

2007021046

AMENDED COVENANTS
RECORDING FEES \$10.00
PRESENTED & RECORDED:
06-22-2007 10:55 AM
JUDITH WARNER
REGISTER OF DEEDS CONVEYANCE
AIKEN COUNTY, SC
By: JULIE STUTTS DEPUTY
BK:RB 4144
PG:1805-1808

RETURN TO:
LAW OFFICES OF RICHARD W. TAYLOR, P.C.
302 E. MARTINTOWN ROAD
NORTH AUGUSTA, SC 29841

FILE NO. 04-143

STATE OF SOUTH CAROLINA)
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COUNTY OF AIKEN)

AMENDMENT TO THE
DECLARATION OF COVENANTS,
CONDITIONS AND RESTRICTIONS
OF
HORSE CREEK SUBDIVISION,
PHASE I

THIS AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS, made and published this 20th day of May, 2007, by THE LOMBARD CORPORATION, a corporation under the laws of the State of South Carolina, hereinafter referred to as "Developer", and HORSE CREEK HOMEOWNERS ASSOCIATION, INC., hereinafter referred to as "the Association";

WHEREAS, the Declaration of Covenants, Conditions and Restrictions of Horse Creek Subdivision, Phase I, dated March 6, 2006, and recorded March 6, 2006 in **Record Book 4049, at page 1478**, records of Aiken County, South Carolina, provide the "Developer" full authority to make such changes as it deems necessary for the development of this property as a residential community;

NOW THEREFORE, the following changes are made to said Declaration of Covenants, Conditions and Restrictions of Horse Creek Subdivision, Phase I, Article VI, Covenants and Assessments in Favor of the Association, Item 2, is hereby amended to read as follows:

2. Amount of the Assessment.

Such annual or special assessment or charge shall be in an amount to be fixed from year to year by the Board of Directors of the Association; provided, however, that the amount

of each annual or special assessment shall be in equal amounts with respect to each lot subject to such charge or assessment under the terms of these Declarations. Such annual assessment is presently fixed by at \$200.00 per lot, subject to changes by majority vote at the annual meeting of the Association. Also, special assessments may be imposed by majority vote at an annual meeting or special meeting of the Association called in accordance with its bylaws.

Each such annual assessment shall be due and payable in advance on January first of each year, beginning with the year 2006. The \$200.00 annual assessment shall **NOT BE prorated and is due in full** at the closing of any lot or property. **HOWEVER, THE ASSOCIATION, AT ITS SOLE DISCRETION, MAY WAIVE, MODIFY OR ADJUST SUCH ASSESSMENTS FOR CONTRACTORS WHO ARE CONSTRUCTING HOMES ON INDIVIDUAL LOTS FOR RESALE AND IMPOSE THE FULL ASSESSMENT AT SUCH TIME AS THE PROPERTY IS CONVEYED TO A SUBSEQUENT OWNER PRORATED FROM THE DATE OF SUCH CLOSING.** Special assessments imposed in accordance with these Declarations and the bylaws of the Association shall be due and payable at such time as the Association designates.

IN WITNESS WHEREOF, The Lombard Corporation has caused these presents to be executed by its duly authorized president the day and year first above written as the date of these presents.

Signed, Sealed and Delivered)
in the Presence of)

Coai Lamb

[Signature]

THE LOMBARD CORPORATION

By:

Don M. Houck
Don M. Houck
Its President

IN WITNESS WHEREOF, Horse Creek Homeowners Association, Inc. has caused these presents to be executed by its duly authorized director the day and year first above written as the date of these presents.

Signed, Sealed and Delivered)
in the Presence of)

HORSE CREEK HOMEOWNERS
ASSOCIATION, INC.

Louie Lamb

By:

Don M. Houck

Don M. Houck
Its Director

[Signature]

STATE OF SOUTH CAROLINA)
COUNTY OF AIKEN)

PERSONALLY APPEARED BEFORE ME the undersigned witness and made oath that (s)he saw the within-named THE LOMBARD CORPORATION, by Don M. Houck, Its President, sign, seal and as its Corporate Act and Deed, deliver the within-written Amendment to the Declaration of Covenants, Conditions and Restrictions of Horse Creek Subdivision, Phase I; and that (s)he with the other witness subscribed above witnessed the execution thereof.

Sworn To Before Me This 28th
Day of May, 2007.

[Signature]

Louie Lamb

Notary Public For South Carolina

My Commission Expires: 12/22/2008

STATE OF SOUTH CAROLINA)
)
COUNTY OF AIKEN)

PERSONALLY APPEARED BEFORE ME the undersigned witness and made oath that (s)he saw the within-named HORSE CREEK HOMEOWNERS ASSOCIATION, INC., by Don M. Houck, Its Director, sign, seal and as its Corporate Act and Deed, deliver the within-written Amendment to the Declaration of Covenants, Conditions and Restrictions of Horse Creek Subdivision, Phase I; and that (s)he with the other witness subscribed above witnessed the execution thereof.

Sworn To Before Me This 20th
Day of May, 2007.



Notary Public For South Carolina.

My Commission Expires: 12/22/2008



