Schieveling Plantation subdivision to these Restrictive Covenants.

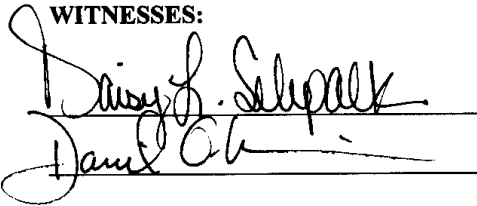
12. BUILDING REQUIREMENTS

No residence or dwelling shall be erected on any of the Lots unless said residence be constructed with a minimum of square feet of total enclosed dwelling area as set forth hereafter. For a dwelling on any interior Lot, the total enclosed dwelling area shall not be less than (1600) square feet unless the interior Lot has a road frontage width of (50) feet or less. If the interior Lot has a road frontage width of (50) feet or less, then the total enclosed dwelling area shall not be less than (1500) square feet. For a single story dwelling on any marshfront or waterfront Lot, the total enclosed dwelling area shall be not less than two thousand four hundred (2400 square feet). For a two story dwelling on any marshfront or waterfront Lot, the total enclosed dwelling area shall not be less than two thousand six hundred (2600) square feet. The term "enclosed dwelling area" as used in these minimum size requirements does not include garages, finished rooms over garages, whether attached or detached, terraces, decks, porches, patios, balconies, breezeways, etc. In order to gain approval for construction of any house, the same shall include at least a double car garage with a door or doors.

In all other respects the Declaration of Covenants and Restrictions for Schieveling Plantation recorded in the R.M.C. Office For Charleston County in Book V351 at Page 151 recorded November 25, 2000 shall remain in full force and effect, except to the extent modified herein.

IN WITNESS WHEREOF, SCHIEVELING PLANTATION DEVELOPMENT, L.L.C., has caused this FIRST AMENDMENT TO THE COVENANTS AND RESTRICTIONS FOR SCHIEVELING PLANTATION to be executed by its members, the day and year first above written.

WITNESSES:

Handwritten signatures of two witnesses, appearing to be David J. Seligson and another individual, with horizontal lines underneath each signature.

SCHIEVELING PLANTATION DEVELOPMENT,  
L.L.C.:

\*Old South Investments, Inc., Member

By: Handwritten signature of Gordon H. Timmons.

GORDEN H. TIMMONS

ITS: President

STATE OF SOUTH CAROLINA }  
COUNTY OF CHARLESTON }

Personally appeared before me Daisy L Selopak, who being duly sworn, deposes and says, that (s)he saw the within named Schieveling Plantation Development, LLC by Gorden H. Timmons its \* sign, seal and deliver the within said FIRST AMENDMENT TO THE COVENANTS AND RESTRICTIONS FOR SCHIEVELING PLANTATION and that (s)he with the other witness witnessed the execution thereof.

Daisy L. Selopak

Sworn to before me this 30th day of October, 2001.

Daniel O.  
Notary Public for South Carolina  
My Commission Expires: 8-11-10

**EXHIBIT "A" - LEGAL DESCRIPTION**

ALL that property situate, lying and being in the City of Charleston, County of Charleston, State of South Carolina, located in St. Andrews Parish and shown on the plats entitled "PLAT SHOWING: THE SUBDIVISION OF TMS NO. 358-00-00-006 INTO SCHIEVELING PLANTATION PHASE 1, LOTS 105-140; PARCELS A, C-F, P, S AND T; NEW RIGHTS-OF-WAY; AND TRACT A2B RESIDUAL, PROPERTY OWNED BY SCHIEVELING PLANTATION DEVELOPMENT, L.L.C., LOCATED IN THE CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA""", by HOFFMAN LESTER ASSOCIATES, INC. dated May 25, 2000 and recorded in Plat Book EE, at Pages 137-138 in the RMC office for Charleston County on July 14, 2000, AND "PLAT SHOWING: THE SUBDIVISION OF TMS NO. 358-00-00-006 INTO SCHIEVELING PLANTATION PHASES II-IV AND VII, LOTS 1-36, 38-46, AND 48-59; PARCELS H, I, AND Q; NEW RIGHTS-OF-WAY; AND TRACT A2B RESIDUAL, AND THE ADJUSTMENT OF THE PROPERTY LINE BETWEEN PARCEL P AND TRACT A2B RESIDUAL, PROPERTY OWNED BY SCHIEVELING PLANTATION DEVELOPMENT, L.L.C., LOCATED IN THE CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA.", by HOFFMAN LESTER ASSOCIATES, INC. dated June 14, 2001 and recorded in Plat Book EE, at Pages 980-981 in the RMC office for Charleston County.

This being the property conveyed to SCHIEVELING PLANTATION DEVELOPMENT, L.L.C. by deed of Nancy J. Leckner dated February 8, 1999 and recorded February 9, 1999 in Book Z319 at Page 197 in the RMC Office for Charleston County, South Carolina and by deed of Henry A. Molony, Wendy H. Molony and Mark C. Hunt dated September 23, 1999 and recorded in the RMC Office for Charleston County in Book J335 at Page 785 on October 5, 1999.

TMS #358-00-00-006

BK R 386PG014

The Mason Law Firm

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D. Devin  
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CHARLIE LYBRAND  
REGISTER  
CHARLESTON COUNTY SC