

Amendment
FOR PARTIAL RELEASE/SUBORDINATION/ASSIGN-
MENT SEE BOOK *813* PAGE *512*

DATE *Marvin I. Lawson*
MARVIN I. LAWSON
CLERK OF COURT

6-16-80

*For addendum No. one to covenant restrictions
see bk 807 p. 583. JEB:cy 6/18/80*

STATE OF SOUTH CAROLINA,)
COUNTY OF DARLINGTON.) RESTRICTIVE COVENANTS & AGREEMENTS

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WHEREAS, Beaver Dam Acres and Golden Valley, Inc. are presently the owner in fee of all those certain pieces, parcels or lots of land designated as Lots #1 through Lots #129 inclusive, above referred to, as is more particularly shown and delineated on a plat entitled, "Beaver Dam Acres, Darlington County," South Carolina as prepared by Lind Surveying Company, recorded in the RMC office of Darlington County, Plat Book 50 at page 81; and

WHEREAS, it is advisable and in the best interests of the present and future owners of said property that the use of the same be restricted and subject to the limitations and restrictions below set forth;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that we the duly authorized corporate officers of Beaver Dam Acres and Golden Valley, Inc., under deeds recorded in the office of the RMC of Darlington County in Book 588 at Page 555, and book 701 at page 132, as the owners of said tract of land, hereby covenant and agree with each other and with all parties to whom lots and tracts of land in the subdivision to be created intended to be known as Beaver Dam shall be sold or conveyed, and with the heirs and assigns of each other and of their grantees that the following listed protective covenants, limitations, and restrictions, except as otherwise hereinbelow set forth, which apply to cover and govern the use and occupancy of all lots or tracts in said proposed subdivision which shall from and after this date be sold or conveyed by the undersigned, their successors in trust and their assigns:

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1. It is specifically set forth that the following listed lots shall be used for either commercial or other purposes according to the limitations herein described; commercial lots shall be lots 22,23,29,30,34,35, & 40 on South Carolina Highway 23.

A) These commercial lots may have retail or service outlets not exceeding two (2) stories and the building thereon must be built of all new material.

HUGH W. CANNON
ATTORNEY AT LAW
1802 WEST CAROLINA AVE.
HARTSVILLE, SO. CAR.

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B) The set-back line in front must be at least twenty feet (20') and no closer than six feet (6') from each side line nor closer than eight feet (8') from the back line.

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C) No structure may be erected that will cater to any type of business that is obnoxious or offensive to the area. Prior permission must be granted and type of business revealed to the Developers of Beaver Dam ~~before~~ before construction and operation of business commences. Any change of business operation to another type of business from the original intent, that may prove obnoxious, offensive or undesirable to the lot owners is strictly in violation of the covenants and legal proceedings may be initiated by the Developers to correct this violation.

2. Residential and all lots not designated as Commercial shall be designated as residential lots.

A) No structure shall be erected on any building lot, as designated above as residential-recreational, other than one detached single family dwelling (other than where denoted below) not to exceed 2 1/2 stories in height and one (1) or two (2) car garage. All such dwellings shall be constructed of all new building materials.

B) No building shall be erected on any residential or recreational building lot nearer than thirty (30) feet to the front line nor nearer than six (6) feet to any side line of lot, nor closer than eight (8) feet to the back line.

C) Mobile homes shall not be permitted on Lots 44 through 65 and Lots 118 through 129 at any time, however they may be placed on any of the other lots within the said subdivision subject to each mobile home permanently having skirts installed as under-pinning consisting of either brick, concrete block, or masonite hardboard but no tin metal or aluminum skirts will be acceptable.

D) There shall be no hunting permitted on any of the lots.

E) No animals shall be kept on any lot in such subdivision except those customarily kept as household pets.

F) All clothes lines must be erected behind building(s) and not to the front of lot.

G) No obnoxious or offensive trade or activity shall be carried on any lot, nor shall anything be done thereon which maybe or become an annoyance or nuisance.

H) All lake front lots consisting of Lots 44 through 65 which contain residential homes consisting of no less than 1800 square feet, exclusive of porches and garages, all other lots on which residential houses shall be constructed shall contain a minimum of 1300 square feet for a one store structure and 1500 square feet for a one and one-half (1 1/2) or two (2) store structure exclusive of porches or carport/

I) No garbage or domestic trash shall be disposed of by burying on any lot. Trash, garbage or other waste shall be kept in sanitary covered containers. All incinerators or other equipment for the storage or disposal of such materials shall be kept in a clean and sanitary condition. There shall be no stagnant waters, stale garbage or any other unsanitary or unhealthy condition conducive to the breeding of mosquitoes, or flies, or otherwise prejudicial to health on any lot hereby conveyed, shall be permitted by the owner of any lot.

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1002 WEST CAROLINA AVE.
HARTSVILLE, SO. CAR.

J) No inoperative vehicles are permitted on said lots in excess of thirty (30) days.

K) Any fence placed in front of the building set-back line shall be of an ornamental design and not over six (6) feet in height.

L) The streets and roads shown on the above mentioned plat are hereby dedicated to the legal authorities for perpetual maintenance and use by the public.

M) Sewerage disposal systems shall be constructed and maintained in accordance with State Board of Health requirements. At such time as a sewage disposal system is installed by the County of Darlington, other cognizant political subdivision, or others, private or septic tank sewerage system must be filled in, sealed or removed in accordance with applicable State Board of Health requirements.

N) At such time as a central, public or community water system is installed domestic water shall not be used from private wells.

O) These restrictive covenants may be changed, amended or modified by an instrument signed by a majority of the lot owners in said subdivision, the owner of each lot being considered as a separate individual for this purpose and entitled to one vote for each lot owned.

P) These covenants are to run with the land and shall be binding on all parties and/or persons claiming under them until 1999. Said covenants shall be automatically extended for successive periods of Ten (10) years by a vote of the majority of the owners of it is agreed to change said covenants in whole or in part.

3) Lake and Lake Front Property:

A) The use of gasoline-powered motor boats above ten (10) horsepower is strictly forbidden until a majority of the lot owners vote to change this restriction. Until then, this restriction will be strictly enforced. The use of sail-boats, electric motor boats, canoes, paddle boats are encouraged by the Developer in order to prevent and minimize any pollution of the lake.

B) No dock may be extended any further than thirty (30) feet from the shoreline and shall not exceed eight (8) feet in width and twelve (12) feet on T-Dock. There shall be only one (1) dock per lot.

C) There shall be no water skiing permitted on the lake by any lot owner or outsider.

D) The throwing of trash or debris or refuse or ANY objectionable material into the lake is strictly forbidden and legal action may be taken by the developers for any violators.

E) Only property holders within the subdivision may use the access road ways to Beaver Dam Lake, and all outsiders, unless accompanied by a lot owner, are forbidden the use of this access road at any time. All boat trailers that are parked while lot-owners are using the lake, must be parked in an orderly and diligent manner so as not to block or inconvenience other property owners using the access road.

4) If the undersigned, or any purchaser or purchasers or owner or owners of any of said lots or tracts, his, her or its

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successors, heirs or assigns, or any person or persons claiming under them or any of them, shall violate any of the covenants, restrictions or limitations aforesaid, it shall be lawful for any person owning any one or more of said lots or tracts of land to prosecute proceedings at law or in equity against the person or persons violating or attempting to violate any such covenant, restriction or limitation, and either to prevent such violation or to recover damage or secure other remedy on account of such violation.

5) Invalidation of any of said covenants, restrictions or limitations by decree of any Court shall in no way affect any of the others of such covenants, restrictions or limitations, which are to remain in full force and effect.

IN WITNESS WHEREOF, the undersigned corporate officers of Beaver Dam Acres and Golden Valley, Inc. set their hand and corporate seal this first day of March, 1975.

IN THE PRESENCE OF:

Burtina Kepler
Alma D. Lewis
H. W. Cannon
Gale M. Richardson

Beaver Dam Acres of Darlington, Inc.
BY: Nathan W. Garfinkle
President

ATTEST: Philip Garfinkle
Secretary-Treasurer

Golden Valley Inc.
BY: Harold Timmons
President

ATTEST: Philip Garfinkle
Secretary-Treasurer

STATE OF SOUTH CAROLINA,)
COUNTY OF DARLINGTON.)

Personally appeared before me Gale M. Richardson and made oath that she saw the within named Beaver Dam Acres of Darlington Inc BY: Nathan W. Garfinkle and Philip Garfinkle its corporate officers and Golden Valley, Inc. BY: Harold Timmons and Hugh White, corporate officers Sign, Seal and as the Corporate act and Deed deliver the within written Deed; and that she with Hugh W. Cannon witnessed the execution thereof and saw the corporate seal thereto affixed.

Sworn to before me this 1st day of March, 1975.

H. W. Cannon (L. S.)
Notary Public in and for South Carolina
My Commission Expires: _____

Gale M. Richardson

FILED
CLERK OF COURSE
APR 17 11:46 AM '75
DARLINGTON COUNTY
DAN E. BEASLEY, CLERK
BOOK 731 PAGE 161

HUGH W. CANNON
ATTORNEY AT LAW
1802 WEST CAROLINA AVE.
HARTSVILLE, SO. CAR.

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STATE OF SOUTH CAROLINA)
) ADDENDUM NUMBER ONE (1) TO COVENANT RESTRICTIONS
COUNTY OF DARLINGTON) FOR BEAVER DAM SUBDIVISION.

WHEREAS, the owners of all the various lots and lands in Beaver Dam Subdivision have previously set covenant restrictions for the subdivision which set forth the use and occupancy of various lots therein and; Whereas, it appears that four (4) lots were inadvertently omitted from the designated classification for which it was intended; NOW,

KNOW ALL MEN, that we the undersigned owners do herewith agree and covent with eachother and with all persons who shall hereafter own lots therein, their heirs or assigns, and do amend the said protective covenants, limitations, and restrictions as set forth herein. The same applying to cover and govern the use and occupancy of the four (4) said lots which are herewith being amended as follows:

It is specifically set forth that paragraph one (1) in the original covenants, as recorded in Book 73/ at Page 161, shall also include lots 36, 37, 38, and 39, with it being specifically set forth that their use shall be for commercial purposes or permanent single family dwellings.

IN WITNESS WHEREOF, the undersigned property owners of Beaver Dam Subdivision and Golden Valley Subdivision have hereby set their hands and seals this first day of August, 1979.

Charles Richard Guff

James W. Harrison, Jr.

Lake M. Huckabee

Susan B. Markham

Susan B. Markham

Susan B. Markham

James E. Nelson

James E. Nelson

James A. ...

✓ GOLDEN VALLEY, INC., AND
✓ BEAVER DAM ACRES OF DARLINGTON, INC

Mark ...

Hugh ...

NOTARY PUBLIC
AUG 13 11 25 AM '79

STATE OF SOUTH CAROLINA)
)
COUNTY OF DARLINGTON)

AFFIDAVIT OF PROBATE

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PERSONALLY APPEARED before me Belinda H. Howell and made oath that she saw the within named property owners of Beaver Dam Subdivision sign, seal and as their act and deed, deliver the within written instrument and that she with Rosanne S. Cannon witnessed the execution thereof.

Belinda H. Howell

WITNESS

Rosanne S. Cannon

WITNESS

SWORN TO BEFORE ME THE 1st
day of August, 1979.

H. W. Cannon (SEAL)

Notary Public for South Carolina
My Commission expires:

NOTARY
CLERK
AUG 18 11 25 AM '79

STATE OF SOUTH CAROLINA)
COUNTY OF DARLINGTON)

RESTRICTIVE COVENANTS & AGREEMENTS

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85.00 per ft
weekly

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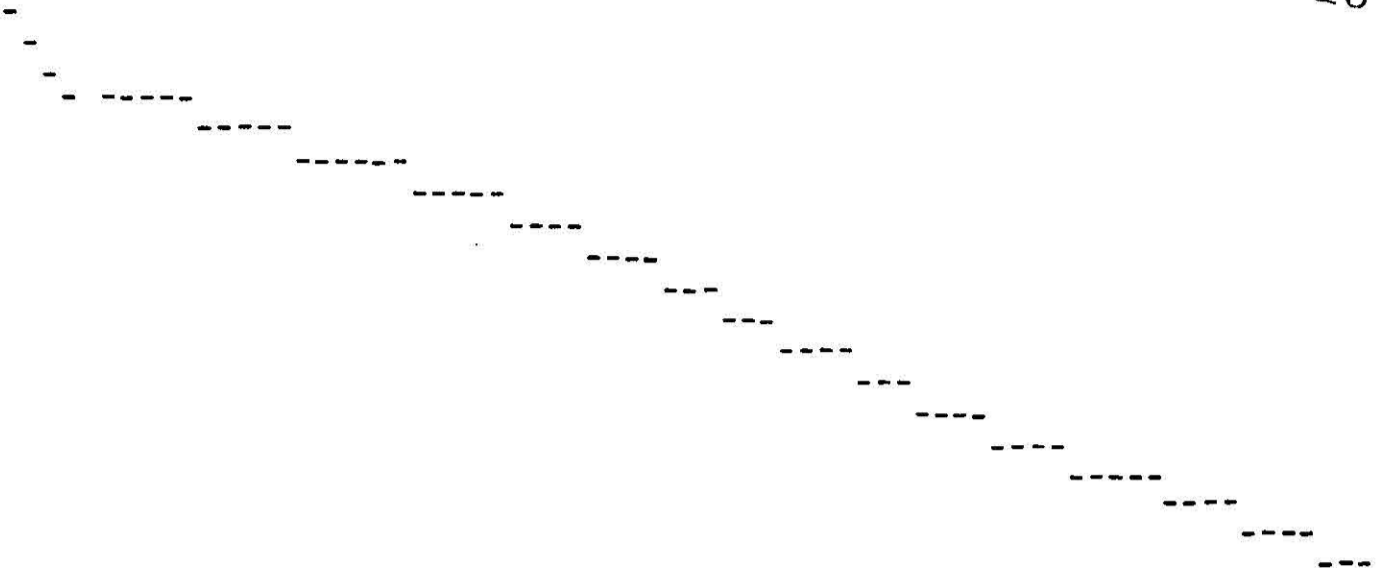
WHEREAS, Beaver Dam Acres and Golden Valley, Inc. are presently the Owners in fee of all those certain pieces, parcels or lots of land, initially designated as Lots #108 through Lot #112 inclusive, recorded in the RMC Office for Darlington County in Book 72, Page 79, Sept. 27, 1979. (Excluding Lots #19 through Lot #29, inclusive, on S.C. Hwy 23) and all those future lots, tracts of land, now under development and soon to be subdivided with specific lot numbers assigned to each lot or tract on a plat entitled: PINE RIDGE ESTATES, DARLINGTON COUNTY. These lots, tracts or portions of lands is scheduled to be recorded in the RMC Office for Darlington County. To be more specific, it is all those future lots, land and subdivisions thereof WEST of GEECHEE DRIVE, noting exceptions as listed above.

WHEREAS, KNOW ALL MEN BY THESE PRESENTS, it is advisable and in the best interests of the present and future owners of said property that the use of the same be restricted and subject to the limitations and restrictions below set forth;

NOW, THEREFORE, KNOW ALL MEN BY THESE PRESENTS, that we duly authorized corporate officers of Beaver Dam Acres and Golden Valley, Inc., under deeds recorded in the Office of the RMC of Darlington County in Book 588 at Page 555, and Book 701 at page 132, as owners of said tract of land, hereby covenant and agree with each other and with all parties to whom lots and tracts of land in the subdivision to be created intended to be known as Beaver Dam, and the contiguous tract soon to be known as Pine Ridge Estates, shall be sold or conveyed, and with the heirs and assigns of each other and of their grantees that the following listed protective covenants, limitations, and restrictions, except as otherwise hereinbelow set forth, which apply to cover and govern the use and occupancy of all lots or tracts in said proposed subdivision which shall and

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after this date be sold or conveyed by the undersigned, their successors in trust and their assigns:



1. It is specifically set forth that the following lots on the future proposed corners of West Beaver Dam Drive and S.C. Hwy 23, temporarily referred to as Lots #4 & #5 on a proposed plat drawn by Lind Surveying Company of Timmons ville, RLS #3178, shall be used for either commercial or other purposes according to the limitations herein described as Commercial Lots on S.C. Hwy #23.

A) These commercial lots may have retail or service outlets but not exceeding 2½ (two and one-half) stories in height and the building thereon must be of all new materials. Said plans prior approved by developers.

B) There is no specific set-back line for the front for commercial lots; however side and back line must comply with the same distances as residential or mobile homes. Front-line-set-back shall conform to normal county standards and regulations, as set forth in good practice.

C) The set back line in front for mobile homes or permanent type homes must be at least forty (40') feet and no closer than ten (10') feet from each side and not closer than ten (10') from the back line.

D) No structure, business or otherwise, may be erected on any lot or lots therein, that will cater to any type of business that is obnoxious or offensive to the area. Prior permission must be granted any type of businesses on commercial lots before construction and operation of business commences. Any change of business operation to another type of business from the original intent, that may prove to be obnoxious, offensive or undesirable to the neighboring lot-owners is strictly forbidden and in violation of the covenants and legal proceedings may be initiated by the Developers to correct this violation.

2. No structure shall be erected on any building lot, as designated as residential-recreation, other than one(1) detached single family dwelling(other than where denoted) not to exceed $2\frac{1}{2}$ stories in height and one (1) or two(2) attached or detached garage. All such dwellings shall be constructed of all new building materials...minimum of 900 sq.ft. single story...1,200 for 2-story.

A) All barns, storage sheds, outbuildings, stalls, etc.... must be placed behind or to the rear-adjacent of the main domicile.

B) All mobile homes placed on said lots or tracts must install a permanent-type skirt around the bottom perimeter, within ninety(90) days of installation, as under-pinning consisting of commercial-type skirts made for mobile homes exclusively, concrete blocks(painted), brick, masonite boards or any other attractive type of under-pinning. The use of tin or aluminum is considered undesirable by the Developers.

C) There shall be no hunting permitted on any lot.

D) Animals or pets are acceptable; however no hogs or pigs are permitted on any lot for whatever intended purpose.

E) All clothes line must be erected to the rear of the main domicile.

F) No trade of anykind, except where lot is zoned commercial, or activity thereon shall be permitted on any lot nor shall anything be done thereon which maybe or become an annoyance or nuisance to any of the neighbors.

G) NO garbage or domestic trash shall be disposed of by burying on any lot. Trash, garbage, or other waste shall be kept in sanitary covered containers. All incinerators or other exposed equipment, shall be kept in a clean and sanitary condition. There shall be no stagnant water, stale garbage or other refuse remain on property to cause the breeding of flies, insects or mosquitoes...or anything done that is prejudicial to good health and to the environment.

H) No inoperative vehicle(s) are permitted on said lot in excess of thirty(30) days.

I) Any fence placed on lot shall be of ornamental in design and not exceed six(6) feet in height.

J) The streets, roads and easements shown on the above mentioned plat are hereby dedicated to the legal authorities for perpetual maintenance and use by the public.

K) Sewerage disposal systems shall be constructed and maintained in accordance with the State Board of Health requirements. At such time as a sewage disposal system is installed, by County Government or any other cognizant political subdivision, or others, private or septic tank sewerage system must be filled-in and sealed in accordance with State Board of Health requirements.

L) At such time as a central public or community water system is installed, well water shall be used from privately constructed wells; however, when such a public water system has been installed, it will be the obligation of every lot-owner to subscribe to this service in order to reduce and minimize the minimum water rate.

M) These covenants may be changed, amended or modified by an instrument signed by a majority of the lot-owners in said subdivision, the owner of each lot being considered as a separate individual for this purpose and entitled to one(1) vote for each lot owned.

N) These covenants are to run with the land and shall be binding on all parties and/or persons claiming under them until 1999. said covenants shall be automatically extended for successive periods of ten(10) years by a vote of the majority of the owners, agreed upon to change said covenants in whole or in part.

3) If the undersigned, or any purchaser(s) or owner(s) of any said lots or tracts, his, her or its successors, heirs and assigns, or any person(s) claiming under them or any of them, shall violate any of the covenants, restrictions or limitations aforesaid, it shall be lawful for any person owning any one or more of said lots or tracts of land to prosecute proceedings at law or in equity against the person(s) violating or attempting to violate such covenants, restriction or limitation, and either to prevent such violations or to recover damage or secure other remedy on account of such violation.

4) Invalidation of any said covenants, restrictions or limitations by decree of any Court shall in no way affect any of the others of such covenants, restrictions or limitations, which are to remain in full force and effect.

IN WITNESS WHEREOF, the undersigned corporate officers of Beaver Dam Acres and Goldeb Valley, Inc. set their hand and corporate seal this 13th day of May, 1980.

IN THE PRESENCE OF:

Ann P. Cross
Robert R. Apple

Beaver Dam Acres of Darlington, Inc.
John W. Genter
President

ATTEST: Philip T. ...
Secretary-Treasurer

STATE OF SOUTH CAROLINA)
COUNTY OF CHARLESTON)

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Personally appeared before me Ann P. Cross and made oath that she saw the within named Beaver Dam Acres of Darlington By: Nathan W Garfinkle and Philip Garfinkel its corporate officers, Sign, Seal and as the Corporate Act & Deed, deliver the within written Deed; and that she with STEWART R. APPLEBAUM witnessed the execution thereof and saw the corporate seal thereto affixed.

Sworn to before me this 22nd day of May, 1980

Ann P. Cross

Stewart R. Applebaum (Seal)

My Commission Expires: DEC. 17, 1989

IN THE PRESENCE OF:

Generose M. Elmore

GOLDEN VALLEY, INC.

Harold Timmons President

Hugh D. White Secretary

STATE OF SOUTH CAROLINA,
COUNTY OF DARLINGTON.

PERSONALLY appeared before me Generose M. Elmore and made oath that she saw the within named GOLDEN VALLEY, INC. BY: Harold Timmons and Hugh White its corporate officers, Sign, Seal and as the Corporate Act & Deed, deliver the within written Deed; and that she with Sam Rogol witnessed the execution thereof and saw the corporate seal thereto affixed.

Sworn to before me this 16th day of June, 1980

Generose M. Elmore

Sam Rogol (Seal)

My Commission Expires: 4-4-80

DARLINGTON COUNTY

JUN 16 4 23 PM '80

FILED
CLERK OF COURT