

BKC 596PG782

FIRST AMENDMENT TO  
MASTER DEED  
OF  
TWELVE OAKS AT FENWICK PLANTATION  
HORIZONTAL PROPERTY REGIME

THIS FIRST AMENDMENT TO THE MASTER DEED OF TWELVE OAKS AT FENWICK PLANTATION HORIZONTAL PROPERTY REGIME (the "First Amendment") is executed this ~~24th~~ day of AUGUST, 2006, by FENWICK PLANTATION TARRAGON, LLC, a South Carolina limited liability company, f/k/a Fenwick Tarragon Apartments, LLC, a South Carolina limited liability company (the "Declarant").

WHEREAS, on the 8th day of August, 2006, Declarant executed that certain Master Deed establishing Twelve Oaks at Fenwick Plantation Horizontal Property Regime (the "Master Deed"), which Master Deed was recorded on the 10th day of August, 2006, in the Office of the Register of Deeds for ~~Beaufort~~ CHARLESTON County, South Carolina, in Book 594 at Page 684; and

WHEREAS, the defined terms contained herein not otherwise defined in this First Amendment shall have the same meaning ascribed to such term as provided in the Master Deed; and

WHEREAS, Declarant has determined that the first page of "Exhibit C" of the Master Deed, which is page 53 of the Master Deed, should be amended to include in the Floor Plan/Unit table a list of the buildings and floors in which the Units are located; and

WHEREAS, in order to accomplish the foregoing, the Declarant has executed this First Amendment.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, the Declarant does hereby declare:

1. The first three pages of "Exhibit C" to the Master Deed, which are pages 53-55 of the Master Deed, are hereby deleted and replaced in their entirety with the three-page attachment to this First Amendment, which attachment bears the heading of "Exhibit C" and is numbered pages 53-55.

2. In the event of a conflict between the terms and conditions of the Master Deed and this First Amendment, this First Amendment shall control. In all other respects, the provisions set forth in the Master Deed shall remain in full force and effect.

[Signature Page Attached]

IN WITNESS WHEREOF, the Declarant has caused its duly authorized officer to execute this First Amendment on the day and year first above written.

Fenwick Plantation Tarragon, LLC, a South Carolina limited liability company \*

By: Charleston Tarragon Manager, LLC, a Delaware limited liability company, its managing member

By: Tarragon Development Corp., a Nevada corporation, its sole member and manager

David Goldbar  
Witness David Goldbar

By: Charles D. Rubenstein  
Name: Charles D. Rubenstein  
Title: Executive Vice President

Vanda Brogdon  
Witness VANDA BROGDON

\*\*\*\*\*

STATE OF New York )  
COUNTY OF New York )

ACKNOWLEDGMENT

I, the undersigned Notary Public for the State of New York, do hereby certify that Fenwick Plantation Tarragon, LLC, a South Carolina limited liability company, by Charleston Tarragon Manager, LLC, a Delaware limited liability company, its managing member, by Tarragon Development Corp., a Nevada corporation, its sole member and manager, by \_\_\_\_\_, its \_\_\_\_\_, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the 24<sup>th</sup> day of August, 2006.

Lydia Coplin  
Notary Public for \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_

**LYDIA COPLIN**  
Notary Public, State of New York  
No. 01 CO8123279  
Qualified in New York County  
Commission Expires March 7, 2009

**EXHIBIT "C"**

**BKC 596PG784**

**FLOOR PLANS AND DESCRIPTIONS OF UNITS**

**NOTE**

**Exhibit "C"** is a set of Plans of the Buildings which shows graphically the dimensions, area and location of the Units therein, and the dimensions, area and location affording access to each Unit. The Plans are attached hereto. Said Exhibit further includes the matters set forth below.

The Regime consists of two hundred sixteen (216) Units. The nine (9) basic floor plan types and floor area totals are as follows:

Type of Floor Plan	Square Footage	Floor	Bldg.	Number of Units	Unit Numbers
<i>Ap (Flat 'A' on Plans)</i>	816	1	1	2	127, 137
			2	5	215, 225, 2212, 235, 2312
			3	9	311, 314, 315, 321, 324, 325, 331, 334, 335
			4	2	427, 437
			5	2	527, 537
			6	2	627, 637
			7	2	727, 737
			8	2	827, 837
			9	2	927, 937
<i>As (Flat 'A' on Plans with Solarium)</i>	943	2	1	2	114, 124
			2	5	213, 223, 2210, 233, 2310
			3	8	312, 316, 322, 326, 327, 332, 336, 337
			4	3	414, 424, 434
			5	3	514, 524, 534
			6	3	614, 624, 634
			7	3	714, 724, 734
			8	3	814, 824, 834
			9	3	914, 924, 934
<i>Bp (Flat 'B' on Plans)</i>	1107	1	1	6	113, 116, 123, 126, 133, 136
			2	8	211, 214, 221, 224, 229, 231, 234, 239
			3	2	328, 338
			4	6	413, 416, 423, 426, 433, 436
			5	6	513, 516, 523, 526, 533, 536
			6	6	613, 616, 623, 626, 633, 636
			7	6	713, 716, 723, 726, 733, 736
			8	6	813, 816, 823, 826, 833, 836
			9	6	913, 916, 923, 926, 933, 936
<i>Bs (Flat 'B' on Plans with</i>	1234	2	1	5	115, 125, 128, 135, 138
			2	3	212, 216, 222, 226, 2211, 232, 236, 2311

Solarium)			3	3	313, 323, 333
			4	5	415, 425, 428, 435, 438
			5	5	515, 525, 528, 535, 538
			6	5	615, 625, 628, 635, 638
			7	5	715, 725, 728, 735, 738
			8	5	815, 825, 828, 835, 838
			9	5	915, 925, 928, 935, 938
Cp (Flat 'C' on Plans)	1261	1	2	3	217, 227, 237
Cs (Flat 'C' on Plans with Solarium)	1388	2	1	3	111, 121, 131
			2	3	218, 228, 238
			4	3	411, 421, 431
			5	3	511, 521, 531
			6	3	611, 621, 631
			7	3	711, 721, 731
			8	3	811, 821, 831
D (Flat 'D' on Plans)	1289	1	1	3	112, 122, 132
			4	3	412, 422, 432
			5	3	512, 522, 532
			6	3	612, 622, 632
			7	3	712, 722, 732
			8	3	812, 822, 832
			9	3	912, 922, 932
E (Town House Unit 'E' on Plans)	1169	n/a (TH)	12	6	1211, 1212, 1213, 1214, 1215, 1216
F (Leasing Center Second Floor Plan on Plans)	813	2	10	2	1021, 1022

**ONE-BEDROOM TYPE Ap and As UNITS**

The Type Ap and As Units ("Flat A" on Plans) are one-bedroom/one-bathroom Units. Through the front door are a dining area and a living room. The kitchen opens to the dining area. A door located off of the living room provides access from the living room to the bedroom and bathroom. The bathroom is also accessible from the foyer area. Units designated as "Type Ap" contain a porch or balcony, whereas Units designated as "Type As" contain a solarium.

**TWO-BEDROOM TYPE Bp and Bs UNITS**

The Type Bp and Bs Units ("Flat B" on Plans) are two-bedroom/two-bathroom Units. Through the front door are a dining area and a living room. The kitchen opens to the dining area. A door located off of the living room provides access from the living room to a bedroom and private bathroom. Another door located on the opposite side of the living room provides access into another bedroom. A second bathroom is accessible from this bedroom and from the foyer area. Units designated as "Type Bp" contain a porch or balcony, whereas Units designated as "Type Bs" contain a solarium.

**THREE-BEDROOM TYPE Cp and Cs UNITS**

The Type Cp and Cs Units ("Flat C" on Plans) are three-bedroom/two-bathroom Units. Through the front door are a dining area and a living room. The kitchen opens to the dining area. A door located off of the living room provides access from the living room to the master bedroom and bathroom. This bathroom is also accessible from the foyer area. A small hallway located on the opposite side of the living room from the master bedroom provides access to the second and third bedrooms and a second bathroom. This bathroom is accessible from the hallway and from the second bedroom. Units designated as "Type Cp" contain a porch or balcony, whereas Units designated as "Type Cs" contain a solarium.

**THREE-BEDROOM TYPE D UNITS**

The Type D Units ("Flat D" on Plans) are three-bedroom/two-bathroom Units. Through the front door are a dining area and a living room. The kitchen opens to the dining area. A door located off of the living room provides access from the living room to the master bedroom and bathroom. This bathroom is also accessible from the foyer area. A small hallway located on the opposite side of the living room from the master bedroom provides access to the second and third bedrooms and a second bathroom. This bathroom is accessible from the hallway and from the second bedroom. Units designated as "Type D" contain a porch or balcony.

**TWO-BEDROOM TYPE E UNITS**

The Type E Units ("Town House Unit E" on Plans) are two-bedroom/two-bathroom Units. Entry to the Unit is found at the top of the stairwell leading from the garage. Through the front door is a living/dining area. The kitchen opens to this living/dining area. A stairwell off the entry stairs leads to a third floor. A small hallway off the stairwell leads to a bathroom and bedroom on one side and a master bedroom on the opposite side. A private bath and walk in closet are located off the master bedroom.

**ONE-BEDROOM TYPE F UNITS**

The Type F Units ("Leasing Center Second Floor Plan" on Plans) are one-bedroom/one-bathroom Units. Through the front door are a dining area and a living room. The kitchen opens to the dining area and the living room. A door located off of the dining room provides access to a small hallway which leads to the bedroom, bathroom and a washer/dryer room.

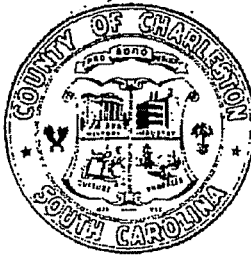
As to each Unit, all built-in kitchen appliances, the refrigerator, air conditioner units and condensers and hot water heater located in each Unit are part of the Unit in which they are located and are not Common Elements. The parking area designated on the Plat is a Common Element. The garages designated on the Plans are Limited Common Elements. In addition, the storage units designated on the Plans as "Stor." are Limited Common Elements and the porches/patios and balconies are Limited Common Elements.

**Exhibit "C"** is deemed to include the attached certification letter of Hussey, Gay, Bell & DeYoung, Int'l.

BKC 596PG787

# RECORDER'S PAGE

NOTE: This page MUST remain with the original document



**FILED**

August 25, 2006  
4:48:30 PM

**BKC 596PG782**  
Charlie Lybrand, Register  
Charleston County, SC

Filed By:

Nexsen Pruet, LLC  
205 King Street, Suite 400  
P.O. Box 486  
Charleston SC 29402

*Imp  
DWT  
CFB*

DESCRIPTION	AMOUNT	
		Amend
Recording Fee	\$	11.00
State Fee	\$	-
County Fee	\$	-
Postage		
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AUDITOR STAMP HERE

**RECEIVED FROM R/MC**

SEP 1 2006

PEGGY A. MOSELEY  
CHARLESTON COUNTY AUDITOR

PID VERIFIED BY ASSESSOR

REF *ADS*

DATE SEP 01 2006

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