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PREPARED BY AND, RETURN TO:
Costner Law Office, PLLC
10735 David Taylor Drive, Suite 200
Charlotte, NC 28262

FIRST AMENDMENT TO DECLARATION
OF
COVENANTS, CONDITIONS, AND RESTRICTIONS
FOR
SUNDERLAND POINT SUBDIVISION
HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA

This First Amendment to Declaration of Covenants, Conditions, and Restrictions for Sunderland Point Subdivision (the "Amendment"), is made as of the 14 day of September, 2023, by VILLAGE PARK HOMES, LLC, a South Carolina limited liability company (the "Declarant").

RECITALS:

A. Declarant executed that certain Declaration of Covenants, Conditions, and Restrictions for Sunderland Point Subdivision, dated February 21, 2023, which was recorded October 25, 2021 and re-recorded on June 21, 2023, in Book 4252, Pages 682-711, in the Beaufort County, South Carolina, Register of Deeds (the "Declaration"). Unless otherwise defined herein, all capitalized terms used herein shall have the meanings given such terms in the Declaration.

B. Pursuant to Section 10.12 of the Declaration, the Declarant may unilaterally amend the Declaration for any purpose so long as Declarant has the unilateral right to subject additional property to the Declaration.

C. Pursuant to Section 10.11 of the Declaration, Declarant has the unilateral right to subject additional property to the Declaration so long as it owns one (1) or more Lots.

D. Pursuant to the terms of the Declaration, Declarant hereby desires to exercise its right to unilaterally amend the Declaration in accordance with the terms and provisions set forth below in this Amendment.

NOW, THEREFORE, Declarant hereby declares as follows, with such declaration supplementing, superseding and/or replacing the Declaration to the extent provided below.

1. **Incorporation of Recitals**. Each of the Recitals set forth above is hereby incorporated into this Amendment by reference and is made a part hereof.

2. **Property Subject to Declaration**. Section 1.1 of the Declaration defines “The Property” as “all the real property described on Exhibit “A”, including, without limitation, all property depicted on recorded subdivision plats with respect to the Property.” Included in said description is “Lot 25” and Wetland ‘C’ as shown on that certain plat entitled “A SUBDIVISION PLAT FOR SUNDERLAND POINT, a Portion of R510 010 000 0011, HILTON HEAD ISLAND, BEAUFORT COUNTY, SOUTH CAROLINA” dated February 26, 2020, and recorded March 11, 2020, in Plat Book 153, Page 149 of the Beaufort County, South Carolina Register of Deeds.

3. **Removal of Property from Declaration**. Declarant hereby wishes to Amend the Declaration by removing “Lot 25” and Wetland ‘C’ (the “**Withdrawn Property**”) as more particularly described on the **EXHIBIT “A”** attached hereto, from the scheme and terms of the Declaration. By the recording of this Amendment, the Withdrawn Property shall no longer be subject to the provisions and restrictions of the Declaration, and all the Withdrawn Property shall be conveyed, used, occupied, mortgaged, or otherwise encumbered, free from the restrictive covenants, conditions, and restrictions of the Declaration. Except for the Withdrawn Property, the Declaration shall otherwise remain in full force and effect and shall be binding upon all the remaining property described in the Declaration, except for the Withdrawn Property described herein.

4. **Interpretation**. Except as amended and modified by this Amendment, all terms, covenants, conditions and restrictions set forth in the Declaration are hereby ratified and confirmed and shall remain in full force and effect. This Amendment shall be considered an integral part of the Declaration and construed with the Declaration as if the provisions hereof were specifically set forth in the Declaration.

[SIGNATURES ON THE FOLLOWING PAGE]

