

Westbrook Amendments

FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WEST BROOK.

The FIRST AMENDMENT OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WEST BROOK (“First Amendment”) is made as of the seventh day of March, 1997 by Centex Real Estate Corporation, a Nevada Corporation n/k/a/ 2728 Holding Corporation (hereinafter referred to as “Declarant” with reference to the following facts:

WITNESSETH

WHEREAS, the Declarant is the owner of certain real Property located in the County of Lexington, State of South Carolina, and being more specifically described as 72.34 acres and 7.00 acres as described in Exhibit “B” attached hereto and incorporated herein by reference (“Property”); and

WHEREAS, the Declarant commenced the development of a portion of the Property as a single family residential development with additional portions of the Property to be added as additional phases of the development; and

WHEREAS, in connection with the development of Phase IA, the Declarant did execute and record that certain Declaration of Covenants, Conditions and Restrictions for West Brook (“Declaration”) which is dated July 23, 1996 and recorded on July 24, 1996 in the office of the Register of Mesne Conveyance for Lexington County, South Carolina in Deed Book 3815 at Page 84; and

WHEREAS, the Declarant has undertaken to develop an additional portion of the Property described as Phase IB in Exhibit “A” (attached hereto and incorporated herein by reference) and wishes to amend the Declaration so as to subject the portion of the Property described as Phase IB to the covenants, conditions, restrictions and provisions of the Declaration.

NOW THEREFORE, the Declarant, as the owner of the property constituting Phase IA and Phase IB, for itself and its successors and assigns, declares as follows:

1. The covenants, conditions restrictions and provisions of the Declaration are amended by this First Amendment so as to include, in its entirety, the property set forth and described herein as Phase IB.

2. The covenants, conditions, restrictions and provisions of the Declaration are further incorporated into and made a part of this First Amendment by reference.

3. The Declaration is reaffirmed, restated and amended to the extent such is necessary so as to include, in its entirety, the property set forth and described herein as Phase I (it being the intent of the Declarant that Phase IA and Phase IB of the Property shall be subject to the covenants, conditions, restrictions and provisions of the Declaration as amended by this First Amendment).

4. All covenants, conditions, restrictions and provisions of the Declaration to the extent not specifically amended by this First Amendment shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned being the Declarant herein, has executed this First Amendment as of the day and date referenced above.

SIGNED, SEALED AND DELIVERED CENTEX REAL ESTATE CORPORATION,,
IN THE PRESENCE OF: a Nevada Corporation n/k/a 2728 Holding Corporation

EXHIBIT "A"

TO FIRST AMENDMENT OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WEST BROOK

DESCRIPTION OF PHASE IB

All those certain pieces, parcels or tracts of land with improvements thereon, if any, situate, lying and being in the County of Lexington, State of South Carolina, shown as "Phase IB" on a Plat entitled "A Bonded Plat of Westbrook Subdivision Phase IB" prepared by Power Engineering Co., Inc., dated April 2, 1996 last revised February 27, 1997, and recorded in the Office of the Register of Mesne Conveyances for Lexington County, South Carolina in Plat Book ____ at Page ____.

Subject to and together with all easements, rights of way and other matters shown on the above plat.

SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WEST BROOK

This SECOND AMENDMENT OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WEST BROOK ("Second Amendment") is made as of this 20th Day of October, 1997 by Centex International., Inc., f/k/a 2728 Holding Corporation f/k/a Centex Real Estate Corporation, a Nevada Corporation (hereinafter referred to as "Declarant") with reference to the following facts:

WITNESSETH

WHEREAS, the Declarant is the owner of certain real Property located in the County of Lexington, State of South Carolina, and being more specifically described as 72.34 acres and 7.00 acres in Exhibit 'B' attached hereto and incorporated herein by reference ("Property"); and

WHEREAS, the Declarant commenced the development of certain portions of the Property as phases of a single family residential development with further portions of the Property to be added as additional phases once developed; and

WHEREAS, in connection with the development of Phase IA and IB, the Declarant did execute and record that certain Declaration of Covenants, Conditions and Restrictions for West Brook which is dated July 23, 1996 and recorded in the Office of the Register of Mesne Conveyance for Lexington County, South Carolina in Deed Book 3815 at Page 84 and that certain First Amendment dated March 7, 1997 and recorded in Deed Book 4084 at Page 82 of the aforesaid records (collectively the "Declaration"); and

WHEREAS, the Declarant has undertaken to develop an additional portion of the Property described as Phase III (Phase II not yet being developed) in Exhibit "A" (attached hereto and incorporated herein by reference) and wishes to amend the Declaration so as to subject the portion of the Property described as Phase III to the covenants, conditions, restrictions and provisions of the Declaration.

NOW THEREFORE, the Declarant, as the owner of the property constituting Phase IA, Phase IB and Phase III, for itself and its successors and assigns, declares as follows:

1. The covenants, conditions, restrictions and provisions of the Declaration is further amended by this Second Amendment so as to include, in its entirety, the property set forth and described herein as Phase III.
2. The covenants, conditions, restrictions and provisions of the Declaration are further incorporated into and made a part of this Second Amendment by reference.
3. The Declaration is reaffirmed, restated and amended to the extent such is necessary so as to include, in its entirety, the property set forth and described herein as Phase III (it being the intent of the Declarant that Phase IA, Phase IB and Phase III of the Property shall be subject to the covenants, conditions, restrictions and provisions of the Declaration as amended by this Second Amendment).
4. All covenants, conditions, restrictions and provisions of the Declaration to the extent not specifically amended by this Second Amendment shall remain in full force and effect.

EXHIBIT "A"

TO SECOND AMENDMENT OF DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR WEST BROOK

DESCRIPTION OF PHASE III

All those certain pieces, parcels or tracts of land with improvements thereon, if any, situate, lying and being in the County of Lexington, State of South Carolina, shown as "Phase III" on a Plat entitled "A Bonded Plat of Phase III Westbrook Subdivision" prepared by Power Engineering Co., Inc., dated June 12, 1997, last revised July 17, 1997, and to be recorded in the office of the

Register of Mesne Conveyances for Lexington County, South Carolina; and further including, but not limited to the following lots:

Lots 38 through 68, inclusive.

Subject to and together with all easements, rights of way and other matters shown on the above Plat.