



Recording Date: 07/28/2010

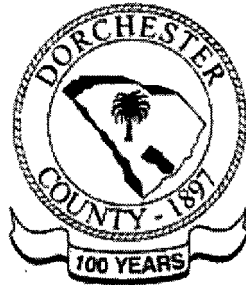
Instrument: 49

Book: 7578 Page: 218-223

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2010 Jul 28 PM 12:20:47

DORCHESTER COUNTY
SC Deed Rec Fee: .00
Dor Co Deed Rec Fee: .00
Filing Fee: 11.00
Exemption #:
MARGARET L. BAILEY
Register of Deeds



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REGISTER OF DEEDS
DORCHESTER COUNTY SOUTH CAROLINA
MARGARET L. BAILEY, REGISTER
POST OFFICE BOX 38
ST. GEORGE, SC 29477
843-563-0181 or 843-832-0181

FILED/RECORDED
July 28, 2010
DORCHESTER COUNTY
REGISTER OF DEEDS

STATE OF SOUTH CAROLINA)
)
COUNTY OF DORCHESTER) SIXTH AMENDMENT TO
) RESTRICTIVE COVENANTS
) APPLICABLE TO BOYLE PLANTATION

THIS SIXTH AMENDMENT to the Restrictive Covenants applicable to Boyle Plantation (hereinafter referred to as the "Sixth Amendment") is made this 6 day of February, 2009, by Boyle Plantation Homeowners Association, Inc. (hereinafter referred to as the "Association") and DiRocco Enterprises, LLC (hereinafter referred to as the "Declarant").

WITNESSETH:

WHEREAS, Declarant has previously acquired the fee interest to the property known as Boyle Plantation (the "Development"), as more fully described in the Restrictive Covenants applicable to Boyle Plantation (herein referred to as the "Restrictive Covenants"), established said Restrictive Covenants dated April 3, 2004, and recorded in the Office of the Register of Deeds for Dorchester County on April 6, 2004, in Book 4074 at Page 186; and

WHEREAS, the Declarant has previously issued First, Second, Third, Fourth and Fifth Amendments to the Restrictive Covenants dated August 29, 2005 (recorded August 30, 2005; Dorchester County Register of Deeds Office, Book 4896, Page 115); August 30, 2005 (recorded August 30, 2005; Dorchester County Register of Deeds Office, Book 4896, Page 118); September 23, 2006 (recorded January 17, 2007; Dorchester County Register of Deeds Office, Book 5782, age 092; dated August 17, 2007 (recorded November 9, 2007; Dorchester County Register of Deeds Office, Book 6354, Page 272; re-recorded November 29, 2007; Dorchester County Register of Deeds Office, Book 6381, Page 146); and dated January 21, 2008 (recorded March 10, 2008; Dorchester County Register of Deeds Office, Book 6525, Page 293) respectively; and

WHEREAS, pursuant to Paragraph 35 of the Restrictive Covenants, entitled Modification, the Declarant may amend the Restrictive Covenants at any time and for any purpose so long as it owns one Lot in the Development; and

WHEREAS, Paragraph 35 further states that the Restrictive Covenants may be altered, modified, canceled, or changed at any time by a majority of the Owners of the Lots in the Development and with the written consent of Declarant, so long as the Declarant owns at least one Lot shown on the plat; and

WHEREAS, Declarant currently owns one Lot in the Development; and

WHEREAS, Officers of the Association, elected by a majority of the Owners of Lots in the Development, and Declarant desire to amend the Restrictive Covenants as more particularly set forth below.

Knight Law Firm, LLC
P.O. Box 280
Summerville, SC 29484-0280

WHEREAS, Brian P. Plaisance, the current owner of Lot 77 (Dorchester County TMS Number 178-01-01-042) in the Development, desires to consent to the removal of Lot 77 from the Restrictive Covenants.

WHEREAS, the Declarant as current owner of Lot 53 in the Development (Dorchester County TMS Number 178-01-01-041) desires to remove Lot 53 from the Restrictive Covenants.

NOW, THEREFORE, for and in consideration of the premises and the benefits to be derived by the Association, the Declarant and each and every Owner and subsequent Owner of any of the property located in Boyle Plantation, the Association and the Declarant do hereby amend the Restrictive Covenants as follows:

Declarant does hereby remove from the effect and applicability of the Restrictive Covenants those Lots known and designated as Lots 53 (Dorchester County TMS Number 178-01-01-041) and 77 (Dorchester County TMS Number 178-01-01-042) as shown on that certain plat entitled "Boyle Plantation, Phase I, Near the Town of Summerville, Dorchester County, South Carolina" prepared by GPA Professional Land Surveyors, dated April 5, 2004, and recorded in the Office of the Register of Deeds for Dorchester County on April 6, 2004, in Plat Book K at Page 97.

The current Owner of Lot 77, his Heirs, Successors and/or Assigns, consents to the removal of Lot 77 from the Restrictive Covenants. Further, the Owner of Lot 77 releases the Association from all current and future obligations and liabilities regarding Lot 77.

Declarant, it's Successors and/or Assigns, consents to the removal of Lots 53 and 77 from the Restrictive Covenants. Further, Declarant releases the Association from all current and future obligations and liabilities regarding Lot 53. Further, upon the removal of Lot 53 from the Restrictive Covenants, Declarant and John DiRocco, individually, shall have no further rights as set forth in the Restrictive Covenants and said rights shall not be reinstated in the future in the event Declarant subsequently purchases a Lot in Development. Notwithstanding the foregoing, in the event Declarant subsequently purchases a Lot in the Development, Declarant shall have the same rights and obligations of an Owner of a Lot in the Development, including but not limited to, the right to vote at meetings and the obligation to pay assessments.

Except as specifically amended herein, all other provisions and terms of the Restrictive Covenants and the First, Second, Third, Fourth and Fifth Amendments to the Restrictive Covenants shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned have caused this instrument to be executed this 6th day of February, 2009.

WITNESSES:

DECLARANT:

DiRocco Enterprises, LLC

[Signature]

Witness #1

[Signature]

Witness #2

By: [Signature]

John DiRocco Its Member

STATE OF CT)

ACKNOWLEDGEMENT

COUNTY OF Fairfield)

The foregoing instrument was acknowledged before me this 6th day of February, 2009, by DiRocco Enterprises, LLC by John DiRocco its Member.

[Signature]

Notary Public for Connecticut

My Commission Expires: 5-31-11



WITNESSES:

BOYLE PLANTATION HOMEOWNERS ASSOCIATION, INC.

[Signature]
Witness #1

By: [Signature]
Its: Board President

[Signature]
Witness #2

STATE OF SOUTH CAROLINA)
)
COUNTY OF Dorchester)

ACKNOWLEDGEMENT

October THE FOREGOING instrument was acknowledged before me this 14 day of February 2009 by Boyle Plantation Homeowners Association, Inc., by Joseph F. Kuhlmann, IV its Board President on behalf of said Association.

[Signature]
Notary Public for South Carolina
Commission Expires: 12-1-15

WITNESSES:

R.A. Stevens
 Witness #1
[Signature]
 Witness #2

Brian P. Plaisance
 Brian P. Plaisance, Owner of Lot 77

STATE OF SOUTH CAROLINA)
)
 COUNTY OF Dorchester)

The foregoing instrument was acknowledged before me this 11th January, 2010 day of ~~February, 2009,~~ by Brian P. Plaisance.

R.A. Stevens
 Notary Public for South Carolina
 My Commission Expires: 08/14/2016