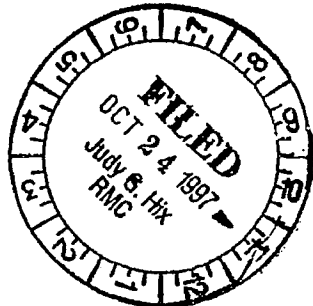


BOOK 1722 PAGE 830 ✓



Prepared by: Anthony W. Oxley
Hyatt & Stubblefield, P.C., 1200 South Tower
225 Peachtree Street, N.E., Atlanta, Georgia 30303

STATE OF SOUTH CAROLINA
COUNTY OF GREENVILLE

Cross Reference: Deed Book 1643
Page 796

**AMENDMENT TO THE DECLARATION OF PROTECTIVE COVENANTS
FOR FAIRVIEW LAKE AND WATERTON SUBDIVISIONS**

THIS AMENDMENT is made as of the date set forth below by D.R. Horton, Inc. - Torrey, a Delaware corporation ("Declarant").

WHEREAS, Declarant recorded that certain Declaration of Protective Covenants for Fairview Lake and Waterton Subdivisions in Deed Book 1643 at Page 796 et seq., of the Greenville County, South Carolina records, on June 3, 1996, as amended and supplemented from time to time and recorded in the aforesaid land records (the "Declaration").

WHEREAS, pursuant to the terms of Section 12(d), of the Declaration, the Declarant may unilaterally amend the Declaration until June 3, 2001; provided, such amendment does not adversely affect the right, title or interest of any Lot Owner. As of the date of this amendment, Declarant is the sole Owner.

WHEREAS, the Declarant desires to amend the Declaration to revise the permitted types of fences in the Community, which does not adversely affect the right, title or interest of any Lot Owner.

NOW, THEREFORE, pursuant to the powers retained by Declarant under the Declaration, Declarant hereby amends the Declaration as provided herein. Such property shall be sold, transferred, used, conveyed, occupied, and mortgaged or otherwise encumbered pursuant to the provisions of this Amendment to the Declaration and the Declaration, both of which shall run with the title to such property and shall be binding upon all persons having any right, title, or any interest in such property, their respective heirs, legal representatives, successors, successors-in-title, and assigns.

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Section 6(c)(xxiii) of the Declaration is hereby amended by deleting the parenthetical sentence contained therein and replacing it with the following:

(Only shadow-box or standard picket style privacy fencing constructed of six (6) foot maximum height, dog-eared, unpainted, cedar or four (4) foot maximum height rough sawn or split rail, unpainted, cedar fencing shall be approved by the Architectural Review Committee.)

IN WITNESS WHEREOF, the Declarant herein, hereby executes this instrument under seal this the 17th day of October, 1997.

DECLARANT: D.R. HORTON, INC. - TORREY,
a Delaware corporation

Signed, sealed and delivered this
this 17th day of October,
1997 in the presence of:

[Signature]
Witness
Charlotte H. Miller
Witness

By: *[Signature]*
Sam Sparks, Executive Vice President

Attest: *[Signature]*
Its: *Assistant Secretary*
Secretary



STATE OF GEORGIA)
COUNTY OF Douglas)

I, Dalene Agon, a notary public in and for the State of Georgia, do hereby certify that Sam Sparks as Executive Vice President of D.R. Horton, Inc. - Torrey, a Delaware corporation, personally appeared before me this day and acknowledged that he holds the office indicated and duly executed this Amendment to the Declaration of Protective Covenants.

Witness my hand and official seal this 17 day of October, 1997.

[NOTARY SEAL]

Dalene Agon
NOTARY PUBLIC
Notary Public, Douglas County, Georgia
My Commission Expires Dec. 26, 1999
My Commission Expires: _____

Judy A. Hill