

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

**THIS NINTH SUPPLEMENT AND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS, EASEMENTS AND RESTRICTIONS FOR RIVERWALK RESIDENTIAL, PROPERTY ONE** (this "Supplement") is made effective as of the 1<sup>st</sup> day of September, 2020 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. **1212 CAPITAL VELO, LLC**, a North 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 the 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 meaning given such terms in the Original Declaration. The Original Declaration, as amended and supplemented from time to time, is referred to as the "Declaration."
- B. Pursuant to Article II of the Original Declaration, the Declarant reserved the option to submit Additional Property to the Original Declaration.
- C. The property owned by Declarant Affiliate and more fully described on Exhibit A hereto (the "Released Property"), was included within the Additional Property which Declarant could elect to annex into the terms of the Declaration, but was not annexed to become part of the Annexed Property.
- D. Declarant and Declarant Affiliate have elected to release the Released Property fully from the Declaration.

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

- 1. **Release of the Released Property.** Declarant hereby exercises its option not to annex the Released Property. The Released Property shall hereby be released from and no longer encumbered by the terms of the Declaration.

YORK COUNTY, SC	
2020047365RESTRICTIVE COVENANT	
RECORDING FEES	\$25.00
STATE TAX	\$0.00
COUNTY TAX	\$0.00
10-07-2020	01:51:52 PM
BK:RB 18642	PG:137-141

- 2. Declarant Affiliate.** The Declarant Affiliate hereby consents to the release of the Released Property from the Declaration as set forth herein.
- 3. Interpretation.**
- a. All of the provisions of this Supplement, and the 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 cations and titles used herein are intended solely for the 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.
- 4. Future Additions.** The Released Property shall no longer be deemed part of the Additional Property and may not be added to the Declaration, except by agreement signed by the then owner of the Released Property. However, nothing contained herein shall be construed to limit the right of Declarant to add any portion of the Additional Property other than the Released Property to the Property by filing of one or more additional Supplemental Declarations.
- 5. 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.

**{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:

[Signature]

Witness 1  
Lisa B. Hill

[Signature]

Witness 2  
Debbie McMillon

DECLARANT:

THE GREENS OF ROCK HILL LLC  
A South Carolina limited liability company

By its Manager:

ASSURED ADMINISTRATION, LLC  
a South Carolina limited liability company

By: [Signature]  
Name: Mark S. Mather  
Title: Manager

STATE OF South Carolina )  
 )  
COUNTY OF YORK )

ACKNOWLEDGEMENT

I, William Z Lester Jr., a Notary Public in and for the County and State aforesaid, certify that Mark S Mather, either being personally known to me or proven by satisfactory evidence, personally appeared before me this day and acknowledged that she/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 1<sup>st</sup> day of September, 2020.

William Z Lester Jr.  
Notary Public  
My Commission Expires: 6-21-29

IN WITNESS WHEREOF, the undersigned being the current Owner of the Released Property has executed this instrument as of the date first above written for the purpose of indicating its consent to the terms thereof.

Signed, sealed, and delivered in the presence of:

[Signature]

Witness 1  
Lisa B. Hill

[Signature]

Witness 2  
Debbie McMillon

1212 CAPITAL VELO, LLC  
A North Carolina limited liability company, by  
its Managers, Aquator Management

By: [Signature]

Name: \_\_\_\_\_

Title: Mark S. Mather  
**Manager**

STATE OF South Carolina )  
 )  
COUNTY OF York )

ACKNOWLEDGEMENT

I, William Z Lester Jr., a Notary Public in and for the County and State aforesaid, certify that Mark S Mather, either being personally known to me or proven by satisfactory evidence, personally appeared before me this day and acknowledged that she/he is the Manager of 1212 Capital Velo, LLC, a North Carolina limited liability company, and being duly authorized to do so, voluntarily executed the foregoing instrument for the purposes stated therein.

Aquator Management LLC, the

Manager of

Witness my hand and official seal this 1<sup>st</sup> day of September, 2020.

[Signature]  
Notary Public  
My Commission Expires: 6-21-29

## Exhibit A

### The Released Property

Being all that certain piece, parcel, or lot of land situate in the City of Rock Hill, County of York, State of South Carolina; further being shown and designated as the 1.460 acre parcel on the ALTA/NSPS Land Title Survey & Topography plat prepared for Greens of Rock Hill, LLC by William T. Stanford, Jr., SCPLS 17932 of Stanford Surveying Services, LLC, dated January 20, 2020, last revised August 19, 2020.

The following metes and bounds to wit:

Beginning at a #5 iron rebar found at the intersection of Cherry Road, (Public R/W Varies) and Riverwalk Parkway, (Public R/W Varies); said #5 iron rebar found being shown and designated as the POINT OF BEGINNING (POB); thence with the edge of said r/w N 06°52'05" E for a distance of 35.16 feet to a #5 iron rebar found with cap on edge right of way for Cherry Road; thence with the edge of r/w with said Cherry Road N 41°43'22" E for a distance of 162.76 feet to a point; thence with the common property line with York County Natural Gas Authority, (DB 11251, PG 140 York County, SC Registry;) S 48°35'57" E for a distance of 78.25 feet to a point; thence N 41°39'52" E for a distance of 85.46 feet to a point; thence S 48°50'39" E for a distance of 38.90 feet to a #5 iron rebar with cap; thence S 31°03'06" E for a distance of 132.75 feet to a #5 iron rebar found; thence S 03°06'27" E for a distance of 49.56 feet to a #4 iron rebar set; thence S 46°04'48" W for a distance of 63.26 feet to a mag nail set; thence with curve having a radius of 99.00 feet, arc length of 29.33 feet, chord bearing of S 54°33'55" W for a distance of 29.22 feet to a #4 iron rebar set; thence S 63°03'03" W for a distance of 123.55 feet to a #4 iron rebar set; thence with a curve having a radius of 99.00 feet, arc length 16.78 feet, chord bearing of S 68°22'44" W for a distance of 16.76 feet; thence S 72°17'01" W for a distance of 17.71 feet to a mag nail set at the intersection of rights way for Riverwalk Parkway and said 52' private street r/w; thence with the edge of said r/w for Riverwalk Parkway the following courses: with a curve having a radius of 286.53 feet, arc length of 46.39 feet, chord bearing of N 23°04'55" W for a distance of 46.34 feet to a #5 iron rebar found; a curve having a radius of 163.96 feet, arc length of 41.92 feet, chord bearing of N 34°39'25" W for a distance of 41.81 feet to a #5 iron rebar found; a curve having a radius of 1418.52 feet, arc length of 41.70 feet, chord bearing of N 43°12'09" W for a distance of 41.70 feet to a #5 iron rebar found; thence N 47°44'18" W for a distance of 61.87 feet to the POINT OF BEGINNING, and containing 1.460 acres in areas.

Being a portion of York County, SC Tax Parcel #662-07-01-176.