

STATE OF SOUTH CAROLINA )

COUNTY OF GREENVILLE )

PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that (s)he saw the within-named C. Rivers Stone Limited Partnership by its duly authorized General Partner, C. Rivers Stone 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.

*[Handwritten signature]*  
\_\_\_\_\_

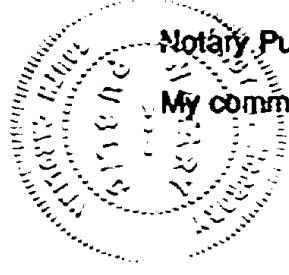
SWORN TO before me this

1st day of October, 1999.

*[Handwritten signature]*  
\_\_\_\_\_

Notary Public for South Carolina

My commission expires: Dec. 11, 2001



STATE OF SOUTH CAROLINA )  
COUNTY OF GREENVILLE ) PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that (s)he saw the within-named Center Pointe Properties, by its duly authorized agent Phil Gillespie, 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.

[Signature]

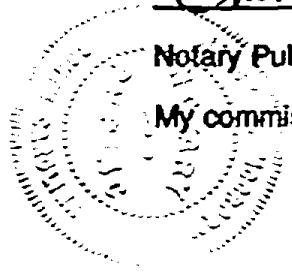
SWORN TO before me this

20 day of October, 1998.

[Signature]

Notary Public for South Carolina

My commission expires: 12/11/01



STATE OF SOUTH CAROLINA )

COUNTY OF GREENVILLE )

PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that (s)he saw the within-named Edwards Builders, Inc., by its duly authorized agent Rodney Edwards 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.

[Signature]

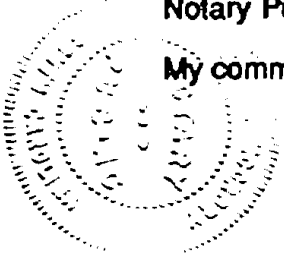
SWORN TO before me this

20 day of October, 1998.

[Signature]

Notary Public for South Carolina

My commission expires: 12/31/01



STATE OF SOUTH CAROLINA )

COUNTY OF GREENVILLE )

PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that (s)he saw the within-named Rayburn Home Construction, Inc., by its duly authorized agent, Ray Truesher, 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.

[Signature]

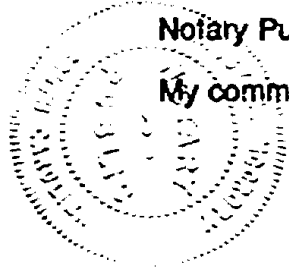
SWORN TO before me this

20 day of October, 1998.

[Signature]

Notary Public for South Carolina

My commission expires: 12/11/01



STATE OF SOUTH CAROLINA )

COUNTY OF GREENVILLE )

PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that (s)he saw the within-named Capital Homes, Inc., by its duly authorized Agent, Rick Thomas, 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.

[Signature]

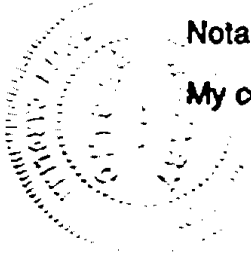
SWORN TO before me this

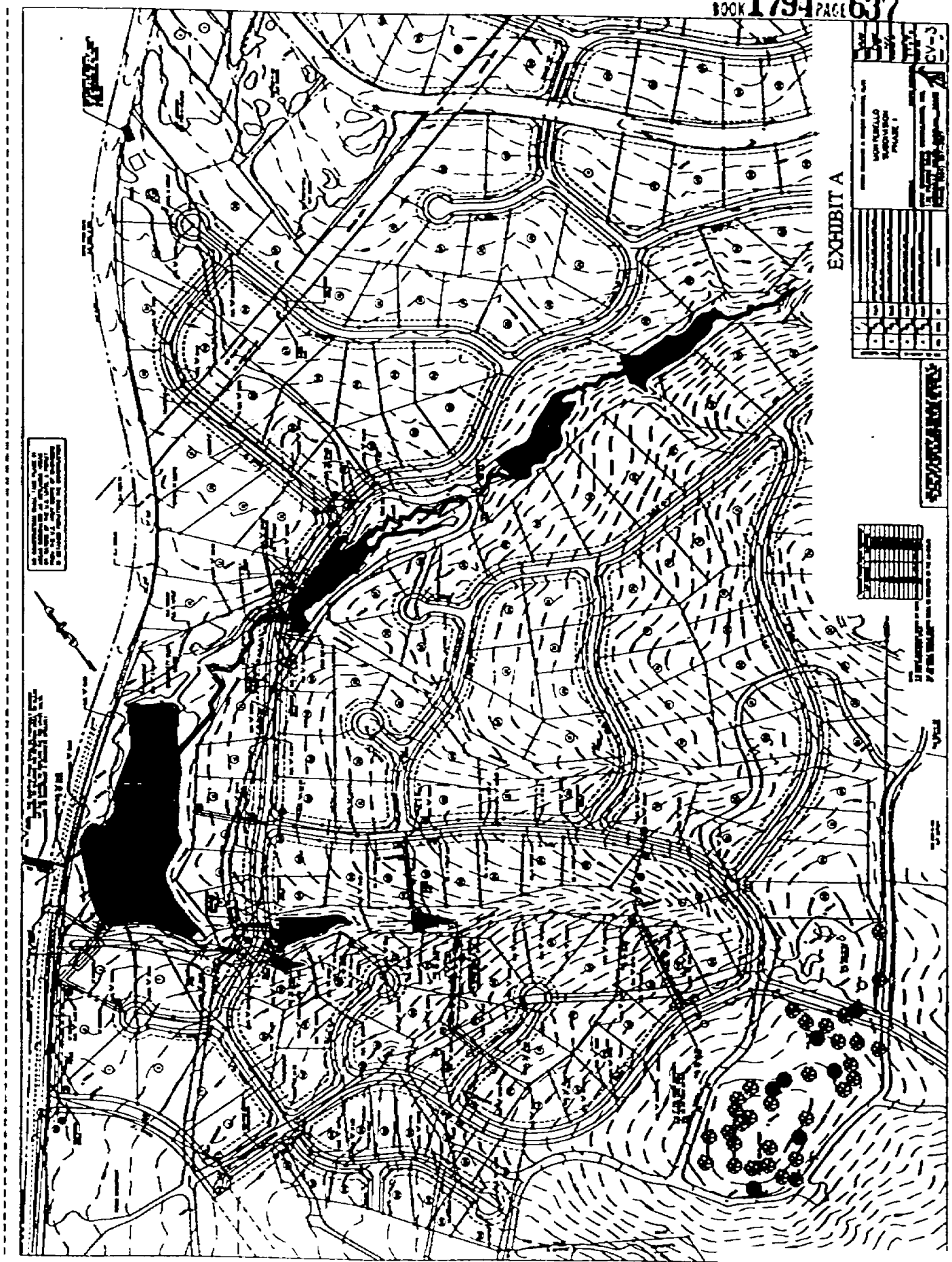
20 day of October, 1998.

[Signature]

Notary Public for South Carolina

My commission expires: 12/11/01





**STATE OF SOUTH CAROLINA  
COUNTY OF GREENVILLE**

**AMENDMENT NO. 1  
DECLARATION OF  
CONSERVATION EASEMENT**

This Amendment No. 1 to the Declaration of Covenants, Conditions, Easements, and Restrictions for the Montebello Subdivision is made this 15 day of October, 1998, by C. Rivers Stone Limited Partnership; Center Pointe Properties; Edwards Builders, Inc.; Rayburn Home Construction, Inc.; and Capital Homes, Inc. (collectively, "Declarants").

**Recitals**

WHEREAS, Declarants are the owners of certain real property located in Greenville County, South Carolina, shown generally on Exhibit A attached hereto and made a part hereof ("Property") and shown more specifically on drawings attached to the referenced Department of the Army Permit and referred to as "1 thru 14 of 14. Sheets, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12 and 14 dated June 12, 1997, Sheets 2A, 2B, 2D, 3A, 3C, 3D, 4A, 5, 7A, 7B, 8, 10, 12A, and 13 dated June 25, 1997. Copies of the permit and all attachments are to be maintained on file in the Office of Declarant C. Rivers Stone Limited Partnership.

WHEREAS, in consideration of the issuance of Department of the Army Permit No. 97-1B-247 ("Permit") to C. Rivers Stone ("Stone"), by the U.S. Army Corps of Engineers, Charleston District ("Corps"), and certification of the Permit by the South Carolina Department of Health and Environmental Control ("DHEC"), and for the protection or enhancement of the Property's wetlands and its scenic, conservation, resource, environmental, or other values, and for other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Declarants agree to place certain restrictive covenants on the Property in order that the Property shall remain substantially in its natural condition forever, as provided herein.

NOW, THEREFORE, Declarants hereby declare that the Property shall be held, transferred, conveyed, leased, occupied or otherwise disposed of and used subject to the following restrictive covenants, which shall run with the land and be binding on all heirs, successors, assigns, lessees, or other occupiers and users.

1. Declarants are and shall be prohibited from the following excepting only those activities specifically allowed by the referenced Permit: filling, draining, flooding, dredging, impounding, clearing, burning, cutting or destroying vegetation, cultivating, excavating, erecting, constructing, or otherwise doing any work on the Property; introducing exotic species into the Property; and from changing the grade or elevation, impairing the flow or circulation of waters, reducing the reach of waters, and any other discharge or activity requiring a permit under clean water or water pollution control laws and regulations, as amended. The following are expressly excepted from this paragraph: cumulatively very small impacts associated with hunting (excluding

planting or burning), fishing, and similar recreational activities, consistent with the continuing natural condition of the Property.

2. After recording, these restrictive covenants may be altered by modification of the Permit pursuant to the applicable Corps regulations and policy, provided all agencies that certified the Permit concur with the modification, and subject to consultation with other resource agencies as appropriate. Such modifications become a part of these restrictive covenants. Declarants may request to trade in entirety property that is not encumbered by conservation easements or covenants for the Property herein, provided such substitute property is of equivalent functions and values as the Property herein, and is placed under equivalent conservation restrictions.

3. Any permit application or request for certification or modification which may affect the Property, made to any governmental entity with authority over wetlands or other waters of the United States, shall expressly refer to and include a copy of these restrictive covenants.

4. It is expressly understood and agreed that these restrictive covenants do not grant or convey to members of the general public any rights of ownership, entry or use of the Property, wetlands, and associated values, and Declarants reserve the ownership of the fee simple estate and all rights appertaining thereto, including without limitation the rights to exclude others to use the Property for all purposes not inconsistent with these restrictive covenants.

5. The Corps, DHEC, and their authorized agents shall have the right to enter and go upon the lands of the Declarants to inspect the Property and take actions necessary to verify compliance with these restrictive covenants.

6. The Declarants grant to the Corps, the United States Department of Justice, and/or DHEC, a discretionary right to enforce these restrictive covenants in a judicial action against any person(s) or other entity (ies) violating or attempting to violate these restrictive covenants; provided, however, that no violation of these restrictive covenants shall result in a forfeiture or reversion of title. In any enforcement action, an enforcing agency shall be entitled to a complete restoration of any violation, as well as any other judicial remedy. An enforcing agency shall also be entitled to costs and attorneys' fees in any enforcement action in which it obtains relief. Nothing herein shall limit the right of the Corps to modify, suspend, or revoke the Permit.

7. Declarants shall include the following warning on all deeds, mortgages, plats, or other legal instruments to convey any interest in the Property;



WARNING: This Property Is Subject to Declaration of Restrictive Covenants Recorded at BOOK 1794 PAGES 607-616

8. The perimeter of the Property shall at all times be plainly marked by permanent signs saying "Protected Natural Area," or by an equivalent, permanent marking system.

9. Should any separable part of these restrictive covenants be determined to be contrary to law, the remainder shall continue in full force and effect.

IN WITNESS WHEREOF, the undersigned Declarants (by and through their duly authorized officers) have caused this instrument to be executed as of the 1ST day of October, 1988.

WITNESSES:

Nancy H. McCoy  
Kenneth R. Padgett  
Kenneth R. Padgett  
Nancy H. McCoy  
Kenneth R. Padgett  
Nancy H. McCoy  
Kenneth R. Padgett  
Nancy H. McCoy  
Kenneth R. Padgett  
Nancy H. McCoy

DECLARANTS:

C. RIVERS STONE LIMITED PARTNERSHIP

By: C. Rivers Stone  
C. Rivers Stone, General Partner

CENTER POINTE PROPERTIES

By: [Signature]

EDWARDS BUILDERS, INC.

By: Raymond C. Edward

RAYBURN HOME CONSTRUCTION, INC.

By: Kay Treynor

CAPITAL HOMES, INC.

By: Rick Thoeny

STATE OF SOUTH CAROLINA )

COUNTY OF GREENVILLE )

PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that (s)he saw the within-named C. Rivers Stone Limited Partnership by its duly authorized General Partner, C. Rivers Stone, 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.

[Handwritten Signature]

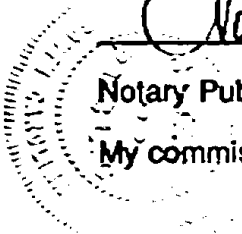
SWORN TO before me this

20 day of October, 1998.

[Handwritten Signature]

Notary Public for South Carolina

My commission expires: 12/11/01



STATE OF SOUTH CAROLINA )

COUNTY OF GREENVILLE )

PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that (s)he saw the within-named Center Pointe Properties by its duly authorized Agent Phil Gillespie, 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.

[Signature]

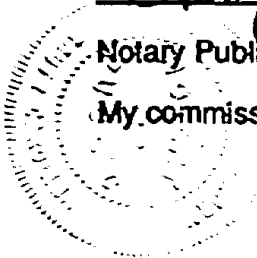
SWORN TO before me this

20 day of October, 1998.

[Signature]

Notary Public for South Carolina

My commission expires: 12/2/01



STATE OF SOUTH CAROLINA )

COUNTY OF GREENVILLE )

PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that (s)he saw the within-named Edwards Builders, Inc., by its duly authorized agent Robert Edwards, 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.

Kent R. Pugh

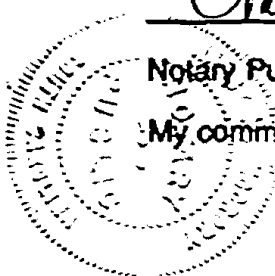
SWORN TO before me this

20th day of October, 1998.

George H. McCree

Notary Public for South Carolina

My commission expires: 12/11/01



STATE OF SOUTH CAROLINA )

COUNTY OF GREENVILLE )

PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that (s)he saw the within-named Rayburn Home Construction, Inc., by its duly authorized agent, Kay Stephens, 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.

Karl R. Pollock

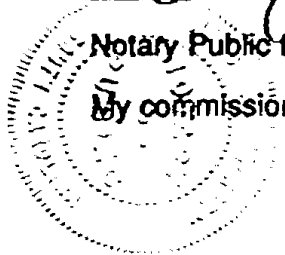
SWORN TO before me this

20th day of October, 1998.

Margaret M. Curry

Notary Public for South Carolina

My commission expires: 12/11/01



STATE OF SOUTH CAROLINA )

COUNTY OF GREENVILLE )

PROBATE

PERSONALLY appeared before me the undersigned witness and made oath that (s)he saw the within-named Capital Homes, Inc., by its duly authorized Agent Rick McEnnes, 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.

Kent R. Padgett

SWORN TO before me this

20th day of October, 1998.

Nancy H. McCree

Notary Public for South Carolina

My commission expires: 12/11/01

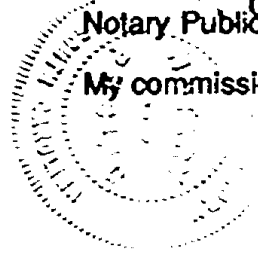
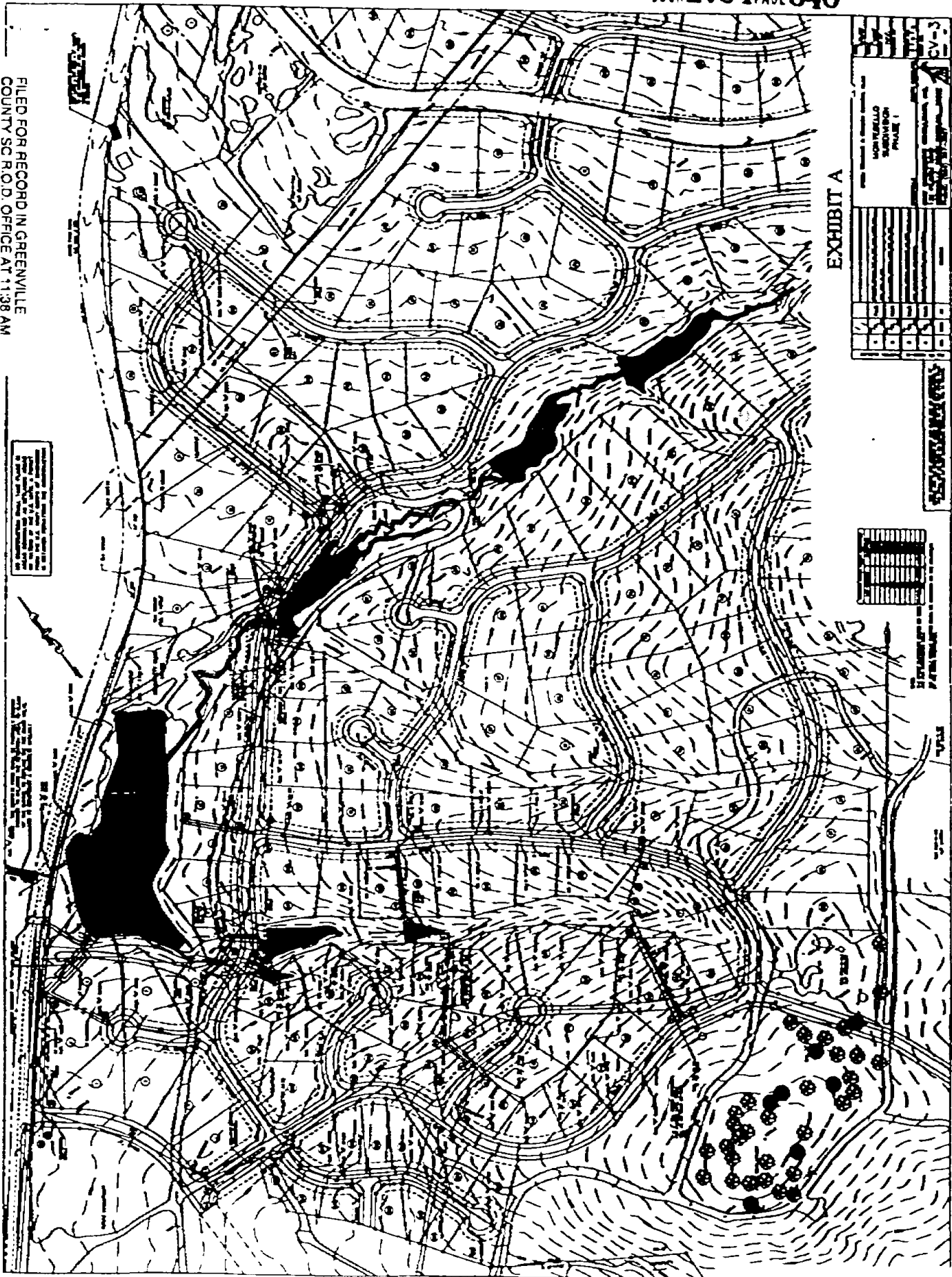


EXHIBIT A

GREENVILLE											
MONTICELLO SUBDIVISION											
PLAT 1											
1	2	3	4	5	6	7	8	9	10	11	12
1	2	3	4	5	6	7	8	9	10	11	12
1	2	3	4	5	6	7	8	9	10	11	12
1	2	3	4	5	6	7	8	9	10	11	12
1	2	3	4	5	6	7	8	9	10	11	12
1	2	3	4	5	6	7	8	9	10	11	12
1	2	3	4	5	6	7	8	9	10	11	12



GREENVILLE  
 MONTICELLO SUBDIVISION  
 PLAT 1

FILED FOR RECORD IN GREENVILLE  
 COUNTY SC.R.O.D. OFFICE AT 11:38 AM  
 10/21/98 RECORDED IN DEED  
 BOOK 1794 PAGE 0607  
 DOC # 98088180

*James B. Hill*