



BP0286705

STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHARLESTON)
)
) AMENDMENT TO DECLARATION OF
) COVENANTS, CONDITIONS, RESTRICTIONS
) AND EASEMENTS FOR THE GARDENS AT
) WHITNEY LAKE PHASE 2A

THIS Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for the Gardens at Whitney Lake Phase 2A is made this 14 day of October, 2012, by Southeastern Recapitalization Group, LLC, a South Carolina limited liability company ("Declarant").

WHEREAS, Southeastern Recapitalization Group, LLC is the Declarant as stated in the Declaration of Covenants, Conditions, Restrictions and Easements for the Gardens at Whitney Lake Phase 2A dated July 10, 2012, and recorded in the RMC Office for Charleston County on July 12, 2012, in Book 0263, at Page 646, as amended ("Restrictions and Covenants"); and

WHEREAS, Article XI, General Provisions, Section 11.3. Amendment, paragraph (a) (vi) of the Restrictions and Covenants provides, in relevant part, that the Declarant shall have the right to amend the Restrictions and Covenants without the vote or consent of the Owners; and

WHEREAS, Declarant now desires to amend Article VII, Use Restrictions, Section 7.3 Walls and Fences.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that Declarant does hereby declare as follows:

1. Article VII, Use Restrictions, Section 7.3 Walls and Fences is hereby amended, as follows:

"SECTION 7.3. WALLS AND FENCES. No fence or wall shall be erected, placed, or altered on any Lot nearer to any street than said minimum building setback line unless the same be a retaining wall of masonry construction which does not in any event rise above the finished grade elevation of the earth embankment so retained, reinforced, or stabilized, except that this restriction shall not apply to fences or walls which have been approved by the Architectural Control Committee pursuant to Article VI above. The expressed part of retaining walls shall be made of clay, brick, natural stone, stucco, railroad ties, or veneered with brick or national stone. Chain link and barb wire fences are prohibited except when the Architectural Control Committee gives written approval. All fences must have Architectural Control Committee (ACC) written approval."

2. Except as amended and supplemented herein, all other terms and conditions of the Restrictions and Covenants shall remain in full force and effect.

(SIGNATURE PAGE TO FOLLOW)

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DW
KH

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