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STATE OF SOUTH CAROLINA    )  
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                                      )  
COUNTY OF BEAUFORT        )    FIRST AMENDMENT TO DECLARATION  
                                      )    OF COVENANTS, CONDITIONS AND  
                                      )    RESTRICTIONS FOR THE TOWNHOMES  
                                      )    AT BERWICK GREEN

THIS FIRST AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR THE TOWNHOMES AT BERWICK GREEN (the "First Amendment"), is executed this 29th day of December, 1999, by BERWICK GREEN COMPANY, L.L.C., a South Carolina limited liability company, P. O. Box 21307, Hilton Head Island, South Carolina 29925 (the "Declarant").

WHEREAS, pursuant to that certain Declaration of Covenants, Conditions and Restrictions for The Townhomes at Berwick Green which is recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Book ~~1343~~ at Page ~~1436~~ (the "Declaration"), the Declarant has the right to amend the Declaration to annex certain property as provided in Article II of the Declaration; and

WHEREAS, Declarant is the owner of that certain real property which is more particularly described on Exhibit "A" attached hereto, which is a portion of the Additional Property (the "Annexation Property"); and

WHEREAS, it is the intent of the Declarant under the terms and provisions of the Declaration to submit the Annexation Property to the lien, operation, encumbrance and control of the Declaration; and

WHEREAS, in order to accomplish the foregoing, the Declarant has executed this First Amendment.

NOW, THEREFORE, the Declarant, under the terms and provisions of the Declaration, pursuant to the provisions of Article II of said Declaration, hereby amends the Declaration as follows:

1. The Annexation Property is hereby submitted to the provisions of the Declaration effective as of the date and time of the execution of this First Amendment.
2. Exhibit "A" to the Declaration is hereby amended to provide that the Annexation Property does hereby become a part of the Property and shall be subject to the operation and control of the Declaration.
3. All other covenants, conditions, restrictions, terms and provisions as contained in the Declaration, as amended, shall remain in full force and effect and shall fully and completely apply to the Annexation Property.

IN WITNESS WHEREOF, BERWICK GREEN COMPANY, L.L.C. has caused its duly authorized Member to execute this First Amendment this 29th day of December in the year of Our Lord One Thousand Nine Hundred Ninety-nine and in the Two Hundred Twenty-fourth year of the sovereignty and independence of the United States of America.

SIGNED, SEALED and DELIVERED  
in the Presence of

BERWICK GREEN COMPANY, L.L.C.  
a South Carolina limited liability company

By: 

Its: Authorized Member

Edith L. Reed  
Andra Schubb

STATE OF SOUTH CAROLINA )

COUNTY OF BEAUFORT )

ACKNOWLEDGEMENT

I, the undersigned Notary Public for the State of South Carolina, do hereby certify that JAMES H. NICKSA, authorized member of BERWICK GREEN COMPANY, L.L.C., a South Carolina limited liability company, personally appeared before me this day and, in the presence of the two witnesses above named, acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 29th day of December, 1999.

Andra Schubb  
Notary Public for South Carolina  
My Commission Expires: 11-20 2006

This document was prepared by Edward M. Hughes, Hughes Law Firm, P.C., P. O. Box 23526, Hilton Head Island, SC 29925.

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EXHIBIT "A"

ALL that certain piece, parcel or lot of land situate, lying and being on Hilton Head Island, Beaufort County, South Carolina, designated as LOT NUMBER 16, and being more particularly shown and described on a plat entitled "A Subdivision Plat of THE TOWN HOMES AT BERWICK GREEN, a Section of INDIGO RUN PLANTATION", prepared by Antoine Vinel, SC RLS #9064, dated December 6, 1999, and recorded in the Office of the Register of Deeds for Beaufort County, South Carolina, in Plat Book 72 at Page 123.

Hughes 7126

FILED  
JONIA SULLIVAN JR  
R.M.C.  
BEAUFORT COUNTY, S.C.

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