

6879-346-437
cut B

STATE OF SOUTH CAROLINA)
) SUPPLEMENTAL DECLARATION OF
) COVENANTS, CONDITIONS,
COUNTY OF GREENWOOD)
) RESTRICTIONS, EASEMENTS, LIENS
) AND CHARGES OF NEWPORT PHASE II

200700008635
BP

200700008635
Filed for Record in
GREENWOOD COUNTY SC
INGRAM MDM
08-10-2007 At 03:49 pm.
RESTRICTION 11.00
Book 1058 Page 236 - 240

Instrument Book Page
200700008635 1058 236

Space Above For Recording Purposes Only

This Declaration is made on the 8 of August, 2007, by SCN Newport Land Development Company, LLC, a South Carolina limited liability company, hereinafter referred to as "Declarant."

WHEREAS, the Declarant previously placed a certain declaration of covenants, conditions, restrictions, easements, liens and charges upon the Newport development (the "Declaration") which are recorded in the Office of the Clerk of Court for Greenwood County, and are incorporated herein and made part and parcel hereof by reference.

WHEREAS, the Declarant intends to further restrict the use of lots 162-181 (inclusive) being situate in Phase II of the Newport development as shown in **Exhibit A** in the following ways.

WHEREAS, a unique feature of some home sites within the Newport development is that there will be common area boardwalk constructed and owned by the Declarant appurtenant to the above mentioned lots to be used by the property owners of lots 162-181 (inclusive) for docking and mooring. The board walk is intended to be and shall remain common area, as defined in the Declaration, for ingress and egress to Newport amenities and other common areas by members of the Association, but the docking and mooring privilege is reserved for the property owners of lots 162-181 (inclusive).

WHEREAS, the privilege to dock and moor personal water craft to the boardwalk will be

designated for the use and enjoyment of the property owners of lots 162-181 (inclusive) only, and such available space to dock and moor personal water craft on the board walk shall equal the distance of the property owner's back lot line, and the mooring area markings of the Declarant, its successor or assign, shall be final. Personal water craft shall be defined as vessels normally operating on a lake the size of Lake Greenwood, not in excess of twenty-four feet (24'). The Declarant reserves the right to make such exceptions on a case by case basis. All personal water craft are to be kept and maintained in good working order and condition. In the event a personal water craft is not maintained or is abandoned, the Association reserves the right to place the vessel in a designated boat storage area. Written notice will be sent to the address on file where tax notices are mailed by the county authority describing the action to be taken and requesting the owner take action within ten (10) days. If no action is taken within that time, the Association will place the vessel in a designated boat storage area. The Association disclaims any and all liability for any damage to the vessel after written notice is given to the last known address.

WHEREAS, The Association disclaims all liability for any damage that may occur to personal water craft or persons, whether on the board walk, attached to the board walk or otherwise.

WHEREAS, the costs of maintenance, excess insurance and any other costs of the boardwalk shall be born by the Association;

WHEREAS, the property owners of lots 162-181 (inclusive) shall pay annual supplemental assessments determined by the Association to defray the costs of maintenance, excess insurance and the privilege to moor a personal water craft to the boardwalk. These supplemental assessments shall be due and payable as of January 1, 2008. The initial annual supplemental board walk assessment shall be in the amount of Three Hundred and No/100 (\$300.00) Dollars. The annual supplemental board walk assessment shall be determined on an annual basis by the Board of Directors of the Association, or the designated committee thereof, in conformity with section 5.3.A of the Declaration. The annual supplemental board walk assessment shall be a maintenance assessment in all respects under Article V of the Declaration.

IN WITNESS WHEREOF, SCN Newport Land Development Company, LLC, a South Carolina Limited Liability Company has caused this Declaration to be executed this 8 day of August, 2007.

EXHIBIT A

Lots 162-181 (inclusive)

Plat attached

