

HTR/cse

251485

FILED
Horry County S.C.
STATE OF SOUTH CAROLINA S.C. AMENDMENT TO DECLARATION OF COVENANTS
COUNTY OF HORRY 97 JAN 28 PM 3:33 CONDITIONS, RESTRICTIONS AND EASEMENTS
FOR THE LAKES SUBDIVISION

R.M.C.

This Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for the Lakes Subdivision is made this 28th day of January, 1997, by The Lakes at Myrtle Beach, Inc. (hereinafter referred to as "Lakes").

WITNESSETH:

WHEREAS, Edward J. Edelen ("Edelen") did record the Declaration of Covenants, Conditions, Restrictions and Easements for the Lakes Subdivision dated January 30, 1989 and recorded February 27, 1989 in Deed Book 1289 at Page 272, records of the office of the RMC for Horry County, South Carolina (the "Declaration") and

WHEREAS, by Deed dated December 30, 1991 and recorded December 30, 1991 in Deed Book 1516 at Page 682, Edelen conveyed all his right, title and interest in property contiguous to the Lakes Subdivision as well as his rights as "Developer" as defined in Article I paragraph 4 of the Declaration and Article I paragraph 4 of the Bylaws.

WHEREAS, pursuant to Article V, paragraph 2, of the Declaration Developer reserved the right to annex additional parcels of land to the Declaration, and

WHEREAS, Lakes, as Developer, wishes to annex an additional parcel of real estate located in Horry County, South Carolina, and being more particularly described on Exhibit "A" attached hereto (said property being hereinafter referred to as the "Property") to the Declaration.

NOW THEREFORE, Lakes, as "Developer," hereby publishes and declares that the Property is hereby annexed to the Lakes Subdivision and subject to the terms and provisions of the Declaration such that the Property shall hereafter be held, conveyed, hypothecated, encumbered, used, occupied and improved subject to the terms of the Declaration and be entitled to the rights, easements and appurtenances thereunder. A supplement to this Amendment shall be filed in the future referencing an approved subdivision map or plat of the Property as required by a review agency for the proper subdivision of the Property into individual residential lots.

HORRY COUNTY ASSESSOR

191-24, 190-23, 191-23, 190-28,
Map Blk Parcel

1-29-97

BOOK 1916 PAGE 1350

1350

IN WITNESS WHEREOF, Lakes, as Developer, has executed this Amendment to Declaration of Covenants, Conditions, Restrictions and Easements for the Lakes Subdivision on the date first above written.

The Lakes at Myrtle Beach, Inc.

Jennifer L. Nelson
Connie Estep

EJ Edelen
BY: Edward J. Edelen
Its President

STATE OF SOUTH CAROLINA)
COUNTY OF HORRY)

PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that (s)he saw the within named The Lakes at Myrtle Beach, Inc. by Edward J. Edelen, its President, sign, seal and as its act and deed deliver the within written Amendment; and that (s)he with the other witness whose name appears above witnessed the execution thereof.

Jennifer L. Nelson

SWORN TO before me this
28th day of Jan., 1997.

Connie Estep
Notary Public for SC
My Commission expires 3-1-99

EXHIBIT "A"

ALL AND SINGULAR all that certain piece, parcel or tract of land lying, being and situate in Socastee Township, Horry County, South Carolina, containing in the aggregate 426.53 acres and being more particularly defined and delineated on a map made for Stephenson-Gardner-Mills by Ragsdale Consultants, P.A., dated November 23, 1987, and recorded in Plat Book 74 at page 219, office of the Clerk of Court for Horry County, South Carolina.

Said tract is bounded on said map as follows: On the North and Northwest by Virginia B. Marshall; on the Northeast by John Carr, Taze Rutledge, London Homes Estates, Scipio Myers Estate Lands, and Joe and Sabe Carr; Louis Carr and International Paper Co.; on the West and Northwest by Burroughs & Collins Co. and McDowell Land.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY:

PARCEL I: ALL AND SINGULAR those certain pieces, parcels or lots of land lying and being near the Town of Surfside Beach, Horry County, South Carolina, shown and designated as Lots 1, 2, 3, 4, 5, 6, 10, 11, 12, 13, 14, and 15, Block B, The Lakes Subdivision Phase I, on a plat prepared by Robert L. Bellamy and Associates, Inc., Consulting Engineers, Planners and Surveyors, dated June 9, 1988, and recorded in the Office of the Clerk of Court for Horry County in Plat Book 100 at page 171.

PARCEL II: ALL AND SINGULAR those certain pieces, parcels or lots of land lying and being near the Town of Surfside Beach, Horry County, South Carolina, shown and designated as Lots 8, 9, 10, 11, 12, and 13, Block A; Lots 18, 19, 20, and 21, Block B; Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, Block D; and Lots 1, 2, 3, and 4, Block E, The Lakes Subdivision Phase II, on a plat prepared by Robert L. Bellamy and Associates, Inc., Consulting Engineers, Planners & Surveyors, dated June 10, 1988 and recorded in the office of the Clerk of Court for Horry County in Plat Book 100 at page 172.

PARCEL III: ALL AND SINGULAR those certain pieces, parcels or lots of land lying and being near the Town of Surfside Beach, Horry County, South Carolina, Shown and designated as Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, and 31, Block C; Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16, Block E; Lots 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18, Block F; Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26, Block G; Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 22, Block H, The Lakes Subdivision Phase III, on a plat prepared by Robert L. Bellamy and Associates, Inc., Consulting Engineers, Planners & Surveyors, dated September 12, 1988, and recorded in the office of the Clerk of Court for Horry County in Plat Book 103 at page 211.

PARCEL IV: ALL AND SINGULAR those certain pieces, parcels or lots of land lying and being near the Town of Surfside Beach, Horry County, South Carolina, shown and designated as Lots 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19, Block I; Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 19, Block J; Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, Block L, The Lakes Subdivision Phase IV, on a plat prepared by Robert L. Bellamy and Associates, Inc., Consulting Engineers, Planners & Surveyors, dated October 19, 1987, and recorded March 7, 1988 in the office of the Clerk of Court for Horry County in Plat Book 99 at page 110.

PARCEL V: ALL AND SINGULAR those certain pieces, parcels or lots of land lying and being near the Town of Surfside Beach, Horry County, South Carolina, shown and designated as Lots 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 18, 19, 20, 21, 22, 27, and 32, Block M, The Lakes Subdivision Phase V on a plat prepared by Robert L. Bellamy and Associates, Inc., Consulting Engineers, Planners & Surveyors, dated February 23, 1988, and recorded in the office of the Clerk of Court for Horry County in Plat Book 99 at page 122.

PARCEL VI: ALL AND SINGULAR those certain pieces, parcels or lots of land lying and being near the Town of Surfside Beach, Horry County, South Carolina, shown and designated as Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28, Block K; Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 22, 23, 26, 27, 28, 29, 30, 31, 33, 34, 36, 37, 38, 39, and 40, Block N, The Lakes Subdivision Phase VI, on a plat prepared by Robert L. Bellamy and Associates, Inc., Consulting Engineers, Planners & Surveyors, dated November 14, 1988, and recorded in the office of the RMC for Horry County in Plat Book 103 at page 212.

PARCEL VII: ALL AND SINGULAR those certain pieces, parcels or lots of land lying and being near the Town of Surfside Beach, Horry County, South Carolina, shown and designated as Lots 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18, Block O, The Lakes Subdivision, Phase VIII, on a plat prepared by Robert L. Bellamy and Associates, Inc., Consulting Engineers, Planners & Surveyors, dated March 27, 1990, and recorded in the Office of the RMC for Horry County in Plat Book 109 at page 97.

PARCEL VIII: ALL AND SINGULAR, that certain piece, parcel or lot of land lying and being near the Town of Surfside Beach, Horry County, South Carolina, shown and designated as Lot 24, Block P, The Lakes Subdivision, Phase IX-A, on a plat prepared by Robert L. Bellamy and Associates, Inc., Consulting Engineers, Planners & Surveyors, dated December 19, 1990, and recorded in the Office of the Clerk of Court for Horry County in Plat Book 112 at page 194.

PARCEL IX: ALL AND SINGULAR that certain piece, parcel or lot of land lying and being near the Town of Surfside Beach, Horry County, South Carolina, shown and designated as Lot 1, Block P, The Lakes Subdivision, Phase IX-B, on a plat prepared by Robert L. Bellamy and Associates, Engineers and Surveyors, surveyed September 17, 1990, mapped May 15, 1991, and recorded June 4, 1991, in the Office of the RMC for Horry County in Plat Book 115 at Page 125.

PARCEL X: ALL AND SINGULAR those certain pieces, parcels or lots of land lying and being near the Town of Surfside Beach, Horry County, South Carolina, shown and designated as Lots 1, 2, 3, 4, 7, 8, 9, 14, 15, and 24, Block Q, The Lakes Subdivision, Phase X, on a plat prepared by Robert L. Bellamy and Associates, Inc., Consulting Engineers, Planners & Surveyors, dated April 4, 1991, and recorded in the Office of the RMC for Horry County in Plat Book 114 at page 203.

PARCEL XI: ALL AND SINGULAR all that certain piece, parcel or tract of land lying and being near the Town of Surfside Beach, Horry County, South Carolina, shown and designated as 5.01 acres on a plat prepared for River Village Corporation of Myrtle Beach by Robert L. Bellamy and Associates, Inc., Consulting Engineers, Planner & Surveyors, dated May 9, 1989, and recorded in the Office of the RMC for Horry County in Plat Book 104 at page 173.

PARCEL XII: ALL AND SINGULAR all that certain piece, parcel or tract of land lying and being near the Town of Surfside Beach, Horry County, South Carolina, shown and designated as Phase II of River Village (Lakes Phase VII) Subdivision prepared by Robert L. Bellamy and Associates, Inc., Consulting Engineers, Planners & Surveyors, dated July 17, 1990, and recorded November 5, 1991, in the Office of the RMC for Horry County in Plat Book 117 at Page 60, said plat being incorporated herein by reference as forming a part of this description.

PARCEL XIII: All roads as shown on plats of Phases I, II, III, IV, V, VI, VIII, Phase IX-A, Phase IX-B, and Phase X, recorded in Plat Book 100 at page 171, Plat Book 100 at page 172, Plat Book 96 at page 59, Plat Book 99 at page 110, Plat Book 99 at page 122, Plat Book 103 at page 212, Plat Book 109 at page 97, Plat Book 112 at page 194, Plat Book 115 at page 125, and Plat Book 114 at page 203.

ALSO, all rights, title and interest conveyed to Edelen-Dorman Corp., a South Carolina Corporation, by Horry County, South Carolina, a body politic, by Quitclaim Deed recorded October 17, 1984 in Deed Book 907 at page 925, office of the Clerk of Court for Horry County, South Carolina.

ALSO, all rights, title and interest conveyed to Edelen-Dorman Corp., a South Carolina Corporation, by J. Oliver Benton and Billie J. Benton, by Easement recorded July 26, 1984, in Deed Book 887 at page 642, office of the Clerk of Court for Horry County, South Carolina.

ALSO, all rights, title and interest conveyed to E. A. Dorman and Edward J. Edelen, III, by Drainage Easement recorded May 11, 1984, in Deed Book 868 at page 35, office of the Clerk of Court for Horry County, South Carolina.

ALSO, Less and excepting the parcels described on Schedule 1 attached hereto.

This being a portion of the property conveyed to The Lakes at Myrtle Beach, Inc. by deed from Edward J. Edelen, III recorded December 30, 1991 in deed book 1516 at page 682, records of the office of the RMC for Horry County, South Carolina.

SCHEDULE 1

PARCEL I:

ALL AND SINGULAR that certain piece, parcel or tract of land lying and being near the Town of Surfside Beach, Horry County, South Carolina, shown and designated on a plat of Phase XII of the Lakes Subdivision entitled "11.06 Acre Tract Adjacent to The Lakes Subdivision, Phase IX" prepared by Robert L. Bellamy and Associates, Inc., Consulting Engineers, Planners & Surveyors, dated January 3, 1994, and recorded January 6, 1994 in the Office of the RMC for Horry County in Plat Book 127 at Page 156, reference to which is craved as forming a part of these presents.

PARCEL II:

ALL AND SINGULAR that certain piece, parcel or tract of land lying and being near the Town of Surfside Beach, Horry County, South Carolina, shown and designated on a plat entitled "Map of Parcel "A" (2.47 acres) & Parcel "B" (0.05 acres) near the Lakes Subdivision, Phase IX" prepared by Robert L. Bellamy & Associates, Inc., Consulting Engineers, Planners & Surveyors, dated October 5, 1995 and recorded 10-13-95, 1995 in the Office of the RMC for Horry County in Plat Book 136 at Page 240+241, reference to which is craved as forming a part of these presents.

1355