

Instrument#: 2009000072507, DEED BK:  
3408 PG: 2237 DOCTYPE: 069 07/06/2009  
at 01:54:52 PM, 1 OF 5 BALLERY V.  
SKIPPER, HORRY COUNTY, SC  
REGISTRAR OF DEEDS

Prepared by:  
McNair Law Firm, P.A.  
Allison A. Murphy  
2411 Oak Street, Suite 206  
Myrtle Beach, SC 29577

STATE OF SOUTH CAROLINA ) AMENDMENT TO THE SUPPLEMENTAL  
) DECLARATION OF COVENANTS,  
) CONDITIONS AND RESTRICTIONS FOR  
COUNTY OF HORRY ) SWEETBRIAR AT BAREFOOT RESORT

THIS AMENDMENT TO THE SUPPLEMENTAL DECLARATION of Covenants, Conditions and Restrictions for Sweetbriar at Barefoot Resort (hereinafter "Amendment") is made this 24<sup>th</sup> day of June, 2009 by CENTEX HOMES, a Nevada general partnership (hereinafter the "Declarant").

WITNESSETH:

WHEREAS, on April 12, 2000, Silver Carolina Development Company, LLC, a Delaware limited liability company and Intracoastal Development Company, LLC, a South Carolina limited liability company (hereinafter collectively "Silver Carolina") caused to be filed the Declaration of Covenants, Conditions and Restrictions for Barefoot Resort Residential Properties (hereinafter "Declaration"), which appears in Book 2251 at Page 384 of the Georgetown County, South Carolina Registry<sup>1</sup>; and

WHEREAS, by Assignment of Declarant Rights Under Declaration of Covenants, Conditions and Restrictions for Barefoot Resort Residential Properties (the "Assignment") dated December 12, 2001, and recorded December 14, 2001 in Deed Book 2438 at page 388<sup>2</sup> in the Horry County Register of Deeds, Silver Carolina assigned to Centex Homes, a Nevada general partnership (hereinafter "Declarant") all of Silver Carolina's "Retained Rights" under the Master Declaration, as further described in the Assignment; and

WHEREAS, on July 28, 2006, Declarant filed a Supplement to Declaration of Covenants, Conditions and Restrictions for Sweetbriar at Barefoot Resort in Deed Book 3134 at page 778 in the Horry County Register of Deeds, thereby creating a Neighborhood (as defined in the Declaration) known as "Sweetbriar at Barefoot Resort" (hereinafter "Sweetbrier"); and

WHEREAS, the real property described on the attached "Exhibit A" and incorporated herewith by reference was inadvertently omitted from the Sweetbriar Supplement; and

WHEREAS, the real property described on the attached "Exhibit B" and incorporated herein by reference was inadvertently included in the property subject to the Sweetbriar Supplement; and

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<sup>1</sup> s/b in the Horry County Register of Deeds

<sup>2</sup> s/b Book 2435 at page 388

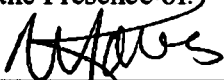
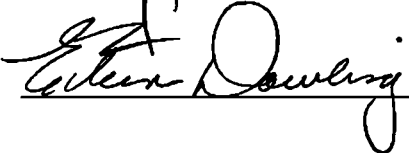
WHEREAS, pursuant to Section 19.1 of the Declaration, Declarant reserved the right to amend the Declaration, which term shall include the Sweetbriar Supplement, so long as said amendment has no material adverse effect upon the affected Owner (as defined therein); and

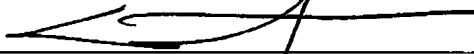
WHEREAS, in order to correct the above referenced errors, the Declarant desires to amend the Sweetbriar Supplement to include the property described on the attached "Exhibit A" within Sweetbriar, and remove the property described on the attached "Exhibit B", both as intended, and all as set forth herein.

NOW, THEREFORE, the Declarant hereby declares the following:

1. The property described on the attached "Exhibit A", together with all other improvements located thereon, including all easements, rights and appurtenances thereto belonging, are a part of Sweetbriar, subject to the Sweetbriar Supplement as more particularly described therein, and said property shall be held, transferred, sold, conveyed and occupied subject to the same.
2. The property described on the attached "Exhibit B" together with all other improvements located thereon, including all easements, rights and appurtenances thereto belonging, is hereby removed from Sweetbriar.
3. The aforesaid Declaration, and any and all Amendments and/or Supplemental Declarations thereto, are ratified, confirmed and adopted in all respects and in all particulars as to each and every provision thereof; this document shall, and does hereby, constitute a part and parcel of the aforesaid Declaration with regard to the matters and things set forth herein.
3. This Amendment shall be binding upon, and inure to the benefit of, all parties having any right, title or interest in the described properties or any part thereof, their heirs, successors and assigns, and shall inure to the benefit of each owner thereof.

IN WITNESS WHEREOF, the undersigned Declarant has executed this instrument on the day and year first hereinabove written.

Signed, Sealed and Delivered  
(in the Presence of:  
  
\_\_\_\_\_  
  
\_\_\_\_\_

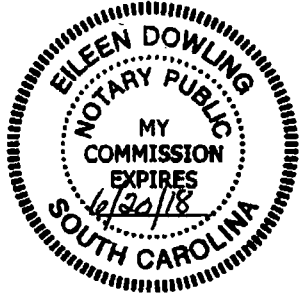
DECLARANT:  
CENTEX HOMES, a Nevada general partnership  
By: CENTEX REAL ESTATE  
CORPORATION, its Managing General Partner  
  
\_\_\_\_\_  
By: William N. Cutler  
Its: Division President

STATE OF SOUTH CAROLINA            )  
  )  
COUNTY OF HORRY                    )

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me this 24<sup>th</sup> day of June, 2009 by William N. Cutler, the Division President of Centex Real Estate Corporation, the Managing General Partner of Centex Homes, a Nevada general partnership, on behalf of the company.

Eileen Dowling  
Notary Public for South Carolina  
My Commission Expires: 6/20/18



## Exhibit A

ALL AND SINGULAR, those certain pieces, parcels or tract of land, situate, lying and being in the City of North Myrtle Beach, Horry County, South Carolina, designated as Lots 84-96, and Lots 125-145 shown on that certain "Map of Centex, Tract 'Y' -Phase 1 A, Final Bonded Plat", prepared by DDC Engineers for Centex Homes dated August 25, 2003 and recorded October 17, 2003 in Plat Book 192 at page 197, records of the Office of the Registrar of Deeds for Horry County, South Carolina.

TMS# 142-22-01-006	TMS# 142-23-01-011
TMS# 142-22-01-007	TMS# 142-23-01-012
TMS# 142-22-01-008	TMS# 142-22-01-013
TMS# 142-22-01-009	TMS# 142-22-01-014
TMS# 142-22-01-010	TMS# 142-23-01-015
TMS# 142-22-01-011	TMS# 142-23-01-016
TMS# 142-22-01-012	TMS# 142-23-01-017
TMS# 142-22-01-013	TMS# 142-23-01-018
TMS# 142-22-01-014	TMS# 142-23-01-019
TMS# 142-22-01-015	TMS# 142-23-01-020
TMS# 142-22-01-016	TMS# 142-23-01-021
TMS# 142-22-01-017	TMS# 142-23-01-022
TMS# 142-23-01-009	TMS# 142-23-01-023
TMS# 142-23-01-010	TMS# 142-22-01-024

This being a portion of the property that was conveyed to Centex Homes from Centex Land Investments, LLC, a Delaware limited liability company by deed recorded June 20, 2003 in Deed Book 2609 at page 609 in the Horry County Register of Deeds.

## EXHIBIT B

ALL AND SINGULAR, those certain pieces, parcels or tracts of land, situate, lying and being in the City of North Myrtle Beach, Horry County, South Carolina, designated as Lots 41, 42, 44, 45, 47, 51, 52, 54-59, 61, and 64-75 in that certain plat entitled "Map of Centex, Tract 'Y' - Phase 1 B, Final Subdivision Plat", prepared by DDC Engineers for Centex Homes dated January 4, 2006 and recorded July 21, 2006 in Plat Book 215 at page 167, records of the Office of the Registrar of Deeds for Horry County, South Carolina.

TMS# 142-22-01-048	TMS# 142-22-01-060	TMS# 142-22-01-072
TMS# 142-22-01-049	TMS# 142-22-01-061	TMS# 142-22-01-073
TMS# 142-22-01-050	TMS# 142-22-01-062	TMS# 142-22-01-074
TMS# 142-22-01-051	TMS# 142-22-01-063	TMS# 142-22-01-075
TMS# 142-22-01-052	TMS# 142-22-01-064	TMS# 142-22-01-076
TMS# 142-22-01-053	TMS# 142-22-01-065	TMS# 142-22-01-077
TMS# 142-22-01-054	TMS# 142-22-01-066	TMS# 142-22-01-078
TMS# 142-22-01-055	TMS# 142-22-01-067	TMS# 142-22-01-079
TMS# 142-22-01-056	TMS# 142-22-01-068	TMS# 142-22-01-080
TMS# 142-22-01-057	TMS# 142-22-01-069	TMS# 142-22-01-081
TMS# 142-22-01-058	TMS# 142-22-01-070	TMS# 142-22-01-082
TMS# 142-22-01-059	TMS# 142-22-01-071	TMS# 142-22-01-083

This being a portion of the property that was conveyed to Centex Homes, a Nevada general partnership from Centex Land Investments, LLC, a Delaware limited liability company by deed recorded June 20, 2003 in Deed Book 2609 at page 609 in the Horry County Register of Deeds.