. }

15094

STATE OF SOUTH CAROLINA) FIRST AMENDMENT TO MASTER
) DECLARATION OF COVENANTS, CONDITIONS
COUNTY OF BEAUFORT) AND RESTRICTIONS FOR EAGLE'S POINTE

THIS FIRST AMENDMENT is made this day of March, 1999, by CENTEX HOMES, a Nevada General Partnership (hereinafter referred to as "Declarant"), of Beaufort County, South Carolina.

WITNESSETH:

WHEREAS, the Declarant recorded the "Declaration of Covenants, Conditions and Restrictions for Eagle's Pointe" ("Eagle's Pointe Covenants") in the Beaufort County Records on February 24, 1997 in Book 923 at Page 1571, as amended and supplemented from time to time.

WHEREAS, the Eagle's Pointe Covenants describe certain property therein which is held, transferred, sold, conveyed and given, donated, leased and occupied subject to said Eagle's Pointe Covenants;

WHEREAS, in Article II, Section 2.03 of the Eagle's Pointe Covenants, Declarant reserves the unrestricted right to submit additional property other than that described in the Eagle's Pointe Covenants by the recording of a document of record in the Beaufort County Records, Beaufort County, South Carolina, describing such additional property and stating the Declarant's intent to submit the additional property to the Eagle's Pointe Covenants.

WHEREAS, the Declarant now wishes to extend the Eagle's Pointe Covenants by submitting the additional property described herein to the Eagle's Pointe Covenants.

NOW, THEREFORE, the Declarant hereby declares:

1. <u>Covenants</u>. That the property described in Exhibit "A" attached hereto and by this reference incorporated herein shall be held, transferred, sold, devised, assigned, conveyed, given, purchased, leased, occupied, possessed, mortgaged, encumbered and used subject to the Eagle's Pointe Covenants. The Eagle's Pointe Covenants, the benefit of the Eagle's Pointe Covenants and the affirmative and negative burdens of the Eagle's Pointe Covenants, whether pertaining to things, benefits and obligations presently

(22171.1) 12343-003

existing or to be created or executed in the future, do and shall, in equity and at law, touch and concern, benefit and burden, and run with the real property described in Exhibit "A". The By-Laws of Eagle's Pointe Property Owners Association, Inc. attached to the Eagle's Pointe Covenants are likewise made applicable to the property described in Exhibit "A".

2. <u>Ratification</u>. All terms and conditions of the Eagle's Pointe Covenants referenced above are hereby ratified and confirmed by the Declarant herein and are made applicable to the property described in Exhibit "A".

IN WITNESS WHEREOF, Centex Homes, a Nevada General Partyership has caused these presents to be executed this day of , 1999.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

CENTEX HOMES, a Nevada General Partnership

Centex Real Estate

Corporation, a Description of Corporation of Corpor

STATE OF SOUTH CAROLINA)

ACKNOWLEDGMENT

COUNTY OF BEAUFORT

I, the undersigned Notary Public, do hereby certify that Frederick J. Bricketto, Jr., Area Manager of Centex Real Estate Corporation, as General Partner and on behalf of Centex Homes, a Nevada General Partnership, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and seal this 25 day of March, 1999

Notary Public for South Carolina
My Commission Expires: 00 06

Exhibit "A"

All that certain piece, parcel or lot of land lying and being in Bluffton Township, Beaufort County, South Carolina, consisting of 26.182 Acres, located off U.S. Highway 278 and being more fully shown and designated as Phase 2 on a plat entitled "A Plat of Phases I. II & III 97.761 Acres (Total), and Various Access Easements, A Section of Eagle's Pointe, Bluffton, South Carolina, by Jack Jones, S.C.R.L.S. 13852, said plat being dated January 29, 1997 and recorded in the Beaufort County Records in Book 59 at Page 134 on February 21, 1997. For a more detailed description as to the courses, metes and bounds of the above mentioned property, reference is had to said plat of record.

777 9900

FILED JOHN J. SULLIVAN - RMC REAL CONTROL STATE

99 MAR 24 AM 10: 28 / MW BK //5/ PG 7 FOLDER#

10