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After recording, please return to:

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

John W. Farrell
Buist Byars & Taylor, LLC
652 Coleman Blvd., Suite 200
Mount Pleasant, SC 29464

Declaration - Book T535 at Page 686
First Amendment - Book J583 at Page 054
Second Amendment - Book 0360 at Page 784

STATE OF SOUTH CAROLINA)
)
COUNTY OF CHARLESTON)

**CORRECTIVE ASSIGNMENT AND SECOND AMENDMENT
TO 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.**

THIS CORRECTIVE ASSIGNMENT AND SECOND AMENDMENT TO 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. (the “Corrective Second Amendment”) is made this 30th day of September, 2013, by Epic Development, LLC, a South Carolina limited liability company (the “Assignor”), Penny Creek Associates, LLC, a South Carolina limited liability company (the “Assignee”), and The Preserve at Fenwick Hall Property Owners Association, Inc., a South Carolina non-profit corporation (the “Association”).

WHEREAS, Assignor 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, Assignor executed and filed that certain document entitled “Assignment and Second 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 September 10, 2013, and recorded in the RMC Office for Charleston County, South Carolina on September 13, 2013, in Book 0360 at Page 784 (the “Second Amendment”); and

WHEREAS, Assignor did, in the Second Amendment and pursuant to the terms of Article IX, Section 9.02 of the Declaration, amend the Declaration; and

WHEREAS, Assignor did, in the Second Amendment and pursuant to the terms of Article IX, Section 9.06 of the Declaration, by inadvertence and/or mistake, assign to the Association all of its rights, powers, duties, easements and estates reserved or given to Assignor in the Declaration; and

WHEREAS, it was the intent of the Assignor, the Association, and the Assignee that the Assignor assign all of its rights, powers, duties, easements and estates reserved or given to Assignor in the Declaration, to the Assignee, and not the Association; and

WHEREAS, Assignor and the Association desire to correct the Second Amendment to assign any and all of their rights, powers, duties, easements and estates in the Declaration and/or Second Amendment to Assignee; and

NOW, THEREFORE, pursuant to the powers reserved to the Assignor and/or Association under the Declaration and/or Second Amendment, the Assignor and Association amend the Declaration and Second Amendment as follows:

1. Assignor and the Association hereby assign all of their rights, powers, duties, easement and estates in the Declaration and/or Second Amendment to Assignee, Penny Creek Associates, LLC.
2. The Declaration and Second Amendment is hereby amended as follows:

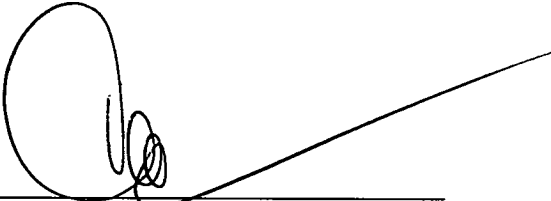
ARTICLE I, DEFINITIONS.

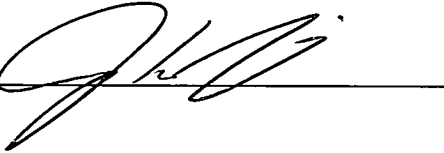
(h) "Declarant" shall mean and refer to Penny Creek Associates, LLC, a South Carolina limited liability company, its successors and assigns.

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

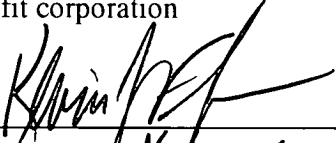
*[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]
[SIGNATURE PAGES TO FOLLOW]*

IN WITNESS WHEREOF, Assignor has caused this Corrective Second Amendment to be executed on this 30 day of September, 2013.





ASSIGNOR:
Epic Development, LLC, a South Carolina
non-profit corporation

By: 

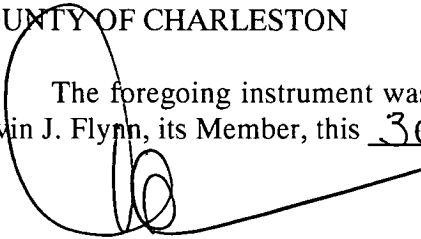
Name: Kevin Flynn

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 30 day of September, 2013.



Notary Public for South Carolina
My Commission Expires: 4/17/18

IN WITNESS WHEREOF, the Association has caused this Corrective Second Amendment to be executed on this 2nd day of ~~September~~, 2013.
October

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

Amy E. Lyda
[Signature]

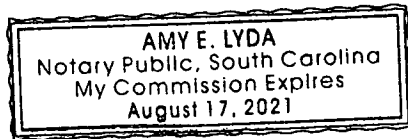
By: [Signature]
Name: John LaPlante
Its: President

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 2nd day of ~~September~~, 2013.
October

Amy E. Lyda
Notary Public for South Carolina
My Commission Expires: 8/17/21



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Charlie Lybrand, Register Charleston County, SC		

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652 COLEMAN BLVD.
SUITE 200
MT. PLEASANT SC 29464-4018

Maker:

EPIC DEV LLC AL

Recipient:

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Original Book:

T535

Original Page:

686

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