

THIS SUPPLEMENT IS BEING RE-RECORDED TO CORRECT THE NAME OF THE DECLARATION.

Return Recorded Document to:

McNair Law Firm, P. A.  
Attn: Donald A. Furtado, Esq.  
P. O. Box 1431  
Charleston, SC 29402  
Tel: (843) 723-7831

STATE OF SOUTH CAROLINA ) FIRST SUPPLEMENT TO DECLARATION OF  
COVENANTS, CONDITIONS AND  
RESTRICTIONS FOR WHITNEY LAKE  
COUNTY OF CHARLESTON ) TOWNHOME ASSOCIATION:  
(PHASES 1-B AND 1-C)

THIS FIRST SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WHITNEY LAKE TOWNHOME ASSOCIATION (the "First Supplement"), is made by Whitney Lake, LLC, a South Carolina limited liability company (hereinafter referred to as "Declarant").

**Whereas**, Declarant recorded in the Register of Mesne Conveyance for Charleston County, South Carolina, on March 9, 2006, in Book W-575 at Pages 850 et seq., the **DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE GARDENS OF WHITNEY LAKE TOWNHOME ASSOCIATION** (the "Declaration"); and

**Whereas**, the Declaration permits and anticipates subjecting Added Property (as defined in Section 2 of the Declaration) to the Declaration, upon approval of the owner of the Added Property and the Board of Directors of the Association of the Whitney Lake Townhome Association, Inc. ("Association"); and

**Whereas**, Declarant is the owner of certain Added Property and desires to subject such Added Property to the Declaration; and the Board of Directors of the Association has approved the addition of such Added Property; and

**Whereas**, a typographical error exists in the numbering of "Section 7.1" of the Declaration; and

Whereas, Section 9.2 of the Declaration permits the amendment of the Declaration by the Declarant, "without the consent of the Association, any Owner, easement grantee, or any mortgagee if, in Declarant's opinion, such amendment is necessary to .(vi) clarify any provision of this Declaration or eliminate any conflict between provisions of this Declaration"; and Declarant desires to correct the numbering error.

Now, therefore, the Declarant declares as follows:

1. The Added Property described in Exhibit A attached hereto and incorporated herein by reference is made subject to the Declaration.
2. The heading under Article 8 (Condemnation) of the Declaration which is incorrectly numbered "7.1 Condemnation of Common Areas" is amended to read "8.1 Condemnation of Common Areas".

IN WITNESS WHEREOF, the Declarant and the Board of Directors has hereunto set its hand and seal effective this

18<sup>th</sup> day of May, 2007

WITNESSES:

*John D. Lisi*  
*James A. Furtado*

WHITNEY LAKE, LLC

A South Carolina limited liability company  
By: The Lisi Company, Its Manager

By: *John D. Lisi*  
 John D. Lisi  
 Its: President

WITNESSES:

*John D. Lisi*  
*James A. Furtado*

WHITNEY LAKE TOWNHOME ASSOCIATION, INC.

A South Carolina not-for-profit corporation

By: *John D. Lisi*  
 John D. Lisi  
 Its: Chairman of the Board of Directors

STATE OF SOUTH CAROLINA )

COUNTY OF CHARLESTON )

ACKNOWLEDGMENT

I, Donald A. Furtado, a Notary Public, hereby certify that John D. Lisi, President of The Lisi Company, Manager of Whitney Lake, LLC, and Chairman of the Board of Directors of Whitney Lake Townhome Association, Inc., personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

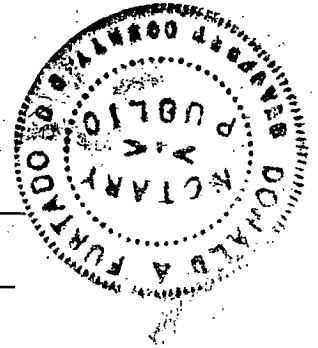
Subscribed to and sworn before me this 18<sup>th</sup> day of May, 2007.

Donald A. Furtado  
Signature of Notary Public

(SEAL)

Notary Public for South Carolina

My Commission Expires: Sept. 12, 2011



**EXHIBIT "A": LEGAL DESCRIPTION OF ADDED PROPERTY**

**Parcel 1-B**

ALL those parcels, pieces or lots of land, situate, lying and being located on Johns Island, City of Charleston, Charleston County, South Carolina, shown and designated as Lots 89 through 162, as shown on a plat entitled, "FINAL SUBDIVISION PLAT OF PHASE 1B THE GARDENS AT V/HITNEY LAKE PREPARED FOR: THE LISI COMPANY" by Thomas & Hutton Engineering Co. dated November 27, 2006, and recorded on December 14, 2006 in Plat Book EK at Pages 332 to 336 in the RMC Office for Charleston County.

SAID lots having such sizes, shapes, dimensions, buttings and boundings as will by reference to said plat more fully appear.

BEING a portion of the property conveyed to Whitney Lake, LLC by deed from Frazier Real Properties, L.P. dated August 30, 2004 and recorded in Book P-507 at page 805 in the RMC Office for Charleston County, South Carolina.

**Parcel 1-C**

ALL those parcels, pieces or lots of land, situate, lying and being located on Johns Island, City of Charleston, Charleston County, South Carolina, shown and designated as Lots 167 through 238, together with those areas which are an "Area of Common Responsibility" of Whitney Lake Townhome Association, Inc. and designated as "H.O.A. OPEN SPACE 2,422 sq. ft.; H.O.A. OPEN SPACE 4,471 sq. ft.; H.O.A. OPEN SPACE 3,193 sq. ft.; H.O.A. OPEN SPACE 6,451 sq. ft.; H.O.A. OPEN SPACE 738 sq. ft.; H.O.A. OPEN SPACE 736 sq. ft.; "H.O.A. OPEN SPACE 5,418 sq. ft. H.O.A. OPEN SPACE 3,463 sq. ft.; H.O.A. OPEN SPACE 5,434 sq. ft.; H.O.A. OPEN SPACE 1,974; H.O.A. OPEN SPACE 1,991 sq. ft. sq.; H.O.A. OPEN SPACE 4,801 sq. ft. ft.; H.O.A. OPEN SPACE 2,844 sq. ft.; H.O.A. OPEN SPACE 5,082 sq. ft.; H.O.A. OPEN SPACE 3,369 sq. ft.", all as shown on a plat entitled, "FINAL SUBDIVISION PLAT OF PHASE 1C THE GARDENS AT WHITNEY LAKE PREPARED FOR: WHITNEY LAKE, LLC" by Thomas & Hutton Engineering Co., dated February 14, 2007, and recorded on May 22, 2007 in Plat Book EK at Pages 712 to 714 in the RMC Office for Charleston County.

SAID lots having such sizes, shapes, dimensions, buttings and boundings as will by reference to said plat more fully appear.

BEING a portion of the property conveyed to Whitney Lake, LLC by deed from Frazier Real Properties, L.P. dated August 30, 2004 and recorded in Book P-507 at page 805 in the RMC Office for Charleston County, South Carolina.

**Declarant's Address:**

Whitney Lake, LLC  
80 Alexander St.  
Charleston, SC 29403

RE-RECORD

BK W630PG223

BK P 626PG738

**RECORDER'S PAGE**

NOTE: This page MUST remain with the original document



**FILED**

May 23, 2007  
11:36:36 AM

BK P 626PG734

Charlie Lybrand, Register  
Charleston County, SC

Filed By:

McNair Law Firm, P.A.

100 Calhoun St.  
Charleston SC 29401

Number of Pages:

5

DESCRIPTION	AMOUNT
MISC/SUPP	\$ 10.00
Postage	
<b>TOTAL</b>	<b>\$ 10.00</b>

DRAWER:

3 C - slw

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RE-RECORD

**RECORDER'S PAGE**

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**FILED**

June 29, 2007  
4:46:02 PM

BK W630PG219

Charlie Lybrand, Register  
Charleston County, SC

Filed By:

McNair Law Firm, P.A.

100 Calhoun St.  
Charleston SC 29401

Number of Pages:

5

DESCRIPTION	AMOUNT
	\$ 10.00
Postage	
<b>TOTAL</b>	<b>\$ 10.00</b>

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3 B - ECP