

200900075928
Filed for Record in
YORK COUNTY, SC
DAVID HAMILTON
08-31-2009 At 12:07 PM.
RESTR COVEN 10.00
DR Vol 10996 Page 91 - 93

State of South Carolina)
County of York)

COPY

Second Amendment to
Declaration of Restrictive Covenants
The Gates at Eastview Subdivision

WHEREAS, Big Vision, LLC (the "Developer") imposed its Covenants, Restrictions, Conditions, Limitations, Easements, and Affirmative Obligations affect the Property (the "Restrictive Covenants") known as The Gates at Eastview Subdivision, said Declaration being recorded August 14, 2007, in Record Book 9347, Page 42 and amended in Record Book 10249, Page 163, in the Office of the Clerk of Court for York County, South Carolina.

WHEREAS, the Developer is still the owner of a portion of the Property subject to the Restrictive Covenants and is a Class B Member;

WHEREAS, pursuant to Section 8.3, the Developer has the right to amend the Restrictive Covenants so long as it is a Class B Member;

WHEREAS, the Developer desires to amend the aforementioned Restrictive Covenants;

NOW THEREFORE, the aforementioned Restrictive Covenants are hereby amended as follows:

Article VI, Section 6.5 of the Restrictive Covenants is deleted in its entirety and the following substituted in lieu thereof:

6.5 Building Requirements.

- (i) General Requirements. The only structures to be erected, altered, placed or permitted on any lot shall be one (1) single-family detached dwelling with a two car garage attached to the house, and one (1) accessory building, which may include a detached garage or storage room, provided, however, that accessory buildings will be permitted only if the accessory building is of consistent architectural style with the main building and is not constructed prior to the main building. In no event shall a metal, aluminum or tin storage building of any kind be permitted on any lot at any time. All construction on lots in the subdivision shall first be approved by the ACC as herein set forth and shall meet all applicable building codes or other statutes or other regulations governing such construction. All construction in Gates at Eastview must be built on site. Thus, no trailers, mobile homes, "double-wides," manufactured homes, modular homes, or the like are



allowed in any manner whatsoever. There shall be a minimum roof pitch of 8:12.

- (ii) Square Footage. No single story dwelling shall be erected or placed on any Lot having a heated living area (exclusive of uncovered porches, stoops, terraces and attached garages) of less than 2,200 square feet together with a two car garage. No one and a half story dwelling shall be erected or placed on any Lot having a heated living area (exclusive of uncovered porches, stoops, terraces and attached garages) of less than 2,300 square feet together with a two car garage. No two story dwelling shall be erected or placed on any Lot having a heated living area (exclusive of uncovered porches, stoops, terraces and attached garages) of less than 2,400 square feet with two car garage. The term "heated living area" shall not be interpreted to include accessory buildings, terraces, decks, open or screened porches, basements and upper levels or attics which are not actually served by heating and air conditioning and is not accessible to the main living areas by permanent fixed stairway.
- (iii) Garage and Off Street Parking. Every lot owner shall provide space for automobile parking off public streets in accordance with standards established by the ACC, and such parking space shall be completed prior to occupancy. Each home shall have a two car garage.
- (iv) Exterior Materials. Eighty (80%) per cent of the front exterior and any front offsets of every home constructed in Gates at Eastview shall consist of either brick, stone or stucco unless a variance therefrom is specifically approved in writing by the ACC.

[Signature]
[Signature]

By: [Signature]
F. William Hargrove,
Its: Authorized Member

STATE OF SOUTH CAROLINA }
COUNTY OF YORK

The foregoing instrument was acknowledged before me this 28th day of August, 2009 by F. William Hargrove, Authorized Member of Big Vision, LLC, a South Carolina limited liability company, on behalf of the company.

[Signature] (SEAL)
NOTARY PUBLIC FOR South Carolina
My Commission Expires: 12-28-2016

[Notarial Seal]