



BP0360784

After recording, please return to:

Please cross-reference to Declaration and First Amendment to Declaration recorded at:

John W. Farrell
Buist Byars Pearce & Taylor, LLC
1051 Chuck Dawley Blvd.
Mount Pleasant, SC 29464

**Declaration - Book T535 at Page 686
First Amendment - Book J583 at Page 054**

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

**ASSIGNMENT AND SECOND AMENDMENT TO
DECLARATION OF COVENANTS AND RESTRICTIONS
FOR THE PRESERVE FENWICK HALL AND
PROVISIONS FOR AND THE BYLAWS OF THE PRESERVE
AT FENWICK HALL PROPERTY OWNERS ASSOCIATION, INC.**

THIS ASSIGNMENT AND SECOND AMENDMENT TO DECLARATION OF COVENANTS AND RESTRICTIONS FOR THE PRESERVE FENWICK HALL AND PROVISIONS FOR AND THE BYLAWS OF THE PRESERVE AT FENWICK HALL PROPERTY OWNERS ASSOCIATION, INC. (the "Second Amendment") is made this 10th day of September, 2013, by Epic Development, LLC, a South Carolina limited liability company (the "Assignor") and The Preserve at Fenwick Hall Property Owners Association, Inc., a South Carolina non-profit corporation (the "Assignee").

WHEREAS, Assignor, as Declarant, executed and filed that certain document entitled "Declaration of Covenants and Restrictions for the Preserve at Fenwick Hall and Provisions for and the ByLaws of the Preserve at Fenwick Hall Property Owners Association, Inc." dated April 29, 2005, and recorded in the RMC Office for Charleston County, South Carolina on May 4, 2005, in Book T535 at Page 686 (the "Declaration"); and

WHEREAS, Assignor executed and filed that certain document entitled "First Amendment to Declaration of Covenants and Restrictions for the Preserve at Fenwick Hall and Provisions for the ByLaws of the Preserve at Fenwick Hall Property Owners Association, Inc." dated April 20, 2006, and recorded in the RMC Office for Charleston County, South Carolina on May 12, 2006, in Book J583 at Page 054 (the "First Amendment"); and

WHEREAS, pursuant to the terms of Article IX, Section 9.02 of the Declaration, Assignor may amend the Declaration at any time, by written instrument duly recorded in the RMC Office for Charleston County, with or without the prior consent or approval of any Owner or mortgagee holding a lien on any Lot or Parcel; and

WHEREAS, pursuant to the terms of Article IX, Section 9.06 of the Declaration, Assignor may assign to the Association or any one or more persons, firms, corporations, partnerships, or associations, any and all rights, powers, duties, easement and estates reserved or given to Assignor in the Declaration; and

WHEREAS, Assignor desires to assign any and all of its rights, powers, duties, easements and estates in the Declaration to Assignee; and

NOW, THEREFORE, pursuant to the powers reserved to the Assignor under the Declaration, the Assignor hereby assigns and amends the Declaration as follows:

1. Assignor hereby assigns all of its rights, powers, duties, easements and estates in the Declaration to Assignee, The Preserve at Fenwick Hall Property Owners Association, Inc.
2. The Declaration is hereby amended as follows:

ARTICLE I, DEFINITIONS.

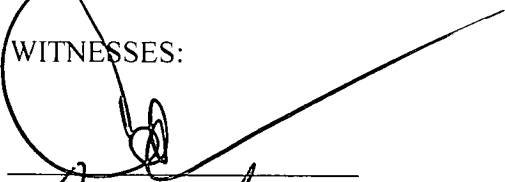
(h) "Declarant" shall mean and refer to The Preserve at Fenwick Hall Property Owners Association, Inc., a non-profit corporation organized under the laws of the State of South Carolina, its successors and assigns.

3. Except as provided herein, all other terms and conditions of the Declaration and First Amendment shall remain in full force and effect.


*[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]
[SIGNATURE PAGES TO FOLLOW]*

IN WITNESS WHEREOF, the Assignor has set its hand and seal hereto on the date first written above.

WITNESSES:


_____ (SEAL)
Amy E. Lyda


ASSIGNOR:
Epic Development, LLC, a South Carolina
limited liability company

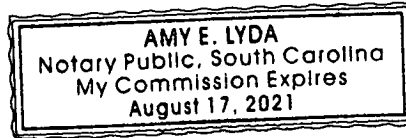

_____ (SEAL)
By: *Kevin J. Flynn*
Its: *Member*

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

ACKNOWLEDGMENT

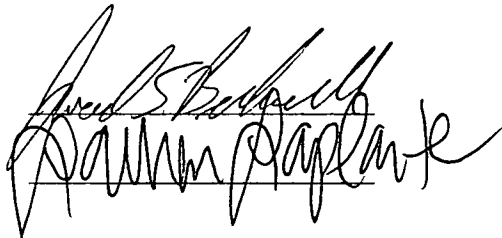
The foregoing instrument was acknowledged before me by Epic Development, LLC, by Kevin J. Flynn, its Member, this 10th day of September, 2013.


_____ (SEAL)
Notary Public for the State of South Carolina
My commission expires: 8/17/21



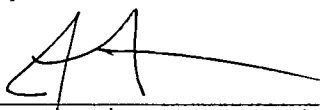
IN WITNESS WHEREOF, the Assignee has set its hand and seal hereto on the date first written above.

WITNESSES:



ASSIGNEE:

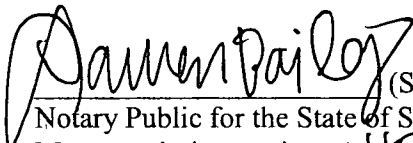
The Preserve at Fenwick Hall Property Owners Association, Inc., a South Carolina non-profit corporation

 (SEAL)
By: JOHN LAPLANTE
Its: PRESIDENT

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

ACKNOWLEDGMENT

The foregoing instrument was acknowledged before me by The Preserve at Fenwick Hall Property Owners Association, Inc., by JOHN LAPLANTE, its PRESIDENT, this 10th day of September, 2013.

 (SEAL)
Notary Public for the State of South Carolina
My commission expires: 1/15/19

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CMT

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0360	784	Misc
Charlie Lybrand, Register Charleston County, SC		

MAKER:

EPIC DEV LLC

RECIPIENT:

PRESERVE @ FENWICK POA

Original Book:

T535

Original Page:

686

of Pages:
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Note:

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Extra Reference Cost	\$ -
Extra Pages	\$ -
Postage	\$ -
Chattel	\$ -
TOTAL	\$ 10.00

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