

232-1 028

FILED - RECORDED

STATE OF SOUTH CAROLINA RMC / ROD

THIRD AMENDMENT TO  
DECLARATION OF RESTRICTIONS  
AND EASEMENTS

COUNTY OF DORCHESTER 1999 DEC -9 AM 8:37

LINDA T. MESSERVY INDIGO FIELDS SUBDIVISION  
DORCHESTER COUNTY, SC

WHEREAS, the Declaration of Restrictions and Easements for Indigo Fields Subdivision, Dorchester County, South Carolina, dated February 21, 1989, hereinafter referred to as "the Declaration", was recorded in the R.M.C. Office for Dorchester County in Vol. 628, at Page 409; and

WHEREAS, the Declaration was amended by written instrument, dated November 21, 1991, and recorded in the R.M.C. Office for Dorchester County on December 18, 1991, in Book 928, at page 233; and

WHEREAS, the Declaration was again amended by written instrument, dated November 21, 1991, and recorded in the R.M.C. Office for Dorchester County on December 27, 1991, in Book 932, at Page 246; and

WHEREAS, paragraph 28 of the Declaration expressly provides that the Declaration may be amended at any time and from time to time by an agreement signed by at least seventy-five (75%) percent of all Owners subject to the Declaration; and

WHEREAS, at least seventy-five (75%) percent of all Owners subject to the Declaration are desirous that the Declaration be amended as hereinafter set forth, as evidenced by the attached Certification executed by the duly elected President and Secretary of Indigo Fields Homeowners, Inc.

NOW, THEREFORE, the Declaration shall be, and is hereby amended as follows:

ONE: Paragraph 6, Article II, "Building Requirements", is amended to change "the minimum square footage of any residence constructed on any lot in the subdivision to be eighteen hundred (1800) square feet: The first sentence, as amended, would read as follows: "The enclosed living areas of the main structure, exclusive of open porches, porte-cocheres, garages, rooms located over garages, carports and breeze-ways shall be not less than eighteen hundred (1800) square feet."

TWO: Paragraph 29, Article II is amended so as to add the following sentence: "In the event Indigo Fields Association, Inc., the A.C.C. or any aggrieved Owner shall prevail in an action initiated pursuant to the terms of the Declaration, then, and in such event, such Association, A.C.C. or aggrieved Owner shall have the right to collect reasonable attorney's fees and costs from the party violating this Declaration.

EXCEPT AS AMENDED HEREIN, all terms and conditions of the Declaration shall remain in full force and effect.

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF DORCHESTER )

CERTIFICATION

We, the undersigned William Stephens and Timothy Cook, as President and Secretary Of Indigo Fields Homeowners Association, Inc., respectively, do hereby certify that at least seventy-five (75%) percent of the Owners in Indigo Fields Subdivision, Dorchester County, South Carolina, have approved the within Third Amendment To Declaration of Restrictions and Easements by signing an agreement approving such Third Amendment, the originals of which are available for inspection at the offices of the Association at 5533 Dy-Matthew Ridge, North Charleston, South Carolina during normal business hours.

INDIGO FIELDS HOMEOWNERS  
ASSOCIATION, INC.

WILLIAMS & DODD, LLP  
ATTORNEYS AT LAW  
115 2000 DUMMINS ST.  
WILMINGTON, DE 19801

Wendell M. Brown  
+ Lois Corder Hilton

BY: William Stephens  
WILLIAM STEPHENS  
Its: President

Wendell M. Brown  
+ Lois Corder Hilton

BY: Timothy Cook  
TIMOTHY COOK  
Its: Secretary

STATE OF SOUTH CAROLINA )  
COUNTY OF DORCHESTER )

PROBATE

PERSONALLY APPEARED before me the undersigned witness, and  
made oath that (s)he saw the within named Indigo Fields Homeowners Association, Inc.,  
by and through William Stephens, its President and Timothy Cook, its Secretary, sign, seal and  
as his/her act and deed, sign the within written Certification; and that (s)he with  
the other witness witnessed the execution thereof.

Wendell M. Brown

SWORN to before me this  
15<sup>th</sup> day of November, 1999.

Lois Corder Hilton  
Notary Public For South Carolina  
My Commission Expires: 3/25/2002