

20-11

STATE OF SOUTH CAROLINA) AMENDMENT TO PROTECTIVE
COUNTY OF AIKEN) COVENANTS FOR
WEXFORD MILL SUBDIVISION, PHASE III

WHEREAS, Wexford Mill, Inc., M.R. Warner & Sons, Inc. declared certain restrictions and covenants for Wexford Mill Subdivision, Phase III, recorded in Miscellaneous Book 622, Page 295, Records of Aiken County, South Carolina; and

WHEREAS, said Covenants and Restrictions were rerecorded in Miscellaneous Book 650, Page 134, Records of Aiken County, South Carolina; and

WHEREAS, Paragraph #7, of said Covenants provide that each residence constructed thereon shall contain a minimum of Sixteen-Hundred (1,600) square feet; and

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WHEREAS, it is the desire of the undersigned, being the owners of more than Seventy-Five percent of the lots, to raise ^{ON WATER-FRONT LOTS, AND TO EIGHTEEN HUNDRED (1,800) SQUARE FEET ON LAKE-VIEW LOTS} the square footage minimum to Two-Thousand (2,000) feet; and

WHEREAS, Paragraph #39 of the covenants provides that the developer of the subdivision may unilaterally amend the covenants; and

WHEREAS, the undersigned wish to amend the covenants to delete the ability of the developer to amend the covenants unilaterally; and

WHEREAS, Wagerer Warehouse Corporation is part owner of the property and wishes to join in this document to signify its consent to this amendment as well as its consent to the original covenants;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that for

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in the consideration of the mutual premises, it is hereby agreed as follows:

1. That Paragraph #7 of the original covenants is hereby amended to provide that each residence constructed thereon shall contain a minimum of 2,000 square feet of fully enclosed living space. After such amendment, Paragraph #7 shall read as follows:

"8. Each dwelling shall have fully enclosed floor area (exclusive of roofed or unroofed porches, terraces, garages, carports or other out-buildings) with no less than 2,000 square feet of fully enclosed living space. Living space shall be heated or air conditioned space measured from exterior wall to outside of exterior wall, counting stairways only once, except for open or closet areas beneath stairs with finished drywall. No factors shall be added for screened porches, decks, garages, carports, exterior foyers, open atriums, or vaulted space, etc."

2. That Paragraphs #39 of the covenants is hereby deleted. Hereafter said covenants may be amended only by consent of Seventy-Five percent of the owners of lots as provided in Paragraph #41 of the original covenants. Provided, however, that after January 1, 2010, the covenants may be amended by majority of the owners pursuant to Paragraph #42 of the original covenants.

3. That Wagener Warehouse Corporation joins in this document to signify its consent to this amendment, and to ratify the original covenants, except as amended hereby.

IN WITNESS WHEREOF, the undersigned, by its duly authorized officers have on this 20 day of ~~May~~ September, 1994, affixed the Hand and Seal of the Company.

IN THE PRESENCE OF:

[Signature]
Diane Downey

NEXFORD MILL, INC.

BY: [Signature]
Everett Crosby, President

[Signature]
John C. Justo

M.R. WARNER & SONS, INC.

BY: [Signature]
President

WAGERER WAREHOUSE CORPORATION

BY: [Signature]

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STATE OF SOUTH CAROLINA)
)
COUNTY OF AIKEN)

PERSONALLY appeared before me, the undersigned witness and made oath the he saw the within-named ~~NEWFORD MTRB, INC., by Everett Crosby~~ Its President, M.R. WARNER & SONS, INC.. by Judith V. Warner, Its President, and WAGENER WAREHOUSE CORPORATION, by Judith V. Warner, Its President, sign, seal and, as their act and deed, deliver the within written Amendments, and that he with the other subscribing witness hereto, witnessed the execution thereof.

Robin C. Ruston

SWORN to before me this 20
September
day of ~~May~~, 1994.

David J. Whitstone (L.S.)
Notary Public of South Carolina

My commission expires:
12-27-2000

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