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MEMORANDUM OF AMENDMENT

DATE: December 30, 2019
TO: Watson's Orchard Subdivision
FROM: Stephen Fulton Shaw, Esq.
RE: Amendment to Restrictions and Protective Covenants

The Declarant of the Watson Orchard Subdivision, or its successor in interest, published certain Declaration of Restrictions and Protective Covenants (hereafter, "Declarations") applicable and appurtenant to, the lands and members described in that declaration made on January 15, 1981 and recorded on January 16, 1981 at Book 1140 Page 961, Greenville Co. Register of Deeds. Those Declaration of Restrictions and Protective Covenants, Watson Orchard Subdivision is also referred to as "Watson's Orchard Subdivision" and/or Watsons Orchard Subdivision, and these terms are interchangeable.

Those Declarations allow for amendment by a majority of the then owners of developed lots. For the purpose of amendment, lot owners drafted a ballot and made known the availability of the ballot. Additionally, several lot owners made available three meeting dates at a home in the neighborhood at which the amendment was explained and made available for execution with a South Carolina notary.

As a result, in accordance with all applicable conditions set forth in the declarations, before this date, a majority of the then owners cast ballots in a number greater than a majority. Therefore, the Declarations were lawfully amended.

WHEREFORE, after proper notice, I **ELECT** to amend the Declaration of Restrictions and Protective Covenants as follows:

(Remainder of page intentionally blank.)

1. AMENDMENT TO PREAMBLE

The PREAMBLE to the Declaration of Restrictions and Protective Covenants of the Watson Orchard Subdivision is AMENDED as follows:

I ELECT TO REMOVE:

"covenants, conditions, and restrictions shall be automatically extended for successive periods of ten (10) years each unless, by vote of a majority of the then owners of the lots into which the property described above shall have been developed and in Watson Orchard Subdivision, the within covenants, conditions and restrictions are changed or amended, in whole or in part.

I ELECT TO AMEND AND REPLACE AS FOLLOWS:

"covenants, conditions, and restrictions shall be automatically extended for successive periods of twenty (20) years each unless, by vote of a super-majority of greater than Seventy-Five (75%) percent of the then owners of the lots into which the property described above shall have been developed and in Watson Orchard Subdivision, the within covenants, conditions and restrictions are changed. Notwithstanding any other definition and, without waiving any of the existing covenants, conditions and restrictions herein, "DEVELOPED" shall mean that the subject property has an existing and permanent single-family residence that is built to completion to include the issuance of a Certificate of Occupancy by Greenville County or the applicable issuing local government."

2. AMENDMENT TO BODY OF DECLARATION

ARTICLE II, Section 2(i) of the Declaration of Restrictions and Protective Covenants of the Watson Orchard Subdivision is AMENDED as follows:

(Remainder of page intentionally blank.)

I ELECT TO REMOVE:

"(i) The 14.79 acre tract of land fronting on Pelham Road described in Exhibit "A" shall have all lots facing Pelham Road with a minimum frontage of 200 feet, and a minimum lot size of 55,000 square feet."

I ELECT TO AMEND AND REPLACE AS FOLLOWS:

"(i) The 14.79 acre tract of land fronting on Pelham Road described in Exhibit "A" shall have all lots facing Pelham Road with a minimum frontage of 200 feet, and a minimum lot size of 55,000 square feet. Nothing herein shall be construed to prohibit primary access to the dwelling by way of Brendan Way as opposed to Pelham Road."

ARTICLE II, Section 2(ii) of the Declaration of Restrictions and Protective Covenants of the Watson Orchard Subdivision is **AMENDED** as follows:

I ELECT TO REMOVE

"(ii) The approximate 8 acre tract of land lying between Haywood Road and Watson's Orchard Subdivision described in Exhibit "A" shall be developed in such a manner so that the frontage of all lots shall face inward toward Watson's Orchard Subdivision; each lot shall have a minimum area of 1.5 acres, and the property may not be subdivided in any manner to allow more than 4 lots. Access shall be to existing streets in Watson's Orchard Subdivision only. No direct access to Pelham or Haywood Roads shall be allowed, and not lot or structure situate thereon shall be designed to provided ingress or egress directly to Pelham or Haywood Roads."

I ELECT TO AMEND AND REPLACE AS FOLLOWS:

"(ii) The approximate 8 acre tract of land lying between Haywood Road and Watson's Orchard Subdivision described in Exhibit "A" shall be developed in such a manner so that each lot shall have a minimum area of 1.5 acres, and the property may not be subdivided in any manner to allow more than 4 lots.

(Remainder of page intentionally blank.)

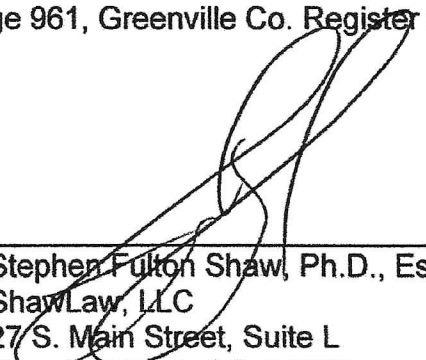
3. GENERAL AMENDMENT PROVISIONS

I ELECT TO ADD SEVERABILITY AS FOLLOWS:

The undersigns intend to make this AMENDMENT severable. If any clause, provision, section, sentence, or other portion of this AMENDMENT is found to be inapplicable, invalid, void, unconstitutional, illegal, contrary to public policy, or unenforceable by law to any circumstance or person, the undersigned intend that the remainder of the Amendment will nonetheless continue to be in full effect.

----- END OF AMENDMENT -----

The Declarations are now amended as set forth above and run with the land and members as a negative reciprocal easement appurtenant to each and every parcel, piece, or lot of land described in that declaration made on January 15, 1981 and recorded on January 16, 1981 at Book 1140 Page 961, Greenville Co. Register of Deeds.



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EXHIBIT A

ALL that certain piece, parcel or tract of land situate, lying and being in the State of South Carolina, County of Greenville, containing 14.78 acres, as is more fully shown on a plat entitled "Survey for Richard Watson," prepared by Carolina Surveying Company, dated June 27, 1980, revised August 19, 1980, revised August 27, 1980, revised September 3, 1980, and revised December 1, 1980, and having according to said plat, the following metes and bounds, to wit:

BEGINNING at a stake on the southern side of Pelham Road, at its intersection with Haywood Road and running thence along the southern side of Pelham Road, N. 84-07 E. 1,391.7 feet to a stake; running thence N. 87-55 E. 99.5 feet to a stake; running thence S. 85-33 E. 100.6 feet to a stake; running thence to a stake; running thence S. 79-11 E. 100.0 feet to a stake, running thence S. 72-58 E. 99.8 feet to a stake; running thence S. 68-57 E. 338.4 feet to a stake at the intersection of Pelham Road and a proposed road; running thence with the curvature of the said intersection, the chord of which is S. 25-48 E. 43.8 feet to a stake; running thence with the western side of said proposed road, S. 17-20 W. 270.6 feet to a stake at the corner of a tract containing 22.15 acres, running thence with the line of said tract, the following courses and distances to-wit: N. 68-57 W. 387.9 feet to a stake, N. 82-20 W. 256.9 feet to a stake; S. 84-07 W. 1,433.1 to a stake on the eastern side of Haywood Road; running thence with the eastern side of Haywood Road and Pelham road; running thence with the curvature of said intersection, the chord of which is N. 40-08 E. 71.0 feet to the point of beginning.

ALSO: ALL that certain piece, parcel or tract of land situate, lying and being in the County of Greenville, State of South Carolina, and having shown and designated as Tract A and plat recorded in the RMC Office for Greenville County in Plat Book C, at Page 80, and having according to said plat, the following metes and bounds, to-wit:

BEGINNING at an iron pin at Pelham Road at the corner of property now or formerly of Adams, and running with the line of the Adams property, N. 14-35 E. 1337 feet to an iron pin; thence S. 73 E. 348 feet, thence S. 14-35 W. 1185 feet to Pelham Road; thence with the northern side of Pelham Road S. 83-50 W. 370 feet to the point of beginning.

LESS, HOWEVER: ALL that certain piece, parcel or lot of land situate, lying and being in Greenville Township near the City of Greenville, and having, according to a plat recorded in Plat Book 5-O, at Page 1, RMC Office for Greenville County, and shown on survey by Dalton & Neves, Engineers, dated October, 1975, as property of the Grantor and having, according to said plat, the following metes and bounds, to-wit:

BEGINNING at an iron pin on the north side of Pelham road, formerly property of Neil Baker Adams, and running thence with Pelham Road, N. 84-25 E. 75-15 feet to an iron pin; thence with intersection of said road and intersection of Haywood Road, N. 37-45 E. 58.97 feet to and iron pin; thence with Haywood Road, N. 8 18 W. 251.23 feet to an iron pin; thence with property of Neil Baker Adams, S. 14-35 W. 70.35 feet to the beginning.

ALSO, LESS, HOWEVER: Subject to that certain right of way agreement granted to the South Carolina Highway department covering approximately 2.28 acres of the above described property.