

STATE OF SOUTH CAROLINA) **FOURTH AMENDMENT TO**
) **DECLARATION OF PROTECTIVE COVENANTS,**
) **RESTRICTIONS, EASEMENTS, CHARGES**
) **AND LIENS FOR WATERBRIDGE**
COUNTY OF HORRY)

This Fourth Amendment to Declaration of Protective Covenants, Restrictions, Easements, Charges, and Liens for Waterbridge is made by **SOUTH CAROLINA COASTAL DEVELOPMENT I, INC.**, a South Carolina corporation (hereinafter referred to as "the Developer") and **WATERBRIDGE HOMEOWNERS ASSOCIATION, INC.** (the "Association").

RECITALS:

A. By Declaration of Protective Covenants, Restrictions, Easements, Charges and Liens dated August 8, 2006, recorded in the office of the Horry County Register of Deeds on August 24, 2006 in Deed Book 3147 at page 901 ("the Declaration"), the Developer imposed certain covenants, restrictions and easements upon certain real property located in Horry County, South Carolina, more particularly described in the Declaration; and

B. By First Amendment to Declaration dated September 26, 2006, recorded in the office of the Horry County Register of Deeds on September 28, 2006 in Deed Book 3164 at page 826 the Declarant amended the then Exhibit A to the Declaration to substitute a new legal description based on a revised subdivision plat and amended the Declaration to allow Declarant to annex adjacent property to the Declaration; and

C. By Corrective First Amendment to Declaration dated September 28, 2006, recorded in the office of the Horry County Register of Deeds on September 29, 2006 in Deed Book 3166 at page 410 the Declarant corrected a scrivener's error in the First Amendment; and

D. By Second Amendment to Declaration dated June 27, 2008, recorded in the office of the Horry County Register of Deeds on June 30, 2008 in Deed Book 3347 at page 54, the Declarant amended the Declaration to submit additional real property to the Declaration and amended Article III, Section 2 of the Declaration as to Phase 3A to provide that residences constructed on Lots 820 through 847 and Lots 852 through 904 have a minimum of 2000 square feet of enclosed heated living area (exclusive of porches, decks and garages or other unheated spaces) and provide that should such residence be a 2-story structure, there be a minimum of 1400 square feet of enclosed heated living area on the first or ground floor; and

E. By Third Amendment to Declaration dated May 20, 2009, recorded in the office of the Horry County Register of Deeds on June 1, 2009 in Deed Book 3403 at page 1157, the Declarant amended the Declaration to submit additional real property to the Declaration and amended Article III, Section 2 of the Declaration to amend the minimum square footage of

enclosed heated living area required in residences constructed in Phase 3A and amended Article II, Section 23, Garages, to permit detached garages on Phase 3A lots on a case by case basis when in the sole discretion of the Architectural Review Committee a detached garage is necessary due to the shape of the lot and/or design of the dwelling; and

F. Article XVI, Section 11 of the Declaration provides that the covenants, restrictions, easements, charges, and liens of the Declaration may be amended, changed, added to, derogated, or deleted at any time and from time to time upon the execution and recordation of any instrument executed by Owners holding not less than two-thirds (2/3) vote of the membership in Association, provided, that so long as the Declarant is the Owner of any Lot affected by this Declaration, the Declarant's consent must be obtained; and

G. Declarant as Class B member still holds over Two-Thirds (2/3) voting rights of the membership in the Association; and

H. Class A and Class B members were provided proper notice of the amendments described below and were given the opportunity to vote. All of the below described amendments were properly approved in accordance with the Declaration; and

I. Declarant hereby joins in and consents to the below amendments; and

J. Declarant and the Association desire to amend Article II of the Declaration to permit detached garages in Phase I, allow greater flexibility in the location of solar panels on structures, and to allow in-ground swimming pools under the circumstances specified in the amendments below.

DECLARATION:

NOW, THEREFORE, the Declaration is hereby amended as follows:

Article II, Section 23, Garages. is amended as to Phase 1 and all subsequent phases of Waterbridge to provide that "Detached garages may be permitted on a case by case basis when in the sole discretion of the Architectural Review Committee the size and shape of the lot and/or design of the dwelling are not conducive to an attached garage and a detached garage is considered to be an improvement to the overall aesthetics of the neighborhood. Detached garages shall at a minimum be two-car garages."

Article II, Section 28. Energy Conservation Equipment. is amended to allow solar panels to be visible from subdivision streets so long as the solar panels are an integral and harmonious part of the architectural design of the structure, as determined in the sole discretion of the Declarant. The last sentence of the section: "Under no circumstances shall solar panels be installed that will be visible from any street in the Subdivision" is hereby deleted.

Article II, Section 32, Swimming Pools, is hereby deleted in its entirety and the following text is substituted therefore: Section 32. Swimming Pools. "Outdoor, in-ground swimming pools may be permitted on Phase I, Phase IA, Phase 3A and subsequent phase Lots, provided such swimming pool and associated improvements are in compliance with applicable governmental regulations; design(s), plans and specifications have been submitted for review, and the prior written approval of the Architectural Review Committee obtained. No swimming pool shall be approved unless and until a waiver of liability in favor of the Association and Developer is signed by the lot owner(s). Approval as to location, size, composition, configuration, exterior materials, color, design and other similar matters is at the sole discretion of the Declarant or the ARC. Outdoor, above ground swimming pools are prohibited within Waterbridge."

IN WITNESS WHEREOF, South Carolina Coastal Development I, Inc. has executed this Fourth Amendment to the Declaration as of June 30, 2010.

Signed, Sealed and Delivered
In the Presence of:

SOUTH CAROLINA COASTAL DEVELOPMENT I, INC.
(SEAL)

Mary Frank

By: Randolph M. Allen
Randolph M. Allen, President

Nancy J. Morrison

STATE OF NORTH CAROLINA)
)
COUNTY OF MECKLENBURG)

PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that s/he saw the within named South Carolina Coastal Development I, Inc., by its duly authorized signatory sign, seal and as its act and deed deliver the within written Fourth Amendment to the Declaration of Protective Covenants, Restrictions, Easements, Charges and Liens for Waterbridge and that s/he with the other witness subscribed above witnessed the execution thereof.

Mary Frank
Witness

SWORN to before me this
30th day of June 2010.

Nancy J. Morrison (L.S.)
Notary Public for North Carolina
My Commission Expires: 9/24/2010



