

246650

STATE OF SOUTH CAROLINA  
COUNTY OF HORRY  
FILED  
95 NOV 12 PM 3:22  
R.M.C.

THIRD AMENDMENT TO ADD PHASE  
III TO DECLARATION OF COVENANTS,  
RESTRICTIONS AND EASEMENTS FOR  
THE OAKS AT EASTPORT NEIGHBORHOOD  
ASSOCIATION

RMC

WHEREAS, Chicora Development, a South Carolina Corporation, hereinafter referred to as "Declarant", did execute Declaration of Covenants, Restrictions and Easements for The Oaks at Eastport Neighborhood Association, and Declaration of Covenants, Restrictions and Easements was recorded June 05, 1995, in Deed Book 1803 at page 373, records of the office of the RMC for Horry County; and

WHEREAS, said Declaration of Covenants, Restrictions and Easements reserved the right at the sole option of the Declarant, its successors and assigns, to submit subsequent phases to the provisions of the said Declaration of Covenants, Restrictions and Easements; and

NOW, THEREFORE, know all men by these presents that Chicora Development a South Carolina Corporation, Myrtle Beach, South Carolina does hereby declare as follows:

I. The Declarant is the sole owner in fee simple of the land and improvements described in Exhibit A and designated as Phase III, and Declarant does hereby elect to exercise its options and rights set forth herein and more particularly set forth in the Declaration of Covenants, Restrictions and Easements as recorded in Deed Book 1803 at page 373, and submit the land described in Exhibit "A" attached hereto and incorporated herein by reference (Phase III), together with all improvements thereon, including all easements, rights and appurtenances thereto. The Declaration of Covenants, Restrictions and Easements is hereby amended to add the real property and improvements as set forth in Exhibit "A" and effective upon the filing of this Amendment, the property included in The Oaks at Eastport Neighborhood Association, a Development shall include the property submitted by the original Declaration of Covenants, Restrictions and Easements and the property and improvements submitted pursuant to this Amendment and the Exhibits attached hereto and incorporated herein by reference.

II. The Declaration of Covenants, Restrictions and Easements is further amended in all particulars, generalities and references so as to reflect and include the submission of the said Phase III property with improvements thereon to The Oaks at Eastport Neighborhood Association, a Development, so that all of the properties described in Article III of above said Declaration of Covenants, Restrictions and Easements together with the properties set forth herein shall be subject to Ashton Glenn, A Development, together with the Articles of Incorporation and By-Laws governing said Development.

1178

IN WITNESS WHEREOF, Chicora Development, a South Carolina Corporation, has caused this Amendment to be executed this 11<sup>th</sup> day of November, 1966.

DECLARANT:

CHICORA DEVELOPMENT, A SOUTH CAROLINA CORPORATION

Judy M. Colangelo  
[Signature]

[Signature]

STATE OF SOUTH CAROLINA )  
COUNTY OF HERRY )

PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that s/he the within named as Declarant, Chicora Development, a South Carolina Corporation by E. Lawrence Landale, sign, seal, and as its corporate act and deed deliver the within written Seventh Amendment to Declaration of Covenants, Restrictions and Easements for The Oaks at Eastport Neighborhood Association; and that s/he with the other witness whose name is subscribed above witnessed the execution thereof.

Judy M. Colangelo

SWORN to before me this 11<sup>th</sup> day of November, 1966

[Signature] (L.S.)  
Notary Public for South Carolina  
My Commission expires: 10/6/2001

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STATE OF SOUTH CAROLINA  
COUNTY OF HORRY  
Horry County S.C.  
95 NOV 12 PM 3:22  
R.M.C.

THIRD AMENDMENT TO ADD PHASE  
III TO DECLARATION OF COVENANTS,  
RESTRICTIONS AND EASEMENTS FOR  
THE OAKS AT EASTPORT NEIGHBORHOOD  
ASSOCIATION

rec

WHEREAS, Chicora Development, a South Carolina Corporation, hereinafter referred to as "Declarant", did execute Declaration of Covenants, Restrictions and Easements for The Oaks at Eastport Neighborhood Association, and Declaration of Covenants, Restrictions and Easements was recorded June 05, 1995, in Deed Book 1803 at page 373, records of the office of the RMC for Horry County; and

WHEREAS, said Declaration of Covenants, Restrictions and Easements reserved the right at the sole option of the Declarant, its successors and assigns, to submit subsequent phases to the provisions of the said Declaration of Covenants, Restrictions and Easements; and

NOW, THEREFORE, know all men by these presents that Chicora Development a South Carolina Corporation, Myrtle Beach, South Carolina does hereby declare as follows:

I. The Declarant is the sole owner in fee simple of the land and improvements described in Exhibit A and designated as Phase III, and Declarant does hereby elect to exercise its options and rights set forth herein and more particularly set forth in the Declaration of Covenants, Restrictions and Easements as recorded in Deed Book 1803 at page 373, and submit the land described in Exhibit "A" attached hereto and incorporated herein by reference (Phase III), together with all improvements thereon, including all easements, rights and appurtenances thereto. The Declaration of Covenants, Restrictions and Easements is hereby amended to add the real property and improvements as set forth in Exhibit "A" and effective upon the filing of this Amendment, the property included in The Oaks at Eastport Neighborhood Association, a Development shall include the property submitted by the original Declaration of Covenants, Restrictions and Easements and the property and improvements submitted pursuant to this Amendment and the Exhibits attached hereto and incorporated herein by reference.

II. The Declaration of Covenants, Restrictions and Easements is further amended in all particulars, generalities and references so as to reflect and include the submission of the said Phase III property with improvements thereon to The Oaks at Eastport Neighborhood Association, a Development, so that all of the properties described in Article III of above said Declaration of Covenants, Restrictions and Easements together with the properties set forth herein shall be subject to Ashton Glenn, A Development, together with the Articles of Incorporation and By-Laws governing said Development.

1178

IN WITNESS WHEREOF, Chicora Development, a South Carolina Corporation, has caused this Amendment to be executed this 12 day of November, 1976.

DECLARANT:

CHICORA DEVELOPMENT, A SOUTH CAROLINA CORPORATION

Judy M. Colangelo  
Carl Harris

[Signature]

STATE OF SOUTH CAROLINA )  
                                          )     PROBATE  
COUNTY OF HERRY                    )

PERSONALLY appeared before me the undersigned witness and made oath that s/he the within named as Declarant, Chicora Development, a South Carolina Corporation by E. Lawrence Langdale, sign, seal, and as its corporate act and deed deliver the within written Seventh Amendment to Declaration of Covenants, Restrictions and Easements for The Oaks at Eastport Neighborhood Association; and that s/he with the other witness whose name is subscribed above witnessed the execution thereof.

Judy M. Colangelo

SWORN to before me this 12 day of November, 1976

Carl Harris (L.S.)  
Notary Public for South Carolina  
My Commission expires: 9/6/2001

674862

FILED  
HORRY COUNTY, S.C.  
98 DEC 15 PM 3:21  
REGISTER OF DEEDS

STATE OF SOUTH CAROLINA )  
COUNTY OF HORRY )

ROADWAY MAINTENANCE

This Agreement entered into this 8 day of DECEMBER, 1998, between THE OAKS AT EASTPORT Neighborhood Association, Inc., hereinafter referred to as "The Oaks", and THE MOORINGS at Eastport Homeowners Association, Inc., hereinafter referred to as "The Moorings".

WITNESSETH:

WHEREAS, "THE OAKS" and "THE MOORINGS" have need to share the use of certain road easements and paved streets (the roadways) for purpose of ingress and egress to their respective properties; and

WHEREAS, these requirements have been reduced to writing in the Declaration of Covenants, Restrictions and Easements for "The Oaks" at Eastport Neighborhood Association (Section 7.01 Easements) and the Master Deed of "The Moorings" (Article 3, Section K) - a copy of each being hereby attached

WHEREAS, these Sections provide for, among other conditions, that "The Oaks" and "The Moorings" will each be responsible for a pro rata share of the common expenses and reserves necessary to maintain that portion of the roadway that serves both "The Oaks" and "The Moorings".

Handwritten asterisk symbol enclosed in a bracket-like shape.

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS:

1. That "The Oaks" shall have the primary responsibility

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STATE OF SOUTH CAROLINA  
COUNTY OF Horry

)  
) ACKNOWLEDGEMENT  
) (under S.C. Code Sect. 30-5-30 (C))

I, Marcia S. Williams, a notary public for South Carolina, do hereby  
certify that the undersigned personally appeared before me this  
day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this 8th day of December, 1998.

  
Notary Public for South Carolina  
My commission expires: 7/13/2005