

BOOK 1909 PAGE 1917 ✓

**SUPPLEMENTARY
DECLARATION OF PROTECTIVE COVENANTS
FOR
FAIRVIEW LAKE SUBDIVISION
PHASE FOUR**

APR 27 2000

THIS SUPPLEMENTARY DECLARATION OF PROTECTIVE COVENANTS FOR FAIRVIEW LAKE SUBDIVISION, PHASE FOUR, is made this 27th day of April, 2000, by D. R. Horton, Inc. - Torrey, a Delaware Corporation (the "Declarant").

WITNESSETH:

WHEREAS, Declarant is the owner of certain real property lying and being in Greenville County, South Carolina, containing 10.02 acres, more or less, as shown and designated on that certain plat (the "Plat") prepared by Fant Engineering & Surveying Co., Inc., dated August 24, 1998, and recorded in Plat Book 38-L at Page 61 in the Register of Deeds Office for Greenville County, South Carolina (the "Property"), reference to said Plat being made for the complete metes and bounds description thereof; and

WHEREAS, the Property is adjacent to properties heretofore owned and developed by the Declarant, and Declarant desires to provide for the most beneficial homogeneous development of the adjacent properties for the preservation of the values and amenities of the Property and to assure the best use and most appropriate development and improvement of said properties; and

WHEREAS, the Declarant previously subjected certain real property to certain covenants, conditions, restrictions and easements known as the "Declaration of Protective Covenants for Fairview Lake and Waterton Subdivisions", recorded in the Register of Deeds Office for Greenville County in Deed Book 1643 at Page 796; as amended (the "Declaration"); and

WHEREAS, pursuant to the terms of Article IX, Section A, of the Declaration, Declarant may unilaterally subject all or any portion of the real property described in Exhibit "B" to the Declaration at any time within five years of recording the Declaration by recording a Supplementary Declaration describing the property to be subjected to the Declaration and to the jurisdiction of the Fairview/Waterton Homeowner's Association, Inc. (the "Association"), and the Declarant may modify the terms of the Declaration as it applies to the annexed property; and

WHEREAS, the Property is a part of the property included within Exhibit "B" of the Declaration which may be unilaterally submitted by the Declarant to the Declaration and to the jurisdiction of the Association; and

WHEREAS, this Supplementary Declaration is recorded within five years of the recording of the Declaration; and

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WHEREAS, Declarant desires to submit the Property to the Declaration and to the jurisdiction of the Association.

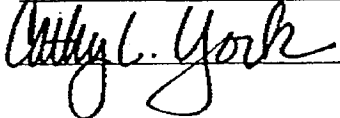
NOW, THEREFORE, in consideration of said benefits to be derived by Declarant, and pursuant to the powers retained by Declarant in the Declaration, Declarant hereby submits the Property to the Declaration and to the jurisdiction of the Association. The Property shall be sold, transferred, used, conveyed, occupied and mortgaged or otherwise encumbered pursuant to the provisions of the Declaration, which shall run with the title to such Property and shall be binding upon all persons having any right, title, or interest in such Property, their respective heirs, successors, successors-in-title, and assigns.

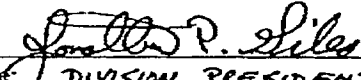
IN WITNESS WHEREOF, the undersigned Declarant, by and through its duly authorized officer(s), has caused this instrument to be executed the day and year first above written.

Executed and declared
in the presence of:

D. R. Horton, Inc. - Torrey,
a Delaware Corporation





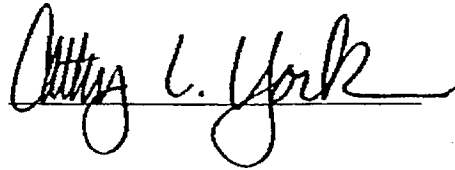
By: 
Title: DIVISION PRESIDENT

STATE OF SOUTH CAROLINA)

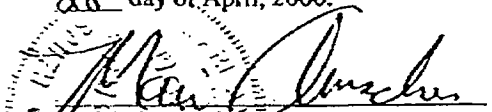
PROBATE

COUNTY OF GREENVILLE)

PERSONALLY appeared before me the undersigned witness and made oath that s/he saw the within named D. R. Horton, Inc. - Torrey, by its duly authorized officer(s), sign, seal and as its act and deed, deliver the within written instrument and that s/he, with the other witness subscribed above, witnessed the execution thereof.



SWORN to before me this
28 day of April, 2000.



NOTARY PUBLIC FOR SOUTH CAROLINA
My Commission Expires: 8/9/04

FILED FOR RECORD IN GREENVILLE
COUNTY SC R.O.D. OFFICE AT 03:10 PM
05 01 00 RECORDED IN DEED
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