

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

MODIFICATION TO DECLARATION OF
COVENANTS AND RESTRICTIONS OF
RIVER FALLS PLANTATION
PHASE VII, SECTION 4

This **MODIFICATION TO DECLARATION OF COVENANTS AND RESTRICTIONS OF RIVER FALLS PLANTATION, PHASE VII, SECTION 4**, made on the date hereinafter set forth by **RIVER FALLS PLANTATION GOLF, INC.**, (hereinafter referred to as "Developer") and **MARGARET S. BERRY AND WEIZENECKER HOMES, INC.** (hereinafter referred to as "Lot Owners").

WITNESSETH:

WHEREAS, Developer and Margaret S. Berry (hereinafter referred to as "Owner") previously executed a Declaration of Covenants and Restrictions of River Falls Plantation, Phase VII, Section 4, recorded in Deed Book 79-J at Page 973 in the Office of the Register of Deeds for Spartanburg County (hereinafter referred to as "Declaration") which permitted revisions by and through a recorded instrument signed by two-thirds of the then Lot Owners;

AND WHEREAS, under ARTICLE I of said Declaration, the Developer and the Owner were authorized to organize an Architectural Review Committee (hereinafter referred to as "Committee") and the purpose, authority, guidelines and responsibilities of the Committee were established;

AND WHEREAS, under ARTICLE I, Subparagraph 2 of said Declaration, the authority of the Committee to enforce the terms of the Declaration includes but is not

DEE-2005-16431
Recorded 5 Pages on 4/4/2005 3:14:04 PM
Recording Fee: \$11.00 Documentary Stamps: \$0.00
Office of Register of Deeds, Spartanburg, S.C.
Stephen Ford, Register



limited to, siting of improvements, landscaping, adoption and implementation of building and design standards; and

AND NOW WHEREAS, the Committee, Developer and the Lot Owners desire to maintain the projected development and improvement of River Falls Plantation, Phase VII, Section 4 with the clarification or addition of certain provisions to the Declaration pertaining to siting, building and design standards;

NOW, THEREFORE, the Developer and the Lot Owners hereby modify the Declaration as follows:

ARTICLE II, RESTRICTIONS, shall be modified to add the following provision(s):

31. Building Setback Lines. Structures or any portion of structures, including any porches, steps, stoops and verandas, shall be located on lots in accordance with Spartanburg County Unified Land Ordinance Section 4.03, Subparagraph 1, as specified for Patio Homes. The Architectural Review Committee is authorized to adjust the minimum setbacks disclosed on plat of survey entitled "River Falls Plantation, Phase VII, Section 4," and recorded in Plat Book 155 at Page 278 in the Office of the Register of Deeds for Spartanburg County, South Carolina as may be needed to accord with the Spartanburg County Unified Land Ordinance Section 4.03, Subparagraph 1, as specified for Patio Homes.

32. Drainage and Utility Easements. All lots are subject to the designated drainage and utility easements noted on the aforementioned plat.

[EXECUTION PAGES TO FOLLOW]

IN WITNESS WHEREOF, the undersigned have set their hands and seals this 1st day of April, 2005.

LOTS Nos. 352, 353, 355, 358, 367, 368, 369, 371, 372, 373, 376, 378

WEIZENECKER HOMES, INC.

[Handwritten signature]
[Handwritten signature]

BY: *Mark Weizenecker* - Pres.
MARK WEIZENECKER
ITS: PRESIDENT

STATE OF SOUTH CAROLINA)
)
COUNTY OF SPARTANBURG)

PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that (s)he was present and saw the within named **WEIZENECKER HOMES, INC.**, by and through its duly authorized officer(s), sign, seal and as its act and deed deliver the within written instrument and that (s)he with the other witness subscribed above witnessed the execution thereof.

[Handwritten signature]

SWORN to before me this 1st day of April, 2005.
[Handwritten signature] (SEAL)
Notary Public for South Carolina
My Commission Expires: 2/6/12

Association of South Carolina
Notary Publics

Notary Public for South Carolina
[Handwritten signature]