

STATE OF SOUTH CAROLINA )  
COUNTY OF BEAUFORT )  
) SECOND AMENDMENT TO THE  
) CHINABERRY RIDGE DECLARATION OF  
) COVENANTS, RESTRICTIONS AND  
) LIMITATIONS

**THIS SECOND AMENDMENT TO THE CHINABERRY RIDGE DECLARATION OF COVENANTS, RESTRICTIONS AND LIMITATIONS** ("Second Amendment") is made and executed to be effective this 17<sup>th</sup> day of March, 1999, by Summerfield Land, L.P., a South Carolina Limited Partnership ("Declarant").

**WITNESSETH:**

**WHEREAS**, the Declarant holds title and fee simple to certain lands described in Exhibit "A" attached hereto and incorporated herein ("Property"); and

**WHEREAS**, the Declarant recorded the Chinaberry Ridge Declaration Of Covenants, Restrictions And Limitations and Provisions for Membership in Chinaberry Ridge Owners' Association, Inc. ("Covenants") running with certain lands of Declarant on Hilton Head Island, Beaufort County, South Carolina in the in the Office of the Register of Deeds for Beaufort County, South Carolina, on May 4, 1995 in Official Record Book 775 at Page 1518, et seq., as amended in the First Amendment to the Chinaberry Ridge Declaration of Covenants, Restrictions and Limitations which was recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, on September 10, 1996 in Official Record Book 886 at Page 1094 and re-recorded in Official Record Book 907 at Page 2279, as may be supplemented and amended from time to time; and

**WHEREAS**, the Covenants provide that certain property described therein shall be held, transferred, sold, devised, assigned, conveyed, given, purchased, leased, occupied, possessed, mortgaged, encumbered and used subject to the Covenants; and

**WHEREAS**, in Article I, Section 1.2 of the Covenants, Declarant reserved the unrestricted right to submit additional property to the Covenants in addition to that property described in Article I, Section 1.1 and in Exhibit "A-1" to the Covenants, by the recording of a document of record in the Office of the Register of Deeds for Beaufort County, South Carolina, such document describing the additional property and stating the Declarant's intent to submit the additional property to the Covenants; and

**WHEREAS**, the Declarant now wishes to extend the Covenants by submitting the Property described herein to the Covenants as more set forth below.

**NOW, THEREFORE**, the Declarant hereby declares:

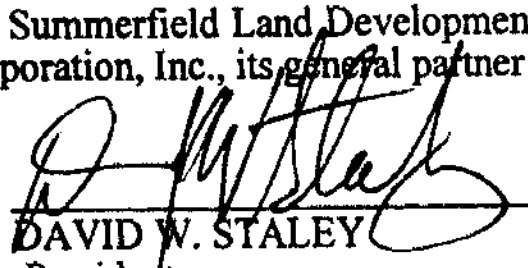
1. **Covenants Application to Property:** The Property described in Exhibit "A" attached hereto and incorporated herein by this reference shall be held, transferred, sold, devised, assigned, conveyed, given, purchased, leased, occupied, possessed, mortgaged, encumbered and used, subject to the Covenants, as amended. The Covenants, together with this Second Amendment, the benefit of the Covenants and this Second Amendment, the affirmative and negative burdens of the Covenants in this Second Amendment, whether pertaining to things, benefits, and/or obligations presently existing or to be created or executed in the future, do and shall, in equity and at law, touch and concern, benefit and burden, and run with the Property described in Exhibit "A". The bylaws of the Chinaberry Ridge Owners' Association, Inc., which are attached as Exhibit "B" to the Covenants are likewise made applicable to the Property described in Exhibit "A".
2. **Ratification:** All the terms and conditions of the Covenants are hereby ratified and confirmed by the Declarant herein and are made applicable to the Property described in Exhibit "A".

IN WITNESS WHEREOF, Summerfield Land, L.P. has executed this Second Amendment to the Chinaberry Ridge Declaration Of Covenants, Restrictions And Limitations on the date and year first written above.

SIGNED AND DELIVERED  
IN THE PRESENCE OF:

SUMMERFIELD LAND, L.P.

By: Summerfield Land Development  
Corporation, Inc., its general partner

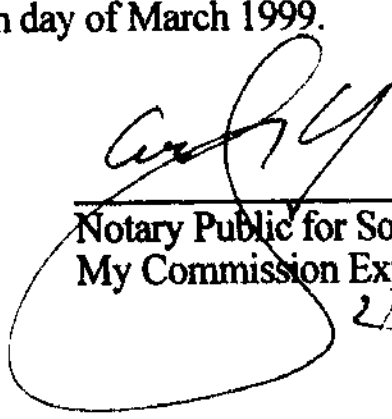
By:   
DAVID W. STALEY  
President

STATE OF SOUTH CAROLINA )  
COUNTY OF BEAUFORT )

ACKNOWLEDGEMENT

I, the undersigned notary, do hereby certify that David W. Staley, President of Summerfield Land Development Corporation, Inc., general partner of Summerfield Land, L.P., personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this 17th day of March 1999.

  
Notary Public for South Carolina  
My Commission Expires: 2/14/2005

## EXHIBIT "A"

Property

All those certain pieces, parcels or lots of land lying and being on Hilton Head Island, Beaufort County, South Carolina, containing 10.01 acres, more or less, and shown and described as Chinaberry Drive, Monticello Drive, Kent Court, active open space "I", active open space "J" and Lots 63 through 67, inclusive, 69 through 91, inclusive, 94 through 99, inclusive, 101, 103, 105, 107, 109 and 111, all of which are more particularly shown and described on the plat entitled "A Subdivision Plat of Chinaberry Ridge Phase III, A Section of Chinaberry Ridge Subdivision, Hilton Head Island, Beaufort County, South Carolina" dated July 28, 1998, prepared by Surveying Consultants and certified to by Terry G. Hatchell, S.C.R.L.S. #11059, which plat has been recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Plat Book 67 at Page 93.

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FILED  
JOHN J. SULLIVAN, JR.  
U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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