

BK Z1690821

STATE OF SOUTH CAROLINA )  
 )  
 COUNTY OF CHARLESTON ) SUPPLEMENTAL DECLARATION AND  
 ) AMENDMENT OF COVENANTS AND  
 ) RESTRICTIONS OF THE MORGAN  
 ) CREEK HARBOR ASSOCIATION

THIS Supplemental Declaration made this 27 day of October, 1987 by Wild Dunes Associates, a South Carolina General Partnership, and by Morgan Creek Harbor Association, Inc., hereinafter referred to as "Association".

## W I T N E S S E T H:

WHEREAS, the Wild Dunes Associates, by instrument dated July 12, 1984 made certain properties on the Isle of Palms, Charleston County, South Carolina, subject to a Declaration of Covenants and Restrictions For The Morgan Creek Harbor Association ("Declaration"), said instrument being recorded in the R.M.C. Office for Charleston County, South Carolina in Book R-138 at Page 133; and

WHEREAS, said Declaration was supplemented by Supplemental Declaration of Covenants and Restrictions of the Morgan Creek Harbor Association dated August 17, 1984, recorded in the R.M.C. Office for Charleston County in Book B-140, Page 611; and

WHEREAS, said Declaration was further supplemented by Supplemental Declaration and Amendment of Covenants and Restrictions of the Morgan Creek Harbor Association dated July 13, 1987, recorded in the R.M.C. Office for Charleston County on July 13, 1987 in Book W-166, Page 409; and

WHEREAS, Article II, Section 2 provides that additional property may be brought within the plan and operation of the aforesaid Declaration as more particularly set forth herein and that any Supplementary Declaration adding additional land may contain such complementary additions and/or modifications of the covenants and restrictions contained in the aforesaid Declaration as may be necessary or convenient, in the sole judgment of the Declarant, Wild Dunes Associates, to reflect the different character, if any, of the added properties; and

WHEREAS, Wild Dunes Associates, with the consent of Morgan Creek Harbor Association, Inc., now wishes to bring additional properties within the plan and operation of the aforesaid Declaration and to submit said properties to the following complimentary additions and/or modifications of the covenants and restrictions contained in the aforesaid Declaration, now therefore

KNOW ALL MEN BY THESE PRESENTS that Wild Dunes Associates declares that the real property described in Exhibit "A", attached hereto, pursuant to Article II, Section 2 of the

Exhibit F

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"Declaration of Covenants and Restrictions for Morgan Creek Harbor Association, Inc." dated July 12, 1984, recorded in the R.M.C. Office for Charleston County in Book R-138, Page 133, as supplemented by Supplemental Declaration dated August 17, 1987, recorded in the R.M.C. Office for Charleston County in Book B-140, page 611, and as further supplemented by Supplemental Declaration dated July 13, 1987, recorded in the R.M.C. Office for Charleston County in Book W-166, Page 409, is and shall be held, transferred, sold, conveyed, given, donated, leased, occupied and used subject to the covenants, restrictions, conditions, easements, charges, assessments, affirmative obligations and liens as are set forth in the above described Declaration, as supplemented, and the following complementary additional covenants, restrictions, conditions, easements and affirmative obligations:

1. Definitions. The words used in this Supplemental Declaration, unless the context shall clearly indicate otherwise, shall have the same meanings as set forth in the original Declaration.
2. Voting Rights. The Owners of Lots 22, 23 and 28-46, Tract F, Block G, as more particularly described in Exhibit "A" attached hereto, shall be designated as Type A Members as provided in Article III, Section 2 of the Declaration, as supplemented, and shall have all rights, duties, and responsibilities and be subject to all assessments of Type A Members.
3. Ownership and Maintenance of Docks. The Owners of Lots 42-46, Tract F, Block G, as more particularly described in Exhibit "A" attached hereto, shall be subject to the provisions of Article IV, Section 3(a) of the Declaration pertaining to the ownership and maintenance of docks, except as provided herein.

All private docks and walkways adjacent to said Lots shall be kept and maintained in such a manner so that they are uniform in structure, form, appearance and style with the other private docks adjacent to Lots 1-18, Tract F, Block G.

No boat, craft or vessel docked or moored at such private docks adjacent to Lots 42-46, Tract F, Block G, shall be longer than forty-five (45') feet, except as may be permitted by express written approval of Wild Dunes Associates, its successors and assigns. No parallel parking of boats, crafts or vessels shall be allowed without the written permission of the Morgan Place Property Owners Association Board of Directors. No more than two (2) boats, crafts or vessels may be moored at a

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private dock without the written permission of such Board.

4. Easements for Access To and From the Harbor Basin. Subject to all rules and regulations promulgated by the Association and to the easements and assessments set forth in the Declaration, as supplemented, the Declarant, the Owners of the real property described in Exhibit "A" attached hereto, and their lessees, invitees and guests, shall have a non-exclusive easement and right to use the Harbor Basin Area for ingress, egress and movement of boats, crafts, and vessels to and from their property to the Intercoastal Waterway through and within the Harbor Basin Area.

The said easement shall be appurtenant to the Lot being conveyed by Declarant and shall run with the said Lot and may not be severed, partitioned or in any manner divided or conveyed separately from said Lot.

5. Mediterranean Style Dock. The Mediterranean Style Dock constructed or to be constructed in accordance with the provisions of Article IV, Section 4, of the Declaration of Covenants and Restrictions of the Morgan Place Property Owners Association, Inc. dated July 13, 1987, and recorded in the R.M.C. Office for Charleston County in Book W-166, Page 343, as amended, shall be assessed by the Morgan Creek Harbor Association, Inc. at an annual assessment of One Hundred Thirty Five (\$135.00) Dollars per Boating Slip, said assessments to be charged to, levied against and paid by the property Owner to whom such Boating Slip has been assigned by the Board of Directors of the Morgan Place Property Owners Association, Inc. Such assessments may be adjusted as provided in the Declaration. Such property Owner(s) shall be entitled to one (1) vote for each such Boating Slip. The term "Boating Slip" shall not include any private docks attached to any Single Family Residential Lots within Morgan Place (i.e., Lots 1-18, 42-46, Tract F, Block G, Wild Dunes, and any future Lots within Morgan Place having individual private docks attached thereto). Notwithstanding anything contained in the Declaration, this Supplemental Declaration or any prior Supplemental Declaration to the contrary, no Owner of any Single Family Residential Lot and/or Boating Slip shall be subject to more than three times the Base Assessment, as adjusted, per year, plus special assessments. By way of example, any such Single Family Residential Lot with Detached Home, fronting on a Bulkhead and to which there is an assigned Boating Slip shall not be assessed more than One Hundred Thirty Five (\$135.00) Dollars per year (the "Base Assessment") times three, or Four Hundred Five

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(\$405.00) Dollars per year, as adjusted in accordance with the provisions of the Declaration, plus any Special Assessments which may be levied in accordance with the provisions of the Declaration.

IN WITNESS WHEREOF, Wild Dunes Associates and the Association have caused this instrument to be executed the day and year first above written.

SIGNED, SEALED AND DELIVERED IN THE PRESENCE OF:

WILD DUNES ASSOCIATES, a South Carolina General Partnership

Nancy M. Myrick  
Nancy D. Greer

By: Noel D. Thorn  
Noel D. Thorn, its Partner

MORGAN CREEK HARBOR ASSOCIATION, INC.

Nancy M. Myrick  
Nancy D. Greer

By: Lawrence E. McKay  
Lawrence E. McKay

Its: President

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STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF CHARLESTON )

PERSONALLY appeared before me Nancy M. Murrick  
and made oath that (s)he saw the within Wild Dunes Associates.  
A South Carolina General Partnership by Noel D. Thorn, its  
Partner, sign, seal and as its act and deed, deliver the  
within written instrument and that (s)he with Nancy D. Green  
Nancy D. Green witnessed the execution thereof.

Nancy M. Murrick

2<sup>nd</sup> SWORN to before me this  
day of October, 1987.

Nancy M. Murrick  
Notary Public for South Carolina  
My Commission Expires: MY COMMISSION EXPIRES ON 11-12-89

STATE OF SOUTH CAROLINA )  
  )  
COUNTY OF CHARLESTON )

PERSONALLY appeared before me Nancy M. Murrick  
and made oath that (s)he saw the within Morgan Creek Harbor  
Association, Inc., by Lawrence E. McKay, its President, sign,  
seal and as its act and deed, deliver the within named written  
instrument and that (s)he with Nancy D. Green  
witnessed the execution thereof.

Nancy M. Murrick

2<sup>nd</sup> SWORN to before me this  
day of October, 1987.

Nancy M. Murrick  
Notary Public for South Carolina  
My Commission Expires: MY COMMISSION EXPIRES ON 11-12-89

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EXHIBIT "A"

## PROPERTY DESCRIPTION

ALL those certain pieces, parcels or lots of land situate, lying and being in the Isle of Palms, Charleston County, South Carolina, known and designated as Lots 22, 23 and 28-46, Tract F, Block G on a plat entitled "Conditional Plat Showing Subdivision of Tract F, Block G, Lots 1-46, Wild Dunes, City of Isle of Palms, Charleston County, South Carolina" prepared by William Porcher, Land Surveyor, S.C. Reg. No. 7407, dated July 14, 1987, said Plat being duly recorded in the R.M.C. Office for Charleston County in Plat Book 80, Page 65; the said lots having such size, shape, dimensions, buttings and boundings, more or less, as will by reference to said plat more fully appear.

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RETURN TO SHERIFF, MOORE, ...  
& WOODS WFG  
ATTORNEY'S OFFICE

*WFG*  
*W*

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OCT 23 1993

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*WFG/RL*