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 DAVID HAMILTON
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SUPPLEMENT
 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 plats thereof recorded in **Plat Book D-19 at page 6** and **Plat Book D-237 at page 10** (hereinafter referred to as the Property), does hereby supplement in order to clarify the restrictive covenants which were recorded on September 15, 2005, in Record Book 7413 at page 288, as amended by instrument recorded May 11, 2006, in Record Book 8022 at page 129, and applied to additional property designated as Phase 4 by instrument recorded August 20, 2007, in Record Book 9357 at page 222, (hereinafter referred to as the Restrictions), as follows:

ARTICLE VI, Paragraph 6.2. (ii), deals with the minimum square footage of one and two story residences but fails to address the minimum square footage of one and a half story residences. Therefore, the following shall be substituted in place of the former ARTICLE VI, Paragraph 6.2. (ii):

(ii) Square Footage. No single story dwelling shall be erected or placed on any Lot having a heated living area (exclusive of uncovered porches, stoops, terraces and attached garages) of less than 2000 square feet together with a two car garage. No one and one half story dwelling shall be erected or placed on any Lot having a heated living area (exclusive of uncovered porches, stoops, terraces and attached garages) of less than 2100 square feet together with a two car garage. No two story dwelling shall be erected or placed on any Lot having a heated living area (exclusive of uncovered porches, stoops, terraces and attached garages) of less than 2200 square feet with two car garage. The term "heated living area" shall not be interpreted to include accessory buildings, terraces, docks, open or screened porches, basements and upper levels or attics which are not actually served by heating and air conditioning and is not accessible to the main living areas by permanent fixed stairway.

Supplement Governs. All other terms and conditions of the Restrictions shall remain in full force and effect except as supplemented hereinabove. In the event of any conflict between the terms and conditions of the Restrictions and the terms and conditions of this supplement, the terms and conditions of this supplement shall control.

BK 10627 PGO 200

IN WITNESS WHEREOF, the undersigned, being the Declarant herein, has executed this instrument this 12th day of MARCH, 2009.

Har-Lee, LLC

L. Lee Hamilton .. *David Hamilton*