

AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, AND RESTRICTIONS SUMMERFIELD

FILED GREENVILLE, SC

THIS AMENDMENT, made on the date hereinafter set forth by Mid Atlantic Development Company of Charleston, LLP, hereinafter referred to as Developer.

2002 MAY 17 P 3 49

WITNESSETH:

JUDY G. HIX REGISTER OF DEEDS

WHEREAS, Developer is the owner of the property in Greenville County, South Carolina more particularly described in Exhibit "A" attached hereto and made a part hereof (hereinafter referred to as the "Property") and desires to develop the Property as a planned community.

WHEREAS, Developer filed a Declaration of Covenants, Conditions, and Restrictions for the Property on May 25, 2001, in the RMC Office for Greenville County, South Carolina, in Book 1953, at Page 1992.

WHEREAS, Developer now desires to amend this Declaration of Covenants, Conditions, and Restrictions, as follows:

AMENDMENT I

Article X, Section 10, shall be amended to include the following restriction: the approval of at least two-thirds of the Owners shall be required to amend these covenants and restrictions.

AMENDMENT II

Article VI, Section 1, shall be amended to read as follows:

- 1. Common Areas. The Common Areas shall be used only for the purposes for which they are intended in the furnishing of services and facilities for the enjoyment of the Owners. There shall be no obstruction or alteration of, nor shall anything be stored, altered, or constructed in, or removed from, the Common Areas without the prior written consent of the Board. The Common Area cannot be mortgaged or conveyed without the consent of at least two-thirds of the Owners (excluding Developer). If ingress or egress to any residence is through the Common Area, any conveyance or encumbrance of such area shall be subject to the Owner's easement. Every Owner has a right and easement of enjoyment to the Common Area, which right and easement shall be appurtenant to the title to the Lot.

47252

05-17-2002 01CL2145

RECORDING FEE 10.00

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has set its hand and seal this 16th day of May, 2002.

SIGNED, SEALED, AND DELIVERED
in the presence of:

MID ATLANTIC DEVELOPMENT
COMPANY OF CHARLESTON, LLP

[Signature]
Witness #1

By: [Signature]
Gregory E. Matovina
Vice President, W.R. Howell Company
General Partner

[Signature]
Notary Public

STATE OF FLORIDA)
)
COUNTY OF DUVAL)

PROBATE



Sondra K. Douglas
MY COMMISSION # CC987301 EXPIRES
December 10, 2004
BONDED THRU TROY FAIR INSURANCE, INC

PERSONALLY APPEARED before me the undersigned witness, who, after being duly sworn, says that (s)he saw the within Declarant seal and as its act and deed deliver the within written Amendment to Declaration of Covenants, Conditions, and Restrictions, and that (s)he, with the other witness subscribed above, witnessed the execution thereof.

[Signature]
Witness #1

SWORN TO and subscribed before me
this 16th day of May, 2002.

[Signature]
Notary Public for State of Florida
My commission expires:



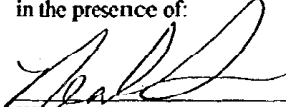
Sondra K. Douglas
MY COMMISSION # CC987301 EXPIRES
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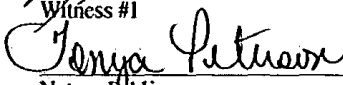
MORTGAGEE CONSENT

The undersigned Bank of America, a national association, the holder of a mortgage recorded in Official Records Book 3422, Page 1496, of the Public Records of Greenville County, South Carolina, joins in the execution hereof for the purpose of consenting to the Amendment of the Declaration of Covenants, Conditions, and Restrictions for Summerfield.

SIGNED, SEALED, AND DELIVERED
in the presence of:

BANK OF AMERICA



Witness #1


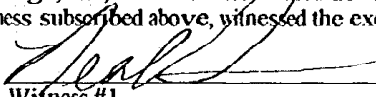
Notary Public

By: 

Its: Vice President

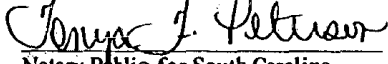
STATE OF SOUTH CAROLINA)
) PROBATE
COUNTY OF GREENVILLE)

PERSONALLY APPEARED before me the undersigned witness who, after being duly sworn, says that (s)he saw the within named representative of Bank of America sign, seal, and as its act and deed deliver the within-written Mortgagee Consent, and that (s)he, with the other witness subscribed above, witnessed the execution thereof.



Witness #1

SWORN TO and subscribed before me
this 17 day of May, 2002.



Notary Public for South Carolina
My commission expires:

My Commission Expires
March 17, 2003

EXHIBIT "A"

LEGAL DESCRIPTION

All of that certain piece, parcel, or lot of land situate, lying, and being on the west side of Tanner Road, consisting of approximately 35.82 acres located in Greenville County, South Carolina, and containing one hundred seventeen (117) lots as shown on a plat prepared by C.O. Riddle Surveying, entitled SUMMERFIELD PHASE ONE, dated February 14, 2001, and recorded in the RMC Office for Greenville County, South Carolina, on April 17, 2001, in Plat Book 43P, at Page 76 and 77, and having such metes and bounds as are shown thereon.

FILED FOR RECORD IN GREENVILLE
COUNTY SC R.O.D. OFFICE AT 03:49 PM
05 17 02 RECORDED IN DEED
BOOK 1995 PAGE 0460 THRU 0463
DOC # 2002047252

Judy A. Hix