

Prepared by and mail to:
J. Mitchell Aberman,
James, McElroy & Diehl, P.A.
600 South College Street,
Charlotte, NC 28202

FILED-RECORDED
RMC / ROD

2005 DEC -8 AM 10: 03

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

MARGARET L. BAILEY
DORCHESTER COUNTY, SC

10/06

THIS THIRD SUPPLEMENTAL DECLARATION OF PROTECTIVE COVENANTS FOR LEGEND OAKS PLANTATION WEST END (this "Supplemental Declaration") is made this 5th day of December, 2005, by LEGEND OAKS WEST VENTURES, LLC ("L.S.") ("West Ventures") and LEGEND OAKS FUNDING COMPANY, LLC (L.S.) ("Funding Co.").

WHEREAS, West Ventures 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, pursuant to the Declaration, land within the property described in Exhibit C to the Declaration (the "Supplemental Property") may be annexed to the Property and brought within the scheme of the Declaration; and

WHEREAS, West Ventures conveyed the Property and the Supplemental Property to Funding Co. by instrument recorded in Book 4067, Page 288 of the Register of Mesne Conveyances, Dorchester County, South Carolina; and

WHEREAS, therefore, Funding Co. 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 the Supplemental Property; and

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

THEREFORE, West Ventures does hereby assign its rights as "Declarant" (as such term is defined in the Declaration) under the Declaration to Funding Co.; and

THEREFORE, Funding Co. 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 portion of the Neighborhood (as such term is defined in the Declaration) known and referred to as the "The Preserve at the Club at Legend Oaks" established by Second Supplemental Declaration of Protective Covenants for Legend Oaks West End recorded ROD Office for Dorchester County, South Carolina in Deed Book 4762 Page 95 (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".

In witness whereof, the undersigned has executed and sealed this instrument this 22 day of November, 2005.

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

By: [Signature]
Manager

[Signature] [WITNESS]
PRINTED NAME: Maureen Madden

[Signature] [WITNESS]
PRINTED NAME: Charles E. Allen

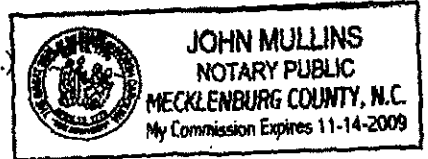
STATE OF NORTH CAROLINA

ACKNOWLEDGMENT

COUNTY OF MECKLENBURG

I, John Mullins, a Notary Public for the County and State aforesaid, certify that GORDAN LEWCHUK 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 22 day of Nov, 2005.

[Signature] (L.S.)



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

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

By: [Signature]
Manager

[Signature] [WITNESS]
PRINTED NAME: Maureen Madden

[Signature] [WITNESS]
PRINTED NAME: Charles E. Allen

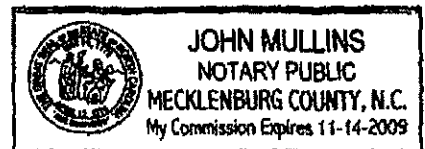
STATE OF NORTH CAROLINA

ACKNOWLEDGMENT

COUNTY OF MECKLENBURG

I, John Mullins, a Notary Public for the County and State aforesaid, certify that GORDAN LEWCHUK personally came before me this day and acknowledged that he is the Manager of Legend Oaks Funding Company, 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 22 day of Nov, 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 Third Supplemental Declaration of Protective Covenants, and for itself and its successors and assigns, joins in this Third 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 6th day of DECEMBER, 2005.

COMMUNITY FIRSTBANK, INC. (L.S.)

By: [Signature]
Vice President

[Signature] [WITNESS]
PRINTED NAME: NANCY C. SINGLETARY

[Signature] [WITNESS]
PRINTED NAME: Charlotte R. Castles

STATE OF South Carolina
COUNTY OF Charleston

ACKNOWLEDGMENT

I, Susan Reeves, a Notary Public for the County and State aforesaid, certify that Michael P. Martell personally came before me this day and acknowledged that s/he is the vice President of Community FirstBank, Inc., a corporation, that s/he executed the foregoing instrument, and acknowledged to me that the same was the act of the said corporation,, and that s/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 6th day of December, 2005.

[Signature] (L.S.)

Notary Public for South Carolina
My Commission Expires: MARCH 3rd 2014

EXHIBIT A

The Tract

All of that property shown on that certain map or plat of The Club at Legend Oaks, Phase 9, Section 4, recorded in Plat Cabinet K, Slide 177, of the Dorchester County Register of Mesne Conveyances (the "Map").