

BEAUFORT COUNTY SC - ROD  
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STATE OF SOUTH CAROLINA )  
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 COUNTY OF BEAUFORT )  
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AMENDMENT TO DECLARATION OF  
COVENANTS, CONDITIONS AND  
RESTRICTIONS FOR BLUFFTON VILLAGE  
TOWN CENTER

WHEREAS, Rowkris Development I, L.L.C. ("Rowkris") under date of December 21, 2001 made and executed its Declaration of Covenants, Conditions and Restrictions for Bluffton Village Town Center ("Declaration") and caused same to be recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Record Book 1517 at Page 1361; and

WHEREAS, Rowkris, in the Declaration at Item 15, reserved unto itself the right, authority and power, *inter alia*, to modify or amend the Declaration, until ninety-five percent of the total Condominium Units or Lots have been conveyed by Rowkris to third-party purchasers, which has not yet occurred; and

WHEREAS, Rowkris has conveyed certain town home Lots, as defined in the Declaration, to B, C & W, LLC, a South Carolina limited liability company ("BC&W"), to wit, Lots: B1T through B12T and A1T through A12T; and BC&W has a contract to purchase from Rowkris the remaining town home lots, Lots C1T through C12T; and

WHEREAS, due to certain surveying and site design problems BC&W has requested that Rowkris amend the Declaration, as hereinafter set forth, to provide easements for overhang, above roads, alleys, open spaces and common areas, of the roof structures of the town homes to be constructed on the Lots conveyed, and under contract, to BC&W; and

WHEREAS, Rowkris has agreed to so amend the Declaration, as hereinafter set forth.

NOW, THEREFORE, KNOW ALL PERSONS BY THESE PRESENTS, that Rowkris Development I, L.L.C., a South Carolina limited liability company, for Three Dollars in hand received and other good and valuable consideration, the receipt, adequacy and sufficiency of which is hereby acknowledged by the said Rowkris Development I, L.L.C., hereby makes and executes the within Amendment to that certain Declaration of Covenants, Conditions and Restrictions for Bluffton Village Town Center mentioned in the first recital ("Whereas" clause) above (the "Declaration"), this 16 day of December, 2002.

1. The Declaration is amended by adding a new provision in Item 6, as follows:

6.8 Town Home Roof Overhang Easement. All roadways, alleys, common areas and open spaces adjacent to the Town Home Lots (A1T through A12T; B1T through B12T; and C1T through C12T) shall be burdened with a permanent, Non-Exclusive Easement Appurtenant, for the benefit of the respective, adjacent Town Home Lot(s), to a depth of twenty-four inches from the Lot boundary line, for overhang of the roof structures above and along such roadways, alleys, common areas and open spaces.

All other provisions of the Declaration, and of any prior amendments thereto not inconsistent herewith are hereby ratified and confirmed and remain of full force and effect according to their original terms and provisions.

IN WITNESS WHEREOF, the undersigned has caused this document to be executed as of the day and year first above written.

Signed, sealed and delivered in the presence of:

Abigail Walker  
[Signature]

ROWKRIS DEVELOPMENT I, L.L.C.,  
a South Carolina limited liability company  
By MiGliore, Inc., a South Carolina Corporation,  
its Managing Member

By: Michael Kristoff  
Michael Kristoff  
Its President

STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF BEAUFORT        )

ACKNOWLEDGMENT

The undersigned notary public does hereby certify that Michael Kristoff, as President of MiGliore, Inc., as Managing Member of Rowkris Development I, L.L.C., a South Carolina limited liability company, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this the 16 day of December, 2002.

Abigail Walker  
Notary Public of South Carolina  
My commission expires: 1/1/03