

YORK COUNTY, SC	
2019049698	RESTR COVEN
RECORDING FEES	\$25.00
STATE TAX	\$0.00
COUNTY TAX	\$0.00
11-13-2019	09:52:49 AM
BK:RB 17902	PG:129-137

Prepared by and return to:

**Brockmann Law**  
**Todd C. Brockmann, Esq.**  
**17250 Lancaster Highway, Suite 608**  
**Charlotte, NC 28277**

**EIGHTH SUPPLEMENT AND AMENDMENT TO**  
**DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND**  
**RESTRICTIONS FOR RIVERWALK RESIDENTIAL, PROPERTY ONE**

**THIS EIGHTH SUPPLEMENT AND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR RIVERWALK RESIDENTIAL, PROPERTY ONE** (this "Supplement") is made effective as of the 13th day of November, 2019, by **THE GREENS OF ROCK HILL LLC**, a South Carolina limited liability company ("Declarant"), whose address is 998 Riverwalk Parkway, Suite 202, Rock Hill, South Carolina, 29730. **RIVERWALK AVENCIA 2B, LLC**, a South Carolina limited liability company ("Declarant Affiliate"), is the owner of the real property subject hereto, and joins herein to consent to the making of this Supplement and terms hereof.

**BACKGROUND STATEMENT**

A. Declarant made that certain Declaration of Covenants, Conditions, Easements and Restrictions for Riverwalk Residential, Property One, executed August 4, 2011 (the "Original Declaration"), which was recorded August 4, 2011, in Record Book 12097, Page 1 in the Office of the Clerk of Court for York County, South Carolina, with respect to certain real property located in the City of Rock Hill, York County, South Carolina, described and defined in the Declaration as the "Property." Capitalized terms used herein and not defined herein have the meanings given such terms in the Original Declaration. The Original Declaration, as amended and supplemented from time to time, is referred to herein as the "Declaration."

B. Pursuant to Article II of the Original Declaration, Declarant reserved the option to submit Additional Property to the Original Declaration by filing one or more Supplements. Since

the recording of the Original Declaration, Declarant has recorded the following Supplements and Amendments in the York County real estate records:

<u>Supplement No.</u>	<u>Book</u>	<u>Page</u>
One	12440	254
Two	13662	289
Three	13808	124
Four	13808	139
Five	14742	44
Corrective Fifth	14758	1
Sixth	16436	211
Seventh	17138	109
<u>Amendment No.</u>	<u>Book</u>	<u>Page</u>
One	15065	93

C. Declarant desires to annex a portion of the Additional Property to the General Plan of Development set forth in the Original Declaration, the legal description for which is attached hereto in Exhibit A and incorporated herein by this reference (the "Annexed Property").

D. This Supplement is designed to create equitable servitudes and covenants applicable to and running with the land for the Annexed Property made subject hereto, and to further benefit and burden the Property by creating or reserving additional equitable servitudes and covenants pertaining thereto, as and to the extent provided for herein.

E. Declarant hereby declares that those portions of the Annexed Property made subject to the Original Declaration by this Supplement shall be owned, encumbered, used, occupied, maintained, altered and improved subject to the covenants, conditions, restrictions, limitations, reservations, exceptions and terms hereinafter set forth for the term and duration thereof, all of which are declared to be part of, pursuant to, and in furtherance of, a common and general plan of development, improvement and enhancement of the Property and the Annexed Property. The provisions of this Supplement are expressly intended to touch, concern, and run with the title to the Annexed Property and the Property, and shall be binding upon and inure to the benefit of Declarant, its successors and assigns, and all persons having or acquiring any right, title, or interest in such properties, and their respective heirs, successors, executors, administrators and assigns.

**NOW, THEREFORE,** Declarant hereby declares as follows:

1. Submission of Annexed Property. Declarant hereby exercises its option to submit the Annexed Property to the Original Declaration and further declares that the Annexed Property shall be held, transferred, sold, conveyed, leased, occupied and used subject to the Original Declaration, as amended and supplemented from time to time, and the covenants, conditions, restrictions, easements, charges and liens contained therein which shall touch, concern and run with the title to the Annexed Property, and which shall be binding upon and inure to the benefit of all parties having any right, title, or interest in the Annexed Property, or any portion thereof, along with their respective heirs, successors, executors, administrators, and assigns.

2. Declarant Affiliate. The Declarant Affiliate hereby consents to submission of the Annexed Property to the Original Declaration as set forth herein. It is understood and agreed that the Declarant Affiliate is affiliated with Declarant such that all Lots are owned by the Declarant Affiliate. The Declarant Affiliate shall not be obligated to pay Annual Assessments upon the Class "B" Lots.

3. Purchasers and Mortgagees. Pursuant to the Original Declaration, each purchaser of a Lot or Dwelling, by acceptance of a deed thereto, is subject to the terms of the Original Declaration by this Supplement. Each Mortgagee, by accepting a Mortgage upon a Lot or Dwelling subject to the terms of the Original Declaration, shall be deemed to have also consented to the powers of annexation and amendment reserved by Declarant in the Original Declaration and exercised by the Declarant through this Supplement.

4. Application of Declaration to Annexed Property. Upon recordation of this Supplement, the Original Declaration shall apply to the Annexed Property in the same manner as if the Annexed Property had originally been subject to the Original Declaration and had originally constituted a portion of the Property; and therefore, the rights, privileges, duties and liabilities of the parties which own any portion of the Annexed Property shall be the same as those involving all of the Property previously made subject to the Original Declaration, and the rights, obligations, privileges, duties and liabilities of the Owners, lessees and occupants of the Lots and Dwellings in the Annexed Property shall be the same as though the Annexed Property had originally been subject to the Original Declaration, except as expressly provided in this Supplement.

5. Architectural Guidelines for Annexed Property. The Annexed Property is commonly known as Phase 2B Residential. Declarant has established separate residential design guidelines for Phase 2A Residential, which shall also apply to the Annexed Property and shall, in regard to the Annexed Property, replace the Guidelines in the Original Declaration.

6. Interpretation.

(a) All of the provisions of this Supplement and the Original Declaration shall be liberally construed together to promote and effectuate the fundamental concepts of the property as set forth in the Statement of Purpose to the Original Declaration, which is incorporated herein by this reference.

(b) Each of the provisions of this Supplement shall be deemed independent and severable, and the invalidity or partial invalidity of any provision or portion thereof shall not affect the validity or enforceability of any other provision.

(c) Whenever the context may require, any pronouns used shall include the corresponding masculine, feminine or neuter forms, and the singular shall include the plural and vice versa.

(d) All captions and titles used in this Supplement are intended solely for convenience of reference only and shall not affect the meaning or interpretation of any of the provisions hereof.

(e) This Supplement shall be construed in accordance with and governed by the laws of the State of South Carolina.

(f) The above preamble and Background Statement are incorporated herein by this reference as fully as though re-set forth here verbatim.

7. Future Additions. Nothing contained herein shall be construed to limit the right of Declarant to add any other portion of the Additional Property to the Property by filing one or more additional Supplemental Declarations.

8. Full Force and Effect. Except as expressly set forth in this Supplement, all terms, covenants, conditions and restrictions contained in the Original Declaration shall remain unchanged and shall apply as fully to the Annexed Property as though they were set forth herein. Declarant and the Declarant Affiliate confirm the making and validity of the Original Declaration and its application to all of the Annexed Property.

**SIGNATURE PAGES TO FOLLOW**

IN WITNESS WHEREOF, Declarant has executed this instrument as of the date first above written.

Signed, sealed and delivered in the presence of:

THE GREENS OF ROCK HILL LLC,  
a South Carolina limited liability company

By Its Manager:

Zack Luster  
Witness 1

ASSURED ADMINISTRATION, LLC,  
a South Carolina limited liability company

[Signature]  
Witness 2

By: [Signature]  
Mark Mather, Manager

STATE OF South Carolina )  
COUNTY OF Yoell )

**ACKNOWLEDGEMENT**

I, Mark Mather, a Notary Public in and for the County and State aforesaid, certify that MARK MATHER, either being personally known to me or proven by satisfactory evidence, personally appeared before me this day and acknowledged that he is the Manager of ASSURED ADMINISTRATION, LLC, a South Carolina limited liability company, the Manager of THE GREENS OF ROCK HILL LLC, a South Carolina limited liability company, and being duly authorized to do so, voluntarily executed the foregoing instrument for the purposes stated therein.

Witness my hand and official seal this 12 day of November, 2019.

William J. Luster Jr  
Notary Public  
My commission expires: 6-21-29

*[Handwritten signature]*

*[Handwritten signature]*



IN WITNESS WHEREOF, the undersigned Declarant Affiliate, as the owner of the Annexed Property, has executed this instrument as of the date first above written.

Signed, sealed and delivered in the presence of:

RIVERWALK AVENCIA 2B, LLC, a South Carolina limited liability company

By Its Manager:

Zach Lester

Witness 1

[Signature]

Witness 2

THE GREENS OF ROCK HILL LLC, a South Carolina limited liability company

By Its Manager:

ASSURED ADMINISTRATION, LLC, a South Carolina limited liability company

[Signature]

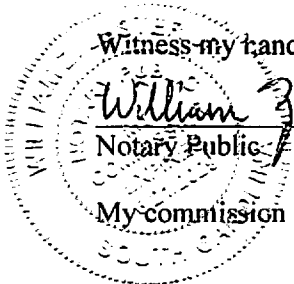
By: Mark Mather, Manager

STATE OF South Carolina )  
COUNTY OF York )

ACKNOWLEDGEMENT

I, Mark Mather, a Notary Public in and for the County and State aforesaid, certify that MARK MATHER, either being personally known to me or proven by satisfactory evidence, personally appeared before me this day and acknowledged that he is the Manager of ASSURED ADMINISTRATION, LLC, a South Carolina limited liability company, the Manager of THE GREENS OF ROCK HILL LLC, a South Carolina limited liability company, the Manager of RIVERWALK AVENCIA 2B, LLC, a South Carolina limited liability company, and being duly authorized to do so, voluntarily executed the foregoing instrument for the purposes stated therein.

Witness my hand and official seal this 12 day of November, 2019.

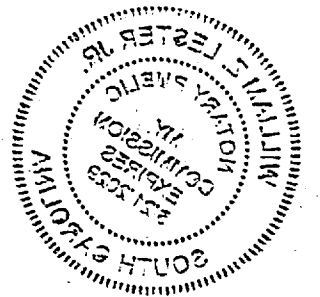


William J. Lester Jr  
Notary Public

My commission expires: 6-21-29

*[Handwritten scribble]*

*[Handwritten scribble]*





**Exhibit A**

**LEGAL DESCRIPTION**

Lying, being and situate in the City of Rock Hill, the County of York, the State of South Carolina, all those certain parcels of land labeled as Lots 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316 and 317, as shown on "Final Plat of Riverwalk Phase 2B.2" prepared by EMH&T, dated July 25, 2019, and recorded in Plat Book 161, Page 360, Office of the Clerk of Court of York County.

TMS: 662-08-02-095, 662-08-02-096, 662-08-02-097, 662-08-02-098, 662-08-02-099, 662-08-02-100, 662-08-02-101, 662-08-02-102, 662-08-02-103, 662-08-02-104, 662-08-02-105, 662-08-02-106, 662-08-02-107, 662-08-02-108, 662-08-02-109, 662-08-02-110, 662-08-02-111, 662-08-02-112, 662-08-02-113, 662-08-02-114, 662-08-02-115, 662-08-02-116, and 662-08-02-117

DERIVATION: Being a portion of the same property conveyed to Grantor by Deed recorded simultaneously herewith in the Office of the Clerk of Court of York County.