

FILED FOR RECORD 05/11/2006
AT 08:50:17AM BOOK 08022 PAGE 00129
David Hamilton - Clerk of Court
York County Courthouse
Instrument Number: 000292172

**AMENDMENT
TO THE
DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS
FOR
HERNDON HERITAGE**

Har-Lee, LLC (hereinafter referred to as the Declarant), the majority owner of the restricted property known as Herndon Heritage Subdivision, as shown on a plat thereof recorded in Plat Book D-19 at page 6 (hereinafter referred to as the Property), does hereby alter, amend, and reapply the restrictive covenants (hereinafter referred to as the Restrictions), which were recorded on September 15, 2005, in Record Book 7413 at page 288, as follows:

So as to allow for greater variation in the design and materials to be used in constructing the front exterior of homes to be built in Herndon Heritage, the subparagraph found on page 10 under "ARTICLE VI: ARCHITECTURAL, MAINTENANCE AND USE RESTRICTIONS," designated as Paragraph 6.5(iv), and entitled, "Front Exterior Materials," is hereby amended as to Lots 7 through 26, Lots 106 through 121, and Lot 135 (which is a total of 37 lots), so that homes constructed on such lots shall be permitted to have front exteriors consisting of "hardiplank" concrete siding, cedar, brick, stucco, or stone accents. No more than twenty-five (25%) percent of such lots (a total of 9 lots), shall be permitted to have homes having all "hardiplank" on the front. At least 5 of the houses on the above numbered lots shall be 90% brick exteriors in their entirety - front, sides and back. Lattice shall not be used anywhere on any home in the subdivision. Side entry garages are required on all of the said lots except in the rare case of severe topographical restraints. In such rare cases, the Architectural Review Committee shall have the discretion to approve a front entry garage.

The Restrictions at Article VI, Paragraph 6.5(iv) shall remain unchanged as to Lots 1 through 6 and Lots 122 through 134.

The restrictions are hereby further amended by adding a new article thereto which shall apply to all lots in Herndon Heritage: DANGEROUS DOGS. Rottweillers and Pit Bull Terriers are not allowed in Herndon Heritage at any time.

Amendment Governs. All other terms and conditions of the Restrictions shall remain in full force and effect except as modified hereby. In the event of any conflict between the terms and conditions of the Restrictions and the terms and conditions of this amendment, the terms and conditions of this amendment shall control.

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BK 08022 PG 0129

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has executed this instrument this 1st day of March, 2006.

Har-Lee, LLC

Susan Walters
WITNESS
[Signature]
WITNESS

By: F. William Hargrove
F. William Hargrove, Member

STATE OF SOUTH CAROLINA)
)
COUNTY OF YORK)

PROBATE

PERSONALLY appeared before me Susan Walters and made oath that she saw the within named Har-Lee, LLC, by its above signed duly authorized Member, sign, seal and as the company's act and deed, deliver the within written deed, and that s/he with Wayne A. Henderson witnessed, the execution thereof.

SWORN to before me this 1st day of March, 2006. Susan Walters

[Signature] (SEAL)
NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission Expires: 3/13/13

READ, ACCEPTED AND APPROVED THIS 28 DAY OF Feb., 2006.

The Seven Partnership

By: Wayne A. Henderson