

FIRST AMENDMENT TO DECLARATION  
OF COVENANTS, CONDITIONS AND RESTRICTIONS

**OCEAN NEIGHBORS**

THIS FIRST AMENDMENT TO DECLARATION is made on the date hereinafter set forth by **JAMES ISLAND DEVELOPMENT COMPANY, LLC** (the "Declarant").

WITNESSETH:

WHEREAS, THE Declarant filed the Declaration of Covenants, Conditions and Restrictions of Ocean Neighbors dated January 27, 1999 and recorded in the Charleston County RMC at Book D 319 page 856 ("Declarations"); and

WHEREAS, Declarant in ARTICLE VIII Section 4 reserved the right to amend the Declarations so long as the Class B votes exceed the Class A votes; and

WHEREAS, the Declarant wishes to amend the Declarations as follows:

1. Section 4 of ARTICLE VII RESTRICTIONS AND EASEMENTS is hereby deleted in its entirety and amended and shall read as follows after such amendment:

4. Building Requirements and Landscaping. The heated living area of any home constructed in the community shall not be less than 1,350 square feet and a two story dwelling must have at least 650 square feet of heated and air-conditioned space on the first floor. Each lot must provide for landscaping of the front yard in accordance with landscaping plans to be approved by the Architectural Control Committee. The budget for landscaping, including sod, shall not be less than Two

Thousand and No/100 (\$2,000.00) Dollars per lot to be determined by the applicant submitting the proposed plans and contract for landscaping to the Architectural Control Committee. Each lot must have at least one live oak tree with a caliber of three (3") inches or greater and one (1) palm tree with a value equivalent to the live oak tree described above.


2. Except as provided herein all of the terms and conditions of the Declarations shall remain the same.

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has hereunto set his hand and seal this 15<sup>th</sup> day of MARCH, 1999.

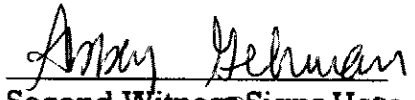
WITNESSES:

DECLARANT:

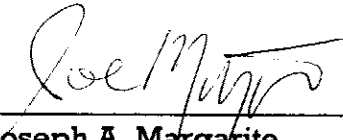
  
First Witness Signs Here

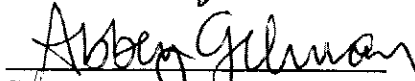
JAMES ISLAND DEVELOPMENT  
COMPANY, LLC  
By:   
Donald L. Berg, II

Its: Member

  
Second Witness Signs Here

  
First Witness Signs Here

By:   
Joseph A. Margarite  
Its: Member

  
Second Witness Signs Here

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

I, Abbey Gelman, Notary Public for the State of South Carolina, do hereby certify that JAMES ISLAND DEVELOPMENT COMPANY, LLC, by Donald L. Berg, II, its Member, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Subscribed to and sworn before me this 15<sup>th</sup> day of MARCH 1999.

Abbey Gelman

Name of Notary Public  
Notary Public, State of South Carolina

My commission expires: 11-12-08

STATE OF SOUTH CAROLINA

COUNTY OF CHARLESTON

I, Abbey Gelman, Notary Public for the State of South Carolina, do hereby certify that JAMES ISLAND DEVELOPMENT COMPANY, LLC, by Joseph A. Margarite, its Member, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Subscribed to and sworn before me this 15<sup>th</sup> day of March 1999.

Abbey Gelman

Name of Notary Public  
Notary Public, State of South Carolina

My commission expires: Nov 12, 2008

McNair Law Firm

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CHARLIE LYBRAND  
REGISTER  
CHARLESTON COUNTY SC