

STATE OF SOUTH CAROLINA)
)
COUNTY OF DORCHESTER)

FIRST AMENDMENT TO DECLARATION OF RESTRICTIONS AND EASEMENTS OF INDIGO FIELDS HOMEOWNERS ASSOCIATION RECORDED IN VOL. 628, PAGE 409 ON FEBRUARY 23, 1989

This First Amendment to Declaration of Restrictions and Easements of Indigo Fields Homeowners Association recorded in the R.M.C. for Dorchester County, South Carolina in Vol. 628, page 409, on February 23, 1989, is made by agreement of The South Carolina National Bank as a Member owning 52 Lots, which is in excess of seventy-five percent of the lots now subject to the Declaration of Restrictions and Easements of Indigo Fields Homeowners Association, together with authority given by the vote of all Members of INDIGO FIELDS HOMEOWNERS ASSOCIATION, INC. at a Special Meeting of the Members held in accordance with the By-Laws, Article II Section 2., made October 8, 1991.

The Declaration of Restrictions and Easements of Indigo Fields Homeowners Association recorded in the R.M.C. for Dorchester County, South Carolina in Vol. 628, page 409, on February 23, 1989, are hereby amended as follows.

A. The Declaration of Restriction and Easements dated February 21, 1989, recorded in Vol. 628, page 409, of the Dorchester County Clerk of Court, Article I, Section 4. is amended so that after amendment Section 4. shall read as follows:

ARTICLE I.

Section 4. Effective with the date of this Amendment, for the purpose of this Declaration only and the orderly administration thereof, the term "Developer" shall mean and refer to The South Carolina National Bank, or any person or entity who succeeds to the title of The South Carolina National Bank to the Properties then subjected to this Declaration by sale or assignment of all of the interests of the Developer provided the instrument of sale or assignment expressly so provides and designates the successor in title as the "Developer" hereunder by the grantor of such conveyance, and further provided the grantor is then at such time the "Developer" hereunder at the time of such conveyance. Any such person or entity shall be entitled to exercise all rights and powers conferred upon Developer by this Declaration.

FILED-RECORDED

Dec 18 11 02 AM '91

JOHN G. SOUTHERLAND

D:indigo
Inddre.am1
10/25/91, rev. November 21, 1991

*A. Callison Law Firm
P.O. Box 1209
Columbia, S.C. 29202*

STATE OF SOUTH CAROLINA
COUNTY OF DORCHESTER
Filed for record this 18th
day of Dec. 1991
at 11:02a. and recorded
in book 928 page 233
JOHN G. SOUTHERLAND
REGISTER OF MESNE CONVEYANCES

B. The Declaration of Restriction and Easements dated February 21, 1989, recorded in Vol. 628, page 409, of the Dorchester County Clerk of Court, Article II, Section 2. is amended so that after amendment Section 2. shall read as follows:

ARTICLE II.

Section 2. Effective with the date of this Amendment, for the purpose of this Declaration only and the orderly administration thereof, The "Architectural Control Committee" shall mean as follows: The South Carolina National Bank as the "Developer," until such time as Developer has sold more than seventy-five (75%) percent of all Lots made subject to this Declaration. Thereafter, the Developer may assign his rights for Architectural Control review to an Architectural Control Committee as appointed by the Board of Directors of the Indigo Fields Homeowners Association, Inc. Developer further reserves the right, but shall not be obligated to, assign his rights for Architectural Control to the Architectural Control Committee prior to the sale of seventy-five (75%) percent of the Lots.

C. The Declaration of Restriction and Easements dated February 21, 1989, recorded in Vol. 628, page 409, of the Dorchester County Clerk of Court, Article II, Section 6. is amended so that after amendment Section 6. shall read as follows:

Section 6. Building Requirements. The enclosed living areas of the main structure, exclusive of open porches, porte-cocheres, garages, rooms located over garages, carports and breezeways shall be not less than fifteen hundred (1,500) square feet. On any lots on any properties which may be brought in by annexation which are designed for patio homes, the enclosed living areas of the main structure, exclusive of open porches, porte-cocheres, garages, rooms located over garages, carports and breezeways shall be not less than twelve hundred and fifty (1,250) square feet. On all Lots having a two (2), two and one-half (2½) or three (3) story house, the house shall have a minimum of nine hundred (900) square feet on the first floor; provided, however, the area within an enclosed garage on a two (2), two and one-half (2½) or three (3) story house shall be considered within the minimum first floor area of nine hundred square feet but such area shall not reduce the required overall minimum square footage of the house. Houses of less than the stated square footage may be approved by the Developer

or the Architectural Control Committee if in the opinion of the Developer or the Architectural Control Committee the design and construction of the house would be in keeping with the adjoining properties and the lowering of the square footage would not depreciate the value of adjoining properties subject to this Declaration.

IN WITNESS WHEREOF, the undersigned has executed this agreement this 21st day of November, 1991.

WITNESSES:

[Signature]
[Signature]

The South Carolina National Bank
(Corp. Seal)

By: *[Signature]*
Richard C. Adkins
Its Vice President

STATE OF SOUTH CAROLINA)
)
COUNTY OF RICHLAND)

PROBATE

Personally appeared before me the undersigned witness and made oath that s/he saw the within named The South Carolina National Bank, by Richard C. Adkins, its vice-president, sign, seal and, as its act and deed, deliver the within written document for the uses and purposes therein mentioned and that s/he, with the other witness whose signature appears above, witnessed the execution thereof.

[Signature]
Witness

SWORN to before me this 21st day of November, 1991.

[Signature]
Notary Public for South Carolina
My Commission expires: 10-31-94