

<b>STATE OF SOUTH CAROLINA</b>	)	<b>SECOND AMENDMENT TO</b>
	)	<b>DECLARATION OF COVENANTS,</b>
<b>COUNTY OF CHARLESTON</b>	)	<b>CONDITIONS &amp; RESTRICTIONS</b>
	)	<b>PINCKNEY STREET DOCKS</b>
	)	<b>PARTNERSHIP</b>

WHEREAS, PINCKNEY STREET DOCKS, A PARTNERSHIP, recorded on March 17, 2003, in Book X-440, at page 541, in the RMC for Charleston County, South Carolina, a certain Declaration of Covenants, Conditions and Restrictions Pinckney Street Docks dated January 8, 2003 (herein "Declaration"); and

WHEREAS, PINCKNEY STREET DOCK PARTNERSHIP, a/k/a PINCKNEY STREET DOCKS, A PARTNERSHIP, recorded in Book W-451 at page 172, on June 5, 2003, a FIRST AMENDMENT TO DELCARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS PINCKNEY STREET DOCKS; and

WHEREAS, PINCKNEY STREET DOCK PARTNERSHIP still is the owner of the Class B Shares and has pursuant to Article IX, Section 4, the right to amend the said Declaration; and

WHEREAS, the Declarant has resurveyed Lots 2, 3, and 5 and has now subdivided that area shown as "FUTURE DEVELOPMENT" into Four (4) separate lots and has recorded a new plat entitled "A FINAL SUBDIVISION PLAT OF LOTS 6-9 AND A RESURVEY OF LOTS 2, 3, AND 5 PINCKNEY STREET DOCKS, OWNED BY PINCKNEY STREET DOCKS PARTNERSHIP LOCATED IN THE TOWN OF MCCLELLANVILLE, CHARLESTON COUNTY, SOUTH CAROLINA," which plat was recorded in Plat Book EG at page 918 on February 19, 2004, in the RMC for Charleston County, South Carolina; and

WHEREAS, the owners of Lots 1 and 4 had previously agreed to the elimination of an easement being twenty (20) feet wide running between Lots 4 and 5 as shown on a plat recorded in Plat Book EF at page 987; and

WHEREAS, the Declarant is minded to amend the Declaration in order to make the lots shown as Lot 2, Lot 3 and Lot 5 subject to this new plat which eliminates the easement between Lots 4 and 5; and

WHEREAS, the Declarant is minded to amend the said Declaration as hereinafter set forth;

NOW THEREFORE, KNOW ALL MEN BY THESE PRESENTS, THAT Declarant, does hereby amend the Declaration in the following particulars;

1. Exhibit "A" is hereby amended so that after amendment Lots 2, 3, and 5 shall be described according to the new Exhibit "A" attached hereto.
2. Article I, Section 2 is amended by deleting all of that part of Section 2 beginning with "FUTURE DEVELOPMENT" and substituting a new Exhibit "B" in lieu of the Exhibit "B" attached to the original Declaration so that after amendment Section 2 shall read as follows:

SECTION 2. "Additional Properties" shall mean and referred to the real property designated as Lots 6 through 9. The said Lots 6-9 are more fully described as follows:

See EXHIBIT "B" attached hereto.

3. ARTICLE VII, Paragraph 16, of the Declaration and First Amendment entitled "SEWAGE SYSTEM" is amended to read as follows:

16. Sewage System. The Sewage System for each Lot will be a septic tank, holding tank, and pumping equipment (if required), plus drain field and piping to connect the holding tank to the Septic Area, or the Replacement Area, if the Replacement Area is needed. The Septic Area, Replacement Area and Well Location for each Lot are shown on Exhibits D-2, D-3, D-5, D-6, D-7, D-8, and D-9, attached hereto. Each Lot Owner is responsible for the installation and maintenance of its sewage system. Each Lot Owner shall be responsible to maintain all pumping and piping equipment located within its Septic Area and Replacement Area and shall restore and repair the Septic Area and Replacement Area in the event of any necessity to replace pipes located underground. Septic tank drain fields shall not be installed on any portion of any lot except within the areas designated as Septic Area and Replacement Area on Exhibits D-2, D-3, D-5, D-6, D-7, D-8, and D-9, attached hereto, and the locations of the Septic Areas and Replacement Areas shown on Exhibits D-2, D-3, D-5, D-6, D-7, D-8, and D-9, attached hereto, may not be modified in such a fashion as to bring any Septic Area or Replacement Area within fifty (50') feet of a Well Location on any adjoining lot or within fifty (50') feet of any well installed on any adjoining lot, provided that such well has been installed in accordance with the restrictions set forth in Paragraph 17, of the First Amendment as herein amended.

4. ARTICLE VII, Paragraph 17, of the Declaration and the First Amendment, entitled "Water System" is amended to read as follows:

17. Water System. The water system for each lot will consist of a well to be located upon each lot, together with the appropriate piping and plumbing for access to the well. Each Lot Owner shall be responsible to obtain the necessary permit to dig a well and thereafter to maintain the well and all pumping and piping equipment located upon the Lot. The well on each lot may either be installed at the locations shown on Exhibits D-2, D-3, D-5, D-6, D-7, D-8, and D-9, attached hereto, or as such other location on each lot as the Owner of the Lot shall decide upon, provided, however, that no such well may be installed at any location within fifty (50') feet of a Septic Area or Replacement Area on an adjoining lot, as depicted on Exhibits D-2, D-3, D-5, D-6, D-7, D-8, and D-9, attached hereto, without the written permission of the Owner of such adjoining Lot, which permission shall be in recordable form and recorded in the Charleston County RMC Office.

BK S485PG740

IN WITNESS WHEREOF, Declarant, by its duly authorized Partners has hereunto

set its hand and seal this 1<sup>ST</sup> day of March, 2004..

WITNESSETH:

DECLARANT:  
PINCKNEY STREET DOCK PARTNERSHIP  
A/K/A PINCKNEY STREET DOCKS, A  
PARTNERSHIP

BY:

William E. Gordon

William E. Gordon

William E. Gordon,  
Its: Partner

Betty L. Lianaldi

Robert H. Gordon

Rutledge B. Leland, III

Rutledge B. Leland, III  
Its: Partner

Betty L. Lianaldi

STATE OF SOUTH CAROLINA

) ACKNOWLEDGEMENT

COUNTY OF CHARLESTON

)  
)  
)

THE foregoing instrument was acknowledged before me this 1<sup>st</sup> day of March, 2004,  
by the duly authorized signers of the Grantor herein and witnesses hereto.

John P. McQueen

NOTARY PUBLIC FOR SOUTH CAROLINA

My commission expires: 9/24/2011

EXHIBIT "A"

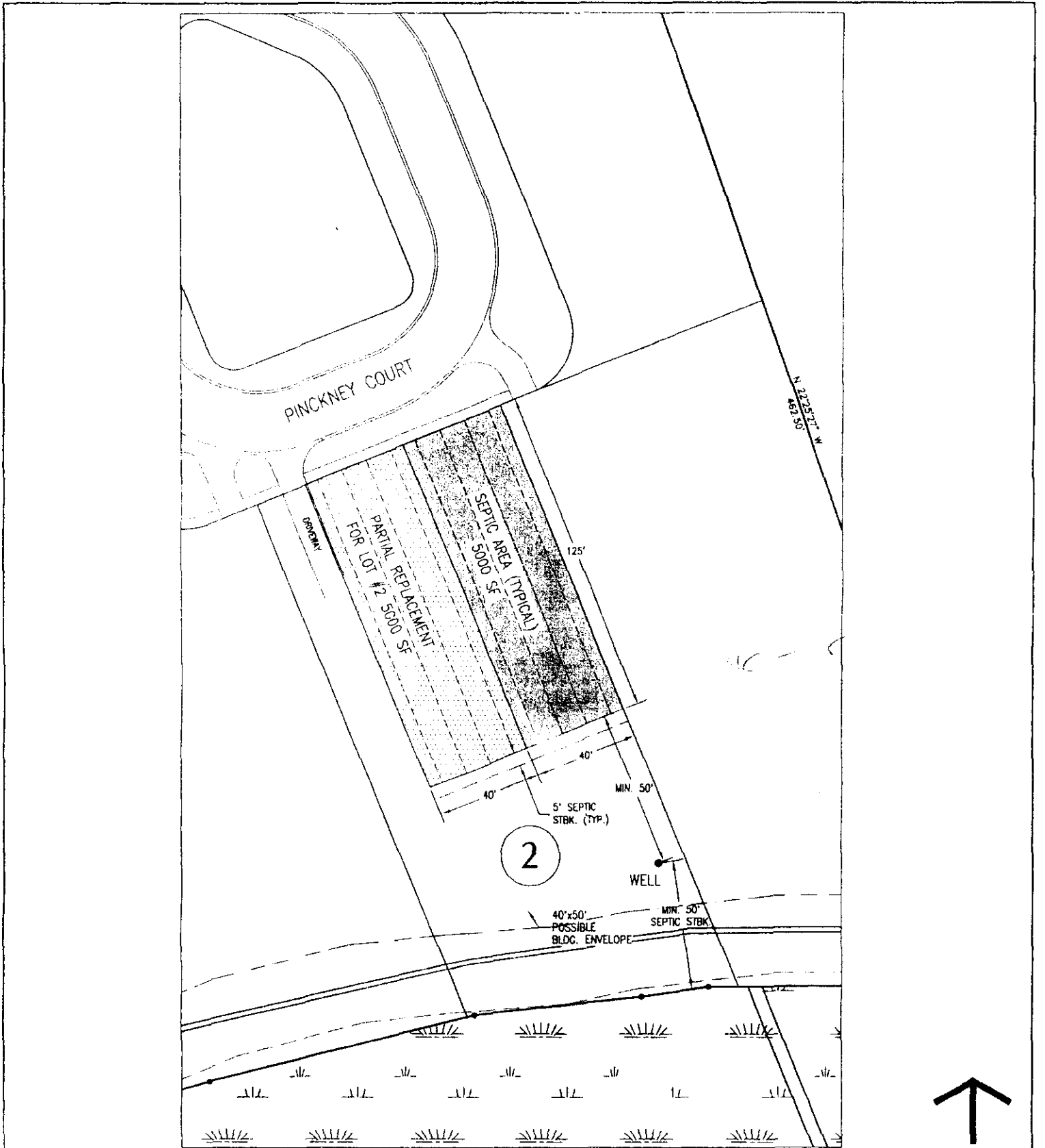
ALL THOSE CERTAIN pieces, parcels or lots of land situate, lying and being in the Town of McClellanville in the County of Charleston, State of South Carolina, shown and delineated as Lots 2, 3, and 5, inclusive, as shown on a plat entitled, "A FINAL SUBDIVISION PLAT OF LOTS 6-9 AND A RESURVEY OF LOTS 2, 3, AND 5 PINCKNEY STREET DOCK OWNED BY PINCKNEY STREET DOCK PARTNERSHIP LOCATED IN THE TOWN OF MCCLELLANVILLE, CHARLESTON COUNTY, SOUTH CAROLINA," by Southeastern Surveying of Charleston, Inc., dated February 11, 2004 and recorded February 19, 2004, in Plat Book EG at page 918, in the RMC for Charleston County, South Carolina, the said lot having such size, shape, buttings and boundings, as will more fully appear by reference to said plat which is incorporated herein by reference.

- TMS# 766-<sup>02</sup>~~00~~-00-<sup>027</sup>~~038~~ Lot 2
- TMS# 766-<sup>02</sup>~~00~~-00-<sup>021</sup>~~039~~ Lot 3
- TMS# 766-<sup>02</sup>~~00~~-00-<sup>035</sup>~~040~~ Lot 5

## EXHIBIT "B"

ALL THOSE CERTAIN pieces, parcels or lots of land situate, lying and being in the Town of McClellanville, County of Charleston, State of South Carolina, shown and designated on a plat entitled, "A FINAL SUBDIVISION PLAT OF LOTS 6-9 AND A RESURVEY OF LOTS 2, 3, AND 5 PINCKNEY STREET DOCK OWNED BY PINCKNEY STREET DOCK PARTNERSHIP LOCATED IN THE TOWN OF MCCLELLANVILLE, CHARLESTON COUNTY, SOUTH CAROLINA," by Southeastern Surveying of Charleston, Inc., dated February 11, 2004 and recorded February 19, 2004, in Plat Book EG at page 918, in the RMC for Charleston County, South Carolina, the said lot having such size, shape, buttings and boundings, as will more fully appear by reference to said plat which is incorporated herein by reference.

ALL SAID LOTS being part of TMS#766-<sup>02</sup>~~00~~-00-025



# PINCKNEY STREET DOCKS - LOT 2

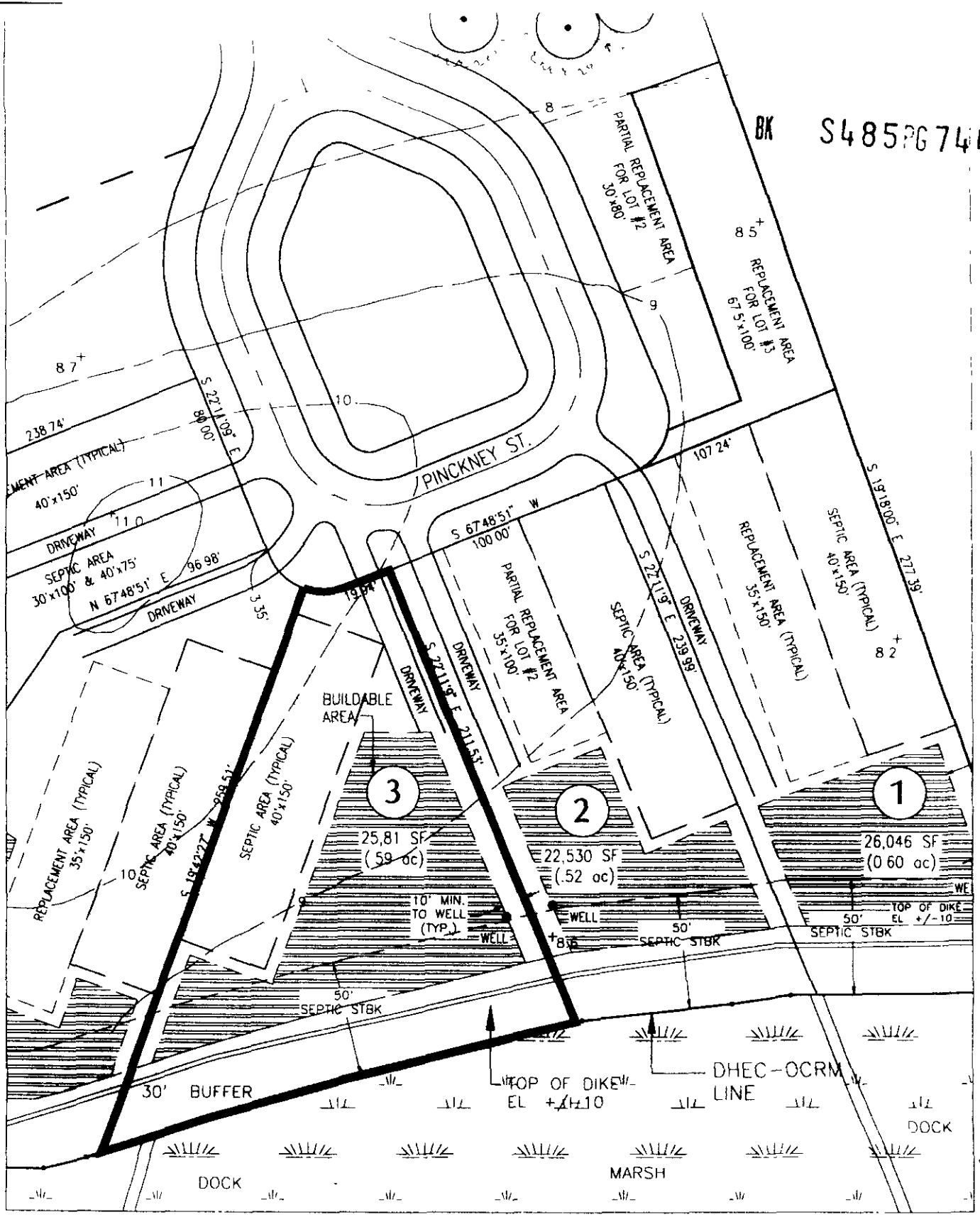
PROJECT # 3589.00

EXHIBIT D-2

SEPTIC LAYOUT

REVISED: 09/08/03

BK S485PG744



# PINCKNEY STREET DOCKS - LOT 3

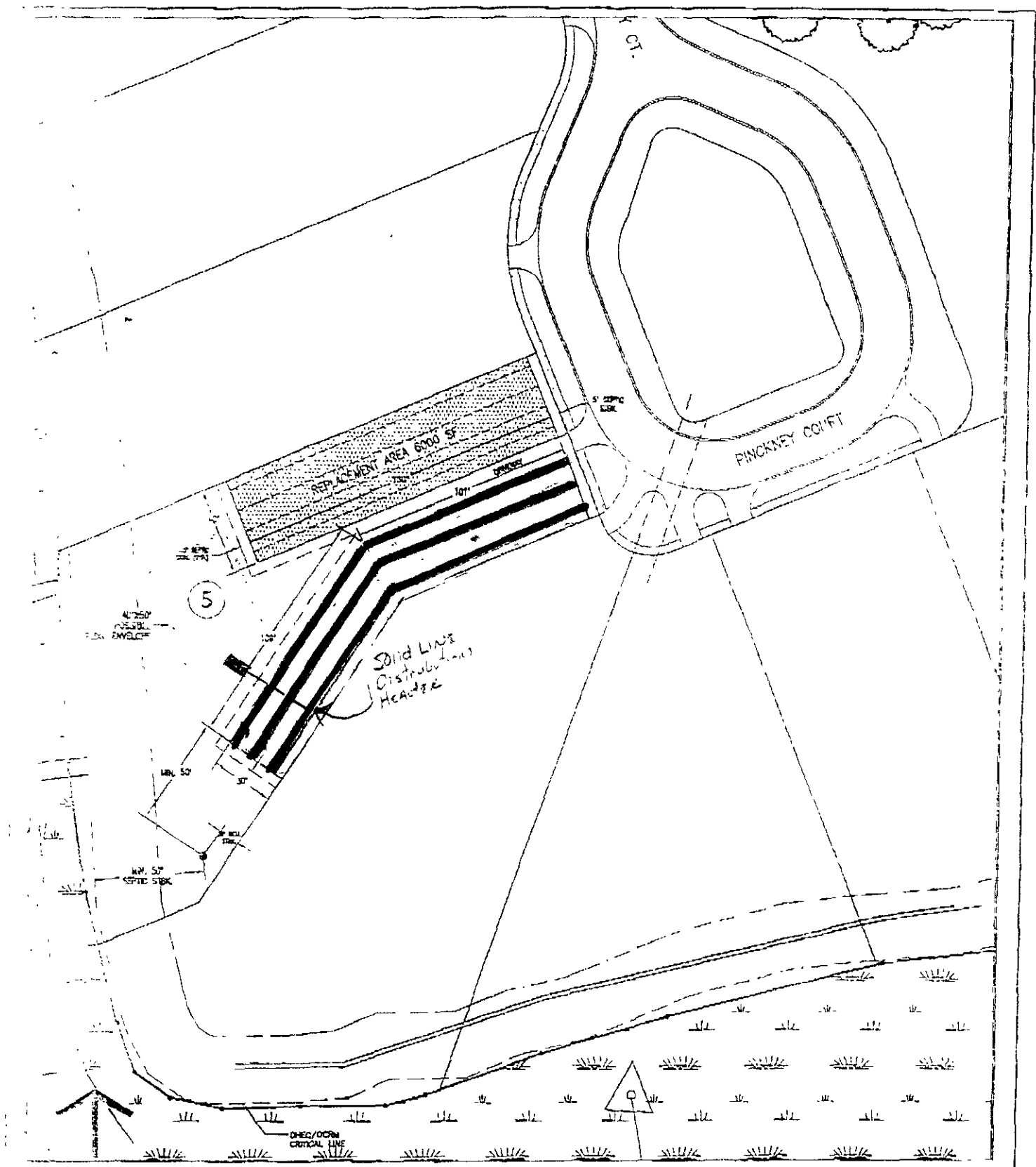
**SEPTIC  
LAYOUT**

PROJECT # 3589.00  
DATE 7/26/01  
SCALE 1" = 60'

EXHIBIT D-3

REVISED 7/27/01



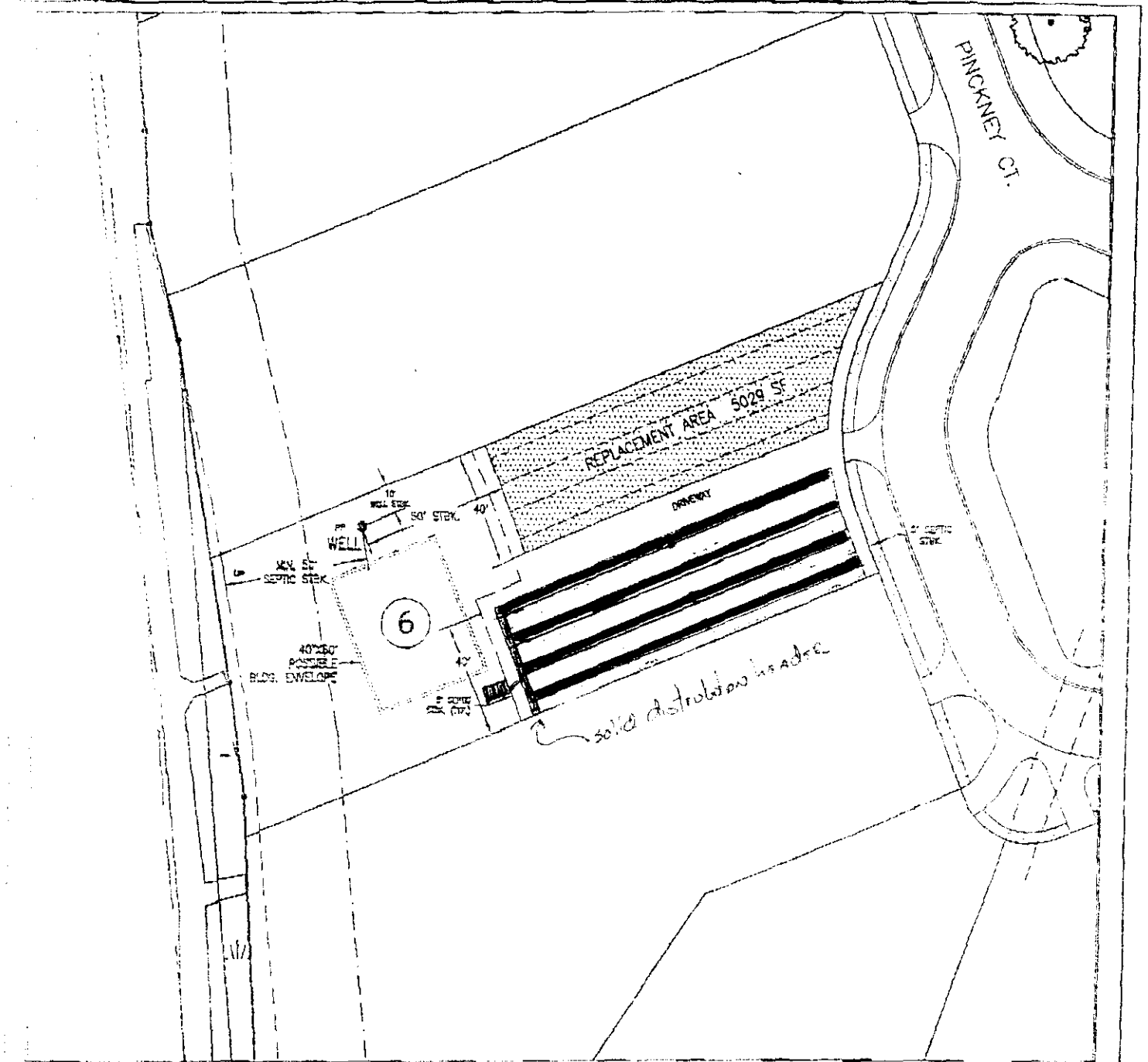


# PINCKNEY STREET DOCKS - LOT 5

PROJECT # 3589.D0  
DATE: 7/1/03

EXHIBIT D-5

SEPTIC LAYOUT  
REVISED: 09/08/03  
NR/NA/NA



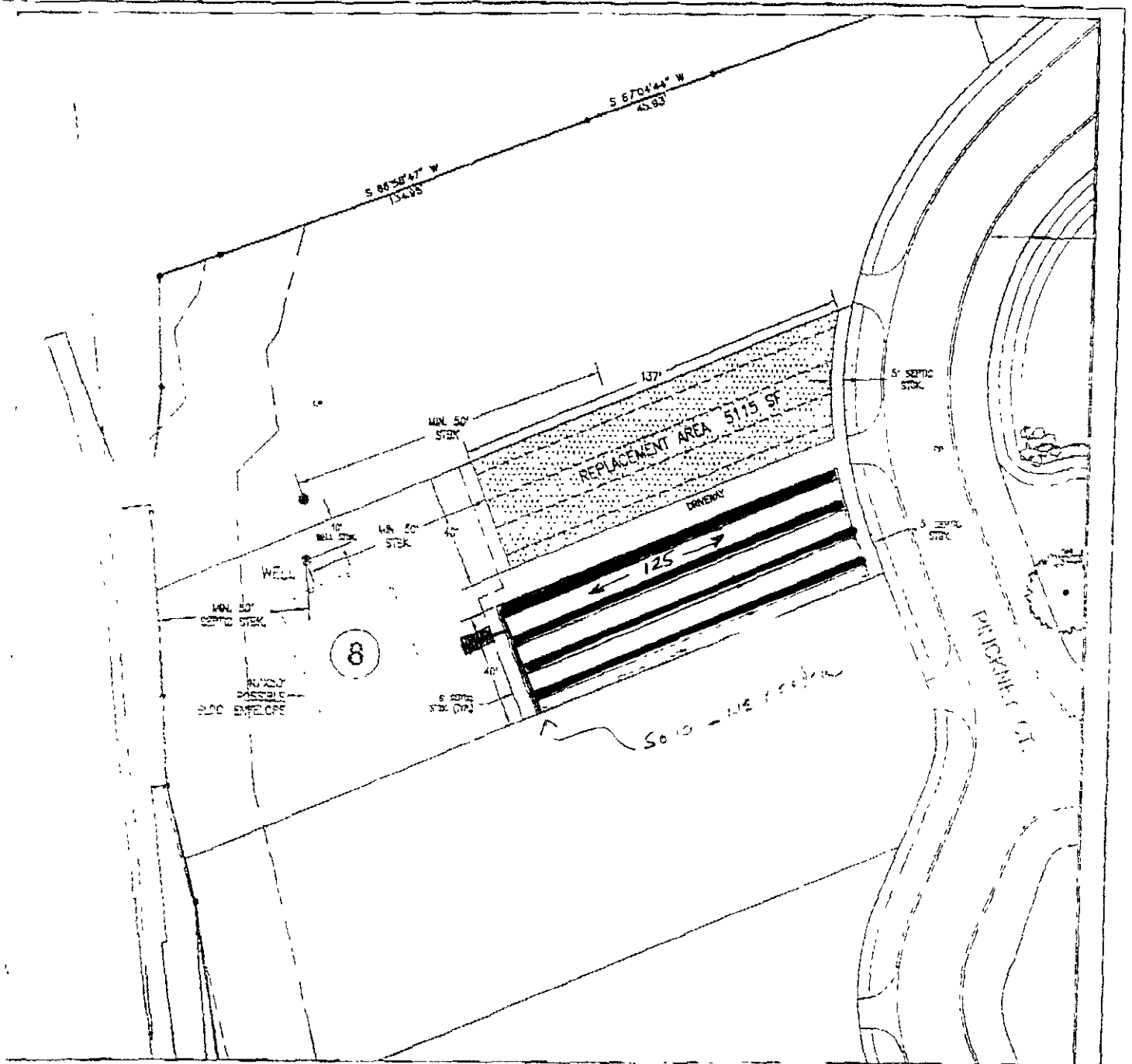
PINCKNEY STREET DOCKS - LOT 6

SEPTIC LAYOUT

PROJECT # 358900

EXHIBIT D-6



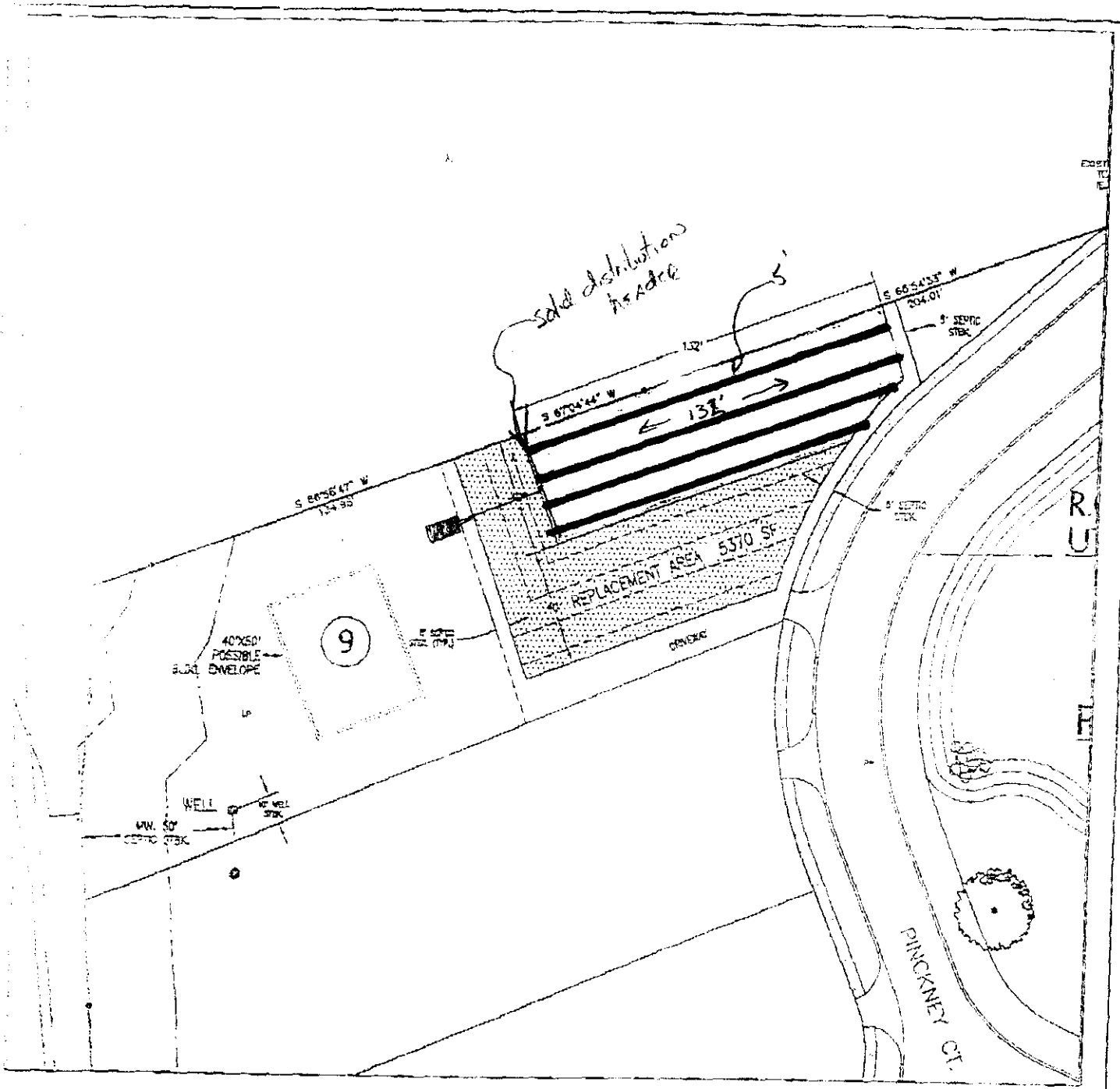


**PINCKNEY STREET DOCKS - LOT 8**

**SEPTIC LAYOUT**

PROJECT # 3589.00  
DATE: 08/10/02

EXHIBIT D-8



PINCKNEY STREET DOCKS - LOT 9

SEPTIC  
LAYOUT

PROJECT # 3589.00  
DATE 08/04/03

EXHIBIT D-9

BK S485PG750

Thomas P. Morrison

LT  
mal

FILED

S485-737

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CHARLIE LYBRAND  
REGISTER  
CHARLESTON COUNTY SC

19.000