



STATE OF SOUTH CAROLINA    )  
   )  
 COUNTY OF CHARLESTON        )        AMENDMENT TO DECLARATION  
   )        OF COVENANTS AND RESTRICTIONS  
   )        FOR TERRABROOK

THIS Amendment to Declaration of Covenants and Restrictions for TerraBrook made this 19 day of April, 2011, by Bradham Investors, LLC ("Declarant").

WITNESSETH:

WHEREAS, Brentwood Homes, Inc., the original declarant as stated in the Declaration of Covenants and Restrictions for TerraBrook, dated September 19, 2008, and recorded in the RMC Office for Charleston County on September 23, 2008, in Book 0011, at Page 369, as amended ("Restrictions and Covenants"), assigned all rights, title and interest given to it under the Restrictions and Covenants to Bradham Investors, LLC, by Assignment of Declarant's Rights, dated April 19, 2011, and recorded in the RMC Office for Charleston County simultaneously herewith; and

WHEREAS, Article II, Section 2.2. Plan of Development of Additional Property, of the Restrictions and Covenants provides, in relevant part, that the Declarant shall have the option, to be exercised in its sole discretion, to submit and subject at any time, or from time to time, the Additional Property may be owned by Declarant, or any portion or portions thereof, to the provisions of the Restrictions and Covenants, and thereby cause the Additional Property to become subject to the Restrictions and Covenants; said addition to be made by the filing of an amendment to the Restrictions and Covenants executed by the Declarant; and

WHEREAS, Declarant is the owner of the property described in Exhibit "A" attached hereto, known as Phase III, Lots 1-30 in TerraBrook, Charleston County, South Carolina (the "Property"), and desires to add said Property subject to the plans and operations of the Restrictions and Covenants, EXCEPT FOR Lot 23 and Lot 28, which Declarant sold to Crescent Homes SC, LLC; and

WHEREAS, Crescent Homes SC, LLC hereby joins in this Amendment by adding Lot 23 and Lot 28 so that said lots are hereby subjected to the provisions of TerraBrook's Restrictions and Covenants; and

WHEREAS, it is Declarant's intent to reaffirm that the property erroneously designated as HOA OPEN SPACE/COMMON AREA 0.70 Acres (having TMS No. 341-00-00-049) and running south of TERRABROOK LANE (50' R/W) as shown on that certain plat of HLA, Inc. entitled, "PLAT SHOWING THE SUBDIVISION OF TMS NO. 341-00-00-049 INTO TERRABROOK PHASE III, LOTS 1-30 (6.01 ACRES), RIGHT-OF-WAY (2.38 ACRES), HOA OPEN SPACE/COMMON AREA (1.54 ACRES), PROPERTY OF HARRIS STREET, LLC, LOCATED IN THE CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA", dated July 12, 2010, last revised January 17, 2011, and recorded in the RMC Office for Charleston County in Plat Book L11, at Page 0026 on January 21, 2011, shall NOT be added and subjected to the provisions of TerraBrook's Restrictions and Covenants. The designation of said property on the above referenced plat as HOA OPEN SPACE/COMMON

AREA was a clerical error, as that property has not and will not be conveyed to the TerraBrook Homeowners Association. So,

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that Declarant, joined and consented to by Crescent Homes SC, LLC, does hereby declare as follows:

1. The Property described in Exhibit "A", attached hereto and incorporated herein by reference, is hereby subjected to the provisions of TerraBrook's Restrictions and Covenants recorded in the RMC Office for Charleston County in Book 0011, at Page 369, on September 23, 2008, as amended; and the said Restrictions and Covenants is hereby amended by adding the Property described in Exhibit "A", attached hereto and incorporated herein by reference, to the property described therein; and

2. The property erroneously designated as HOA OPEN SPACE/COMMON AREA 0.70 Acres (having TMS No. 341-00-00-049) and running south of TERRABROOK LANE (50' R/W) as shown on that certain plat of HLA, Inc. entitled, "PLAT SHOWING THE SUBDIVISION OF TMS NO. 341-00-00-049 INTO TERRABROOK PHASE III, LOTS 1-30 (6.01 ACRES), RIGHT-OF-WAY (2.38 ACRES), HOA OPEN SPACE/COMMON AREA (1.54 ACRES), PROPERTY OF HARRIS STREET, LLC, LOCATED IN THE CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA", dated July 12, 2010, last revised January 17, 2011, and recorded in the RMC Office for Charleston County in Plat Book L11, at Page 0026 on January 21, 2011, shall NOT be added and subjected to the provisions of TerraBrook's Restrictions and Covenants and shall not be conveyed to the TerraBrook Homeowners Association.

3. Except as amended and supplemented herein, all other terms and conditions of the Restrictions and Covenants shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has hereunto set its hands and seals this 19 day of April, 2011.

WITNESS:

BRADHAM INVESTORS, LLC, Declarant

[Signature]  
(Witness #1)

By: [Signature]  
DANIEL T. MCKEE, Manager

[Signature]  
(Witness #2)

CRESCENT HOMES SC, LLC

\_\_\_\_\_  
(Witness #1)

By: \_\_\_\_\_  
Edward M. Terry, President

\_\_\_\_\_  
(Witness #2)

[Signature]

AREA was a clerical error, as that property has not and will not be conveyed to the TerraBrook Homeowners Association. So,

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS that Declarant, joined and consented to by Crescent Homes SC, LLC, does hereby declare as follows:

1. The Property described in Exhibit "A", attached hereto and incorporated herein by reference, is hereby subjected to the provisions of TerraBrook's Restrictions and Covenants recorded in the RMC Office for Charleston County in Book 0011, at Page 369, on September 23, 2008, as amended; and the said Restrictions and Covenants is hereby amended by adding the Property described in Exhibit "A", attached hereto and incorporated herein by reference, to the property described therein; and

2. The property erroneously designated as HOA OPEN SPACE/COMMON AREA 0.70 Acres (having TMS No. 341-00-00-049) and running south of TERRABROOK LANE (50' R/W) as shown on that certain plat of HLA, Inc. entitled, "PLAT SHOWING THE SUBDIVISION OF TMS NO. 341-00-00-049 INTO TERRABROOK PHASE III, LOTS 1-30 (6.01 ACRES), RIGHT-OF-WAY (2.38 ACRES), HOA OPEN SPACE/COMMON AREA (1.54 ACRES), PROPERTY OF HARRIS STREET, LLC, LOCATED IN THE CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA", dated July 12, 2010, last revised January 17, 2011, and recorded in the RMC Office for Charleston County in Plat Book L11, at Page 0026 on January 21, 2011, shall NOT be added and subjected to the provisions of TerraBrook's Restrictions and Covenants and shall not be conveyed to the TerraBrook Homeowners Association.

3. Except as amended and supplemented herein, all other terms and conditions of the Restrictions and Covenants shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned has hereunto set its hands and seals this 19 day of April, 2011.

WITNESS:

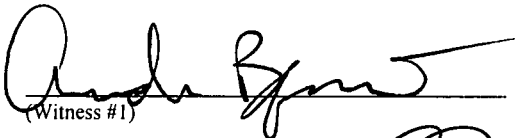
BRADHAM INVESTORS, LLC, Declarant

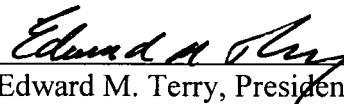
\_\_\_\_\_  
(Witness #1)

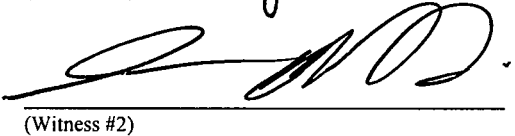
By: \_\_\_\_\_  
DANIEL T. MCKEE, Manager

\_\_\_\_\_  
(Witness #2)

CRESCENT HOMES SC, LLC

  
\_\_\_\_\_  
(Witness #1)

By:   
Edward M. Terry, President

  
\_\_\_\_\_  
(Witness #2)



STATE OF Georgia )  
COUNTY OF Cherokee )

ACKNOWLEDGMENT

I, a Notary Public for the State of Georgia, do hereby certify that the above-named Bradham Investors, LLC, by and through the above-named Manager, personally appeared before me this 19th day of April, 2011, and acknowledged the due execution of the foregoing instrument.



Jacqueline A. Corry  
Notary Public for Georgia  
My Commission Expires 04/27/2012

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

ACKNOWLEDGMENT

I, a Notary Public for the State of \_\_\_\_\_, do hereby certify that the above-named Crescent Homes SC, LLC, by and through the above-named officer, personally appeared before me this \_\_\_\_ day of April, 2011, and acknowledged the due execution of the foregoing instrument.

\_\_\_\_\_  
Notary Public for \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

pm 1/1/11

STATE OF \_\_\_\_\_ )  
 )  
COUNTY OF \_\_\_\_\_ )

ACKNOWLEDGMENT

I, a Notary Public for the State of \_\_\_\_\_, do hereby certify that the above-named Bradham Investors, LLC, by and through the above-named Manager, personally appeared before me this \_\_\_\_ day of April, 2011, and acknowledged the due execution of the foregoing instrument.

\_\_\_\_\_  
Notary Public for \_\_\_\_\_  
My Commission Expires \_\_\_\_\_

STATE OF South Carolina )  
 )  
COUNTY OF Charleston )

ACKNOWLEDGMENT

I, a Notary Public for the State of South Carolina do hereby certify that the above-named Crescent Homes SC, LLC, by and through the above-named officer, personally appeared before me this ~~10/9~~ day of April, 2011, and acknowledged the due execution of the foregoing instrument.

Christy B. Wilman  
Notary Public for South Carolina  
My Commission Expires January 24, 2015

PTC/PLA

EXHIBIT "A"

ALL that certain lot, piece or parcel of land, together with any improvements thereon, situate, lying and being in the City of Charleston, County of Charleston, State of South Carolina, being known and designated as LOTS 1 THROUGH 30, PHASE 3, TERRABROOK, as shown on that certain plat of HLA, Inc. entitled, "PLAT SHOWING THE SUBDIVISION OF TMS NO. 341-00-00-049 INTO TERRABROOK PHASE III, LOTS 1-30 (6.01 ACRES), RIGHT-OF-WAY (2.38 ACRES), HOA OPEN SPACE/COMMON AREA (1.54 ACRES), PROPERTY OF HARRIS STREET, LLC, LOCATED IN THE CITY OF CHARLESTON, CHARLESTON COUNTY, SOUTH CAROLINA", dated July 12, 2010, last revised January 17, 2011, and recorded in the RMC Office for Charleston County in Plat Book L11, at Page 0026 on January 21, 2011. Said lot having such size, shape, dimensions, buttings and boundings as will by reference to said plat more fully appear.

SUBJECT to any and all applicable easements, restrictions, conditions, right-of-ways and setbacks of record and as may be shown on the above-referenced plat.

BEING a portion of the property conveyed to Bradham Investors, LLC by deed dated February 23, 2011, and recorded February 24, 2011, in the RMC Office for Charleston County in Book 0173, at Page 746; the said Bradham Investors, LLC having conveyed Lot 23 and Lot 28 to Crescent Homes SC, LLC by deed dated February 24, 2011, and recorded March 4, 2011, in the RMC Office for Charleston County in Book 0175, at Page 422 and deed dated February 24, 2011, and recorded March 2, 2011, in the RMC Office for Charleston County in Book 0174, at Page 987, respectively.

TMS Numbers:

- |                       |                       |                       |
|-----------------------|-----------------------|-----------------------|
| LOT 1: 341-00-00-139  | LOT 11: 341-00-00-149 | LOT 21: 341-00-00-159 |
| LOT 2: 341-00-00-140  | LOT 12: 341-00-00-150 | LOT 22: 341-00-00-160 |
| LOT 3: 341-00-00-141  | LOT 13: 341-00-00-151 | LOT 23: 341-00-00-161 |
| LOT 4: 341-00-00-142  | LOT 14: 341-00-00-152 | LOT 24: 341-00-00-162 |
| LOT 5: 341-00-00-143  | LOT 15: 341-00-00-153 | LOT 25: 341-00-00-163 |
| LOT 6: 341-00-00-144  | LOT 16: 341-00-00-154 | LOT 26: 341-00-00-164 |
| LOT 7: 341-00-00-145  | LOT 17: 341-00-00-155 | LOT 27: 341-00-00-165 |
| LOT 8: 341-00-00-146  | LOT 18: 341-00-00-156 | LOT 28: 341-00-00-166 |
| LOT 9: 341-00-00-147  | LOT 19: 341-00-00-157 | LOT 29: 341-00-00-167 |
| LOT 10: 341-00-00-148 | LOT 20: 341-00-00-158 | LOT 30: 341-00-00-168 |

*TERRABROOK*

# RECORDER'S PAGE



**NOTE:** This page **MUST** remain with the original document

*AWL*  
*CAH*

**Filed By:**

DODDS & HENNESSY, L.L.P.  
ATTORNEYS AT LAW  
P.O. BOX 298  
CHARLESTON SC 29402

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Time:	2:19:24 PM	
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Charlie Lybrand, Register Charleston County, SC		

**MAKER:**

BRADHAM INVESTORS LLC

# of Sats:  # of Pages:   
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**RECIPIENT:**

NA

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Extra Reference Cost	\$ -
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Postage	\$ -
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