

# PGS: 14

| STATE OF SOUTH CAROLINA | ) | FIRST SUPPLEMENT TO DECLARATION OF  |
|-------------------------|---|-------------------------------------|
|                         | ) | COVENANTS, CONDITIONS AND           |
| COUNTY OF CHARLESTON    | ) | RESTRICTIONS FOR THE PRESERVATION   |
|                         | ) | OF THE RURAL DENSITY OF EAST EDISTO |
|                         |   | (NON-DEVELOPMENT AGREEMENT AREA)    |

THIS FIRST SUPPLEMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE PRESERVATION OF THE RURAL DENSITY OF EAST EDISTO (NON-DEVELOPMENT AGREEMENT AREA) (the "Supplement") is made as of the 3<sup>rd</sup> day of December, 2014, by MWV - East Edisto Charleston, LLC, a Delaware limited liability company (together with its successors, and assigns "Declarant"), whose address is 201 Sigma Dr., Suite 400, Summerville, S.C. 29483.

### **RECITALS:**

WHEREAS, Declarant previously executed that certain Declaration for Covenants, Conditions and Restrictions for the Preservation of Rural Density of East Edisto (Non-Development Agreement Area) dated July 24, 2014 and recorded July 28, 2014 in Book 0419 at Page 321, as amended by that First Amendment to Declaration for Covenants, Conditions and Restrictions for the Preservation of Rural Density of East Edisto (Non-Development Agreement Area) dated October 21, 2014 and recorded October 21, 2014 at Book 0436 at Page 193 in the Register Mesne Conveyance Office for Charleston County, (as may be further amended and supplemented, the "Covenant"); and

WHEREAS, Declarant owns and holds record title to that that certain real property described on Exhibit A hereto and depicted on Exhibit A-1 hereto (the "First Supplement Property"), which First Supplement Property is a portion of the Additional Property; and

WHEREAS, the Covenant contemplates Supplements to, among other things, submit additional property to the Covenant, and impose additional obligations or restrictions on such property; and

WHEREAS, the Declarant has determined, pursuant to Section 5.1 of the Covenant, that the First Supplement Property is to be subject to and administered pursuant to the Covenant as supplemented by this Supplement and the Owner deems it appropriate to consent to this Supplement and to acknowledge that the Property is subject to the terms of the Covenant; and

### **AGREEMENT**:

NOW, THEREFORE, pursuant to the powers retained by Declarant under the Covenant, and in consideration of the sum of Five and No/100 (\$5.00) Dollars, the above set forth premises, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Declarant, which is the owner of the First Supplement Property, hereby subjects the First Supplement Property to the provisions of the Covenant as modified by this Supplement. Commencing on the date hereof, the First Supplement Property shall be construed as part of the Property for all purposes of the Covenant. The First Supplement Property shall be subject to and administered pursuant to the Covenant, this Supplement and the Governing Documents, each of which shall have a legal and

binding effect on all Owners and occupants of any portion of the Property and any other who may now or hereafter hold an interest in any portion of the Property.

- 1. <u>Definitions</u>. Capitalized terms used in this Supplement which are not otherwise defined shall have the meanings described in the Covenant and in the Governing Documents as described in the Covenant. This Supplement constitutes a Supplement to the Covenant.
- 2. <u>Limitation on Residential Dwellings</u>. The First Supplement Property is comprised of those portions of the Areas listed in Table 2 below which are depicted on the First Supplement Property Map attached hereto and incorporated herein as Exhibit "A-1". The First Supplement Property is hereby allocated the number of Residential Dwelling Units listed in Table 2 below. For avoidance of doubt, the First Supplement Property may comprise only a portion of the Areas listed in Table 2 below and such Areas may be allocated additional Residential Dwelling Units in the future.

| Table 2. Allocation of Residential Dwelling Units |    |  |  |  |  |
|---|----|--|--|--|--|
| Area Residential Dwelling Units                   |    | Certificate Numbers for Residential Dwelling Units |  |  |  |
| C1  | 2  | C1-1 and C1-2                                      |  |  |  |
| C2  | 21 | C2-1 through C2-21, inclusive                      |  |  |  |
| C3  | 28 | C3-1 through C3-28, inclusive                      |  |  |  |

- 3. <u>Conflicts</u>. In the event of any conflict between this Supplement and the Covenant, the terms of the Covenant shall control.
- 4. <u>Headings</u>. The paragraph headings used in this Supplement are inserted for convenience only and are in no way intended to describe, interpret, define, or limit the scope or content of this Supplement or any provision hereof.
- 5. <u>Governing Law</u>. This Supplement shall be governed by and construed in accordance with the laws of the State of South Carolina.
- 6. <u>Amendment</u>. The provisions of Section 6 of the Covenant shall apply to the amendment of this Supplement.

**IN WITNESS THEREOF**, the undersigned Declarant has executed and delivered this Supplement as of this 3<sup>rd</sup> day of December, 2014.

| <u>WITNESSES</u> :             | DECLARANT:  |   |       |  |  |  |
|--------------------------------|---|---|-------|--|--|--|
|                                | MWV-EAST EDISTO CHARLESTON, LLC,<br>By: MWV-Charleston Land Partners, LLC, its<br>Sole Member |   |       |  |  |  |
| Laul Co. Brock                 | By:   | James H. Hill, its Senior Vice President    |       |  |  |  |
| STATE OF SOUTH CAROLINA        | ).  |   |       |  |  |  |
| COUNTY OF BERKELEY             | )   | ACKNOWLEDGMENT                              |       |  |  |  |
| The foregoing instrument was a | cknowledged   | d before me this / st day of December, 2014 | 4, by |  |  |  |

James H. Hill, Senior Vice President of MWV-Charleston Land Partners, LLC, as sole member of MWV-East Edisto Charleston, LLC, a Delaware limited liability company, on behalf of the limited liability

company.

Notary Public for South Carolina Commission Expires

My Commission Expires: May 8, 2018



### **EXHIBIT "A"**

### **DESCRIPTION**

All those certain pieces, parcels or tracts of land, lying, being and situate in Charleston County, South Carolina and being depicted as "TMS 175-00-00-002 MWV-East Edisto Charleston, LLC", "TMS 175-00-00-003 MWV-East Edisto Charleston, LLC", "A portion of TMS 175-00-00-025 MWV-East Edisto Charleston, LLC 19,643,701 SF 450.96 Ac", "A portion of TMS 175-00-00-025 MWV-East Edisto Charleston, LLC 195,873,555 SF 4,496.64", "TMS 113-00-00-001 MWV-East Edisto Charleston, LLC", "TMS 113-00-00-008 MWV-East Edisto Charleston, LLC", "TMS 113-00-00-008 MWV-East Edisto Charleston, LLC", "TMS 113-00-00-009 MWV-East Edisto Charleston, LLC", "TMS 113-00-00-003 MWV-East Edisto Charleston, LLC" on that "Subdivision Plat of the Western Portion of TMS-175-00-00-025 owned by MWV –East Edisto Charleston, LLC located in Geddisville Charleston County, South Carolina" dated October 17, 2014 and recorded November 21, 2014 in Book L14 at Page 0481 in the Office of the Charleston County RMC.

### **AND**

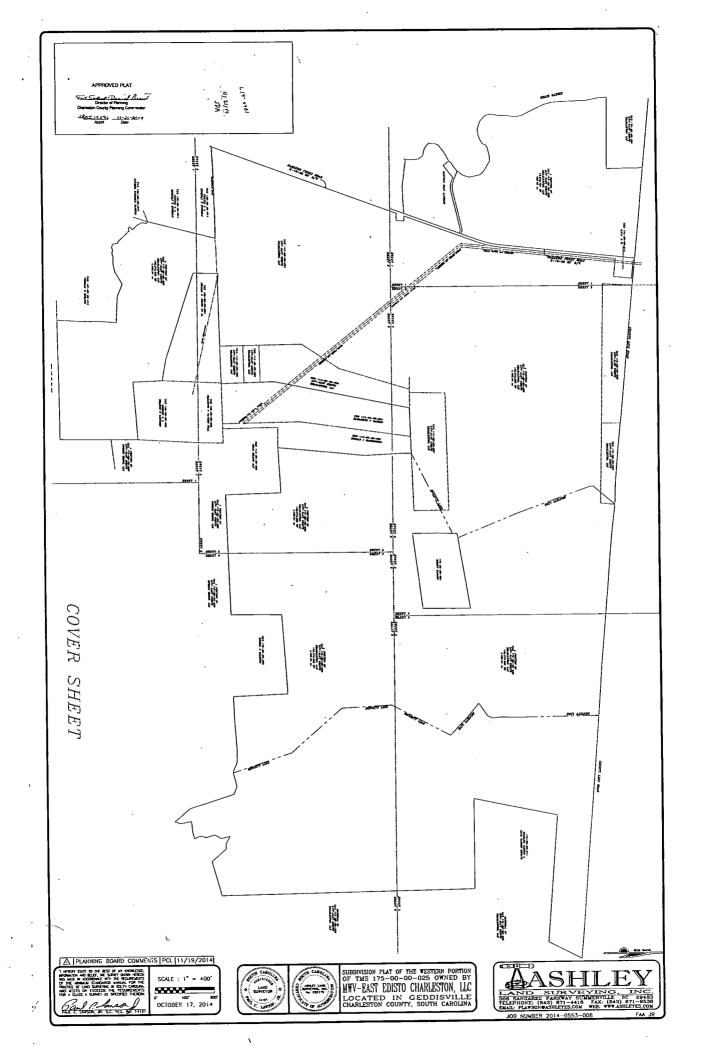
All that certain piece, parcel or tract of land, lying, being and situate in Charleston County, South Carolina and being depicted as "A portion of TMS 175-00-00-025 MWV-East Edisto Charleston, LLC 17,143,030 SF 393.55 Ac" on that "Subdivision Plat of the Western Portion of TMS-175-00-00-025 owned by MWV –East Edisto Charleston, LLC located in Geddisville Charleston County, South Carolina" dated October 09, 2014 and recorded November 28, 2014 in Book L14 at Page 0499 in the Office of the Charleston County RMC.

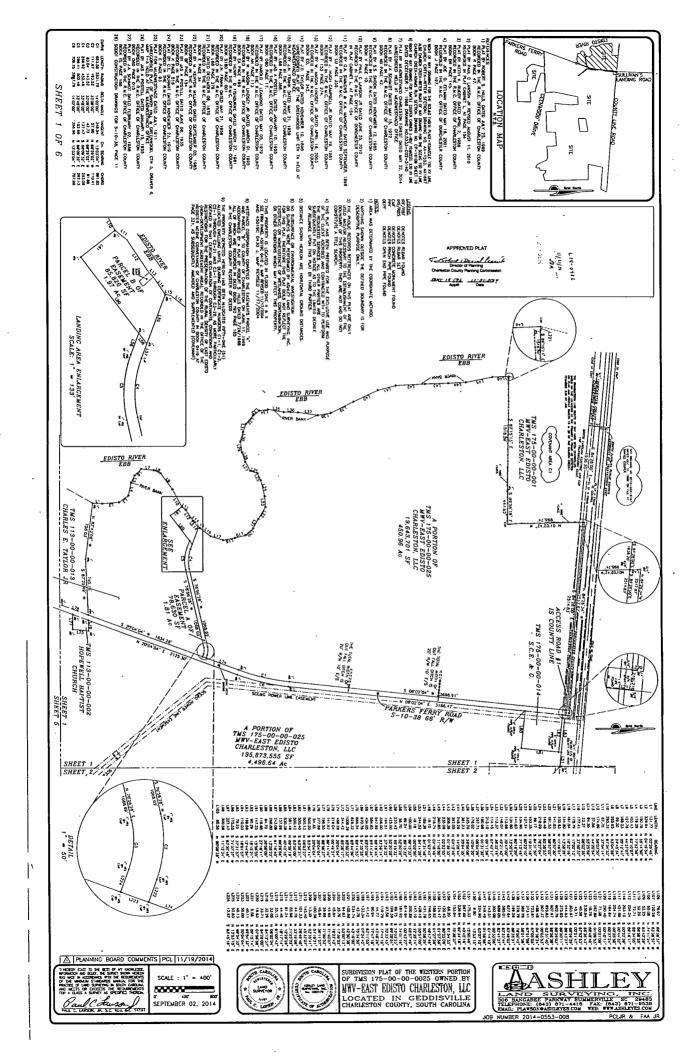
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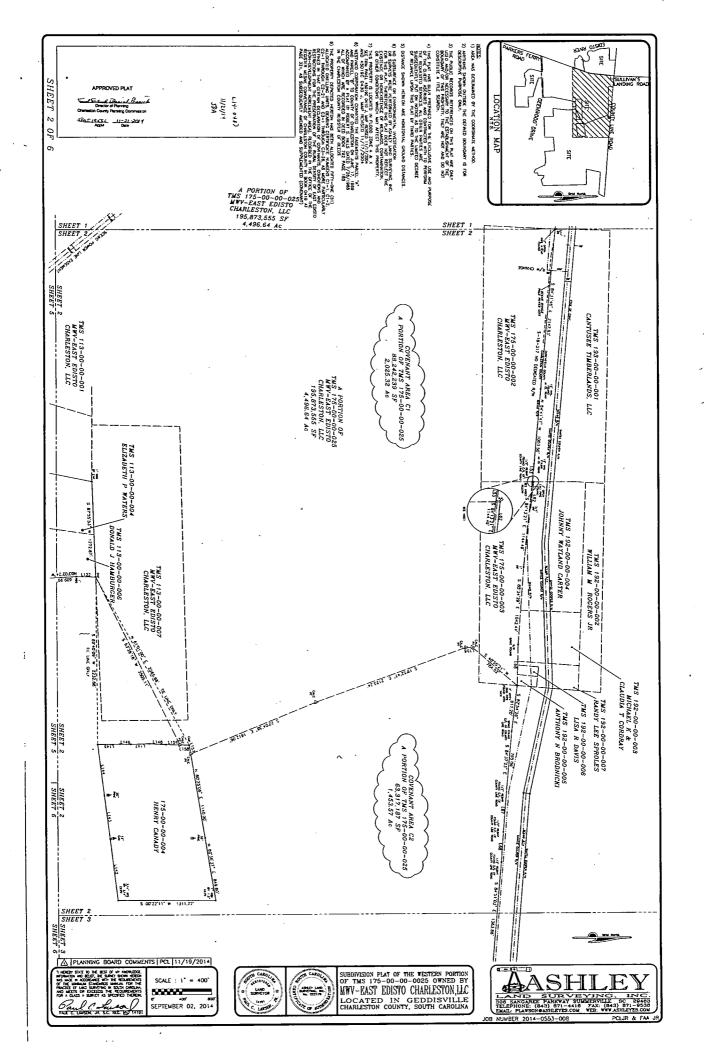
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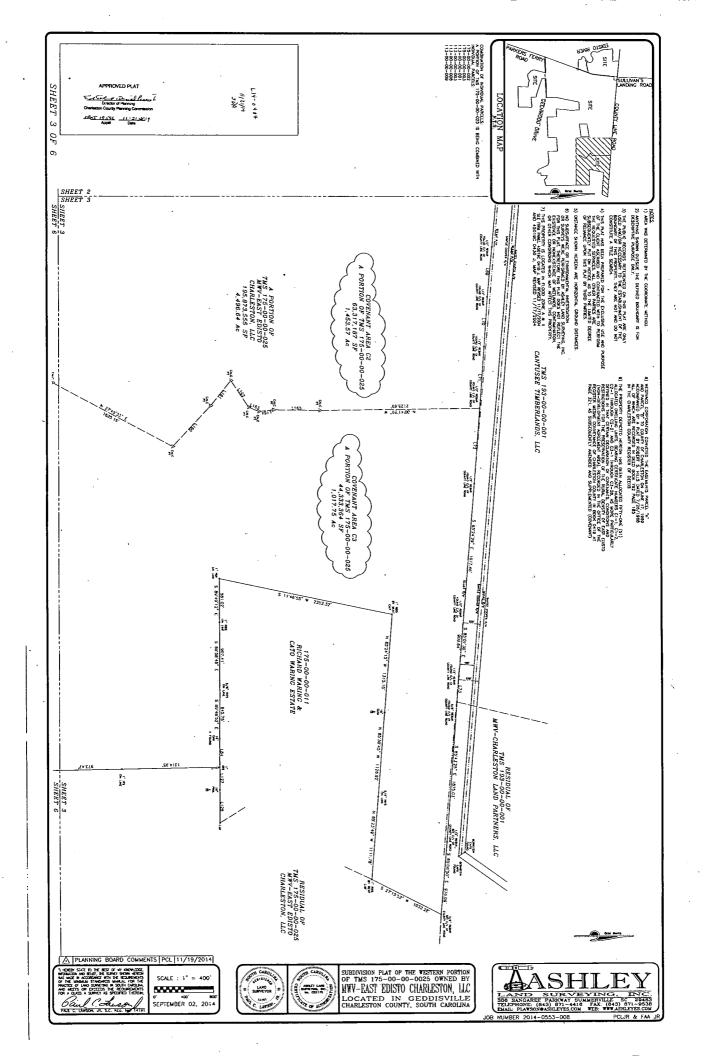
# EXHIBIT "A-1"

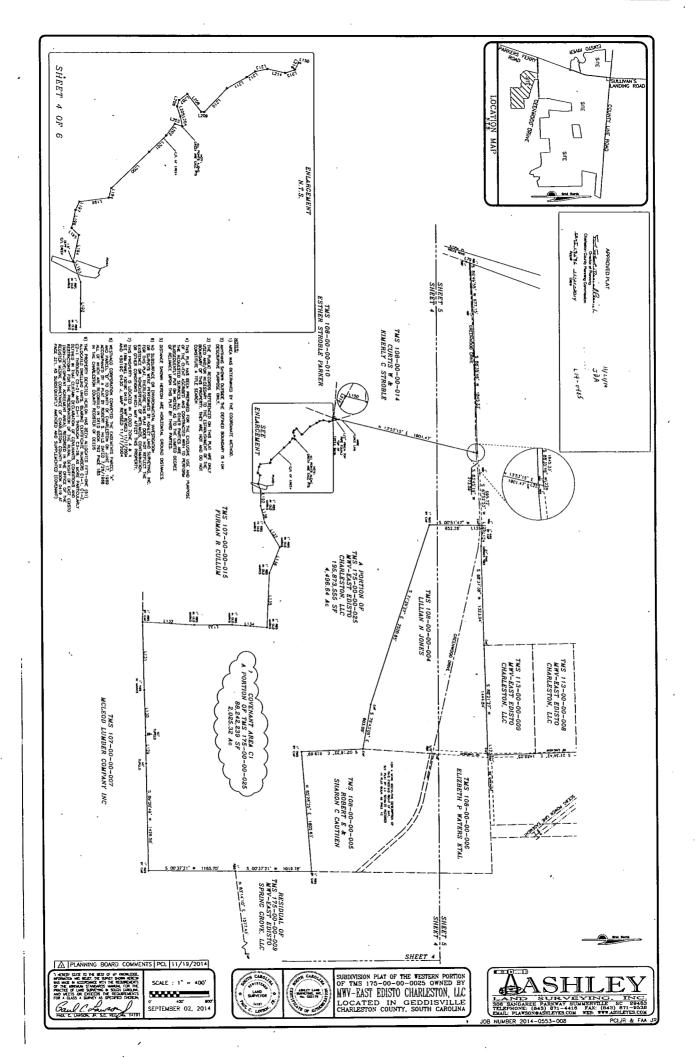
## AREA MAP

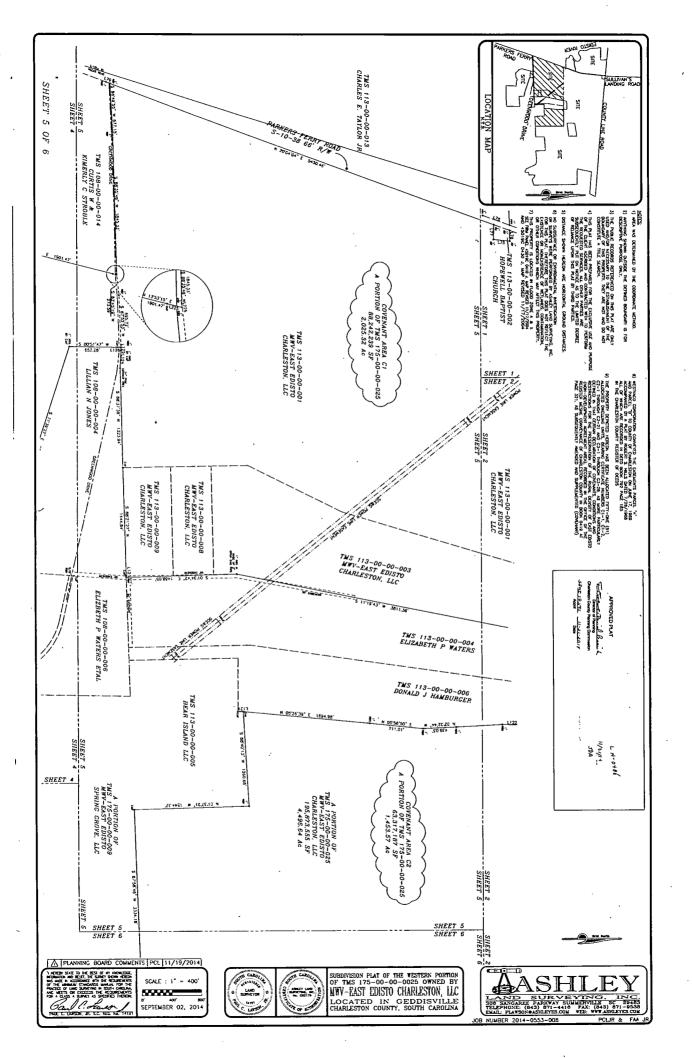


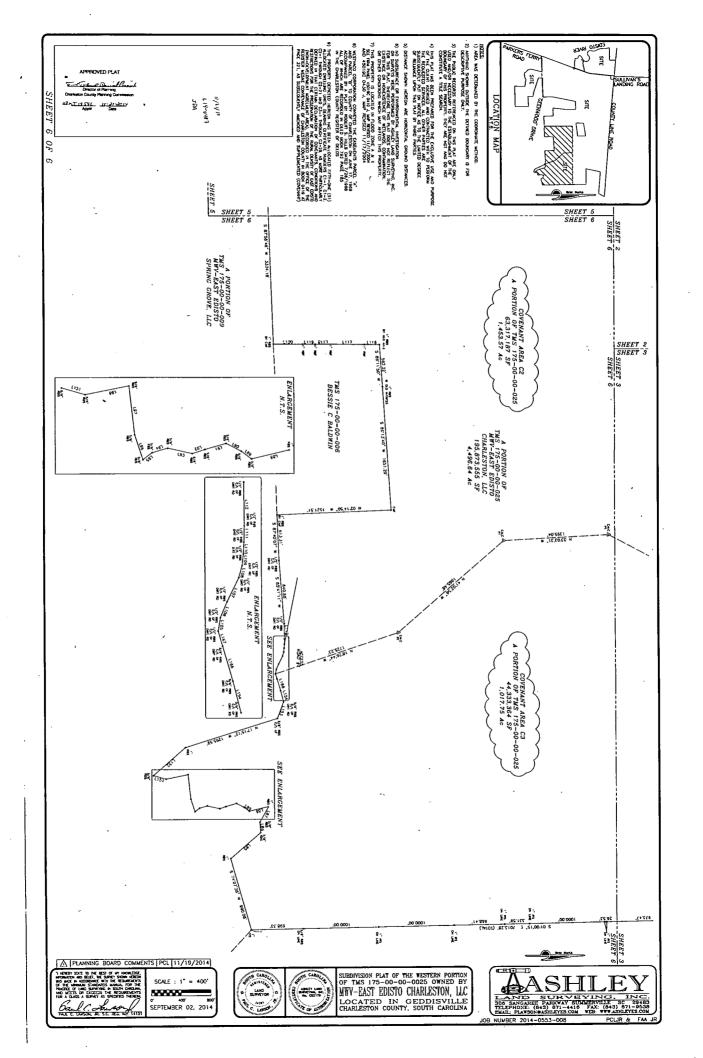


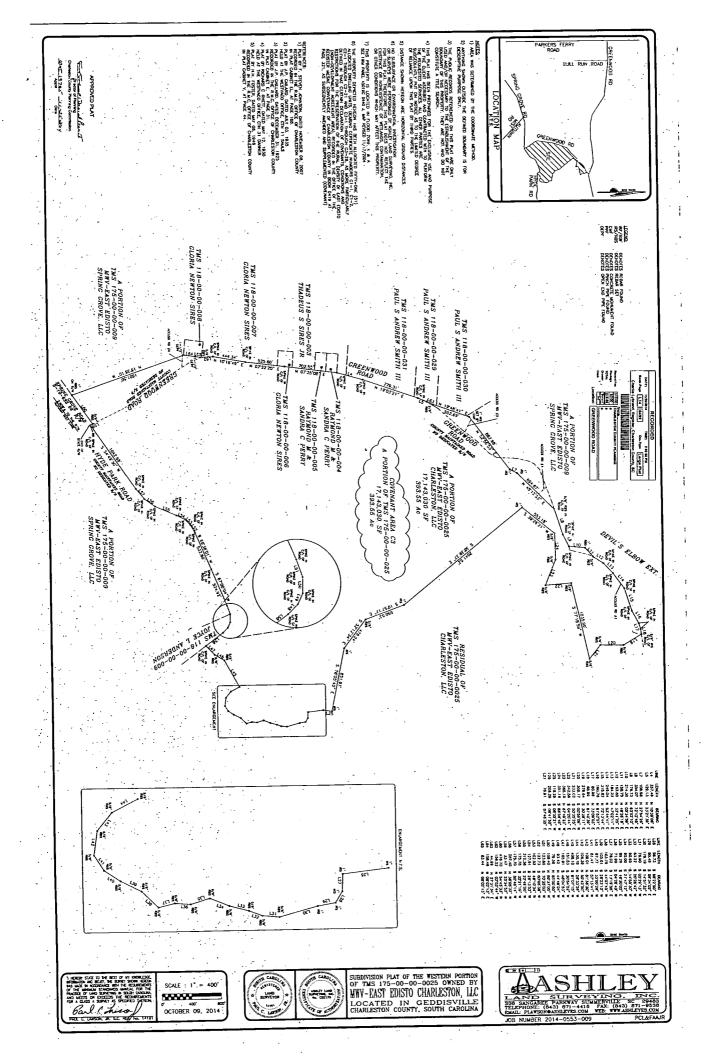












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