

BK R 644 PG 720

**SECOND AMENDMENT TO DECLARATION OF COVENANTS, CONDITIONS  
AND RESTRICTIONS FOR MARSH VIEW**

THIS SECOND AMENDMENT is entered into this 19<sup>th</sup> day of November, 2007, by PORTRAIT HOMES-MARSH VIEW COMMONS LLC, an Illinois limited liability company, (hereinafter referred to as "Declarant").

WHEREAS, Declarant executed that certain Declaration of Covenants, Conditions, and Restrictions for Marsh View recorded in the Office of the Register of Deeds of Charleston County on April 5, 2006 as Book Number Z578 Page 888.

WHEREAS, Declarant executed a First Amendment to Declaration of Covenants, Conditions and Restrictions for Marsh View recorded in the Office of the Register of Deeds of Charleston County on October 6, 2006 as Book Number D601 Page 876.

WHEREAS, pursuant to Article XI, Declarant reserved the right and option to amend the Declaration, coupled with an irrevocable special power of attorney of Declarant to execute such amendment;

WHEREAS, Declarant now desires and intends hereby to so amend the Declaration; and

NOW THEREFORE, Declarant does hereby amend the Declaration as follows:

1. Article III is hereby amended by adding the following Section:

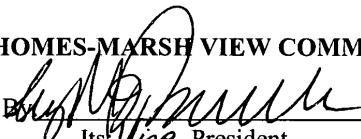
**"Section Five. Dedication.** Declarant dedicates to the Association the roads, rights-of-way, drainage systems, platted easements, buffers, Common Areas, water features and open space that are within the Properties, (to the extent not dedicated to a utility). The Association acknowledges that it is responsible for the maintenance and financial guarantees that apply to the roads, rights-of-way, drainage systems, easements, buffers, Common Areas, water features and open space that are within the Properties. The Declarant and Association acknowledge that Charleston County is not responsible or obligated to maintain such roads, rights-of-way, drainage systems, easements, buffers, Common Areas, water features and open space.

2. All capitalized terms in this Amendment, to the extent not otherwise expressly defined herein, shall have the same meaning given to such terms in the Declaration.

3. Except as expressly amended herein, the terms and conditions of the Declaration shall continue in full force and effect and are hereby ratified in their entirety.

IN WITNESS WHEREOF, the Declarant has executed this Amendment to the Declaration this day of November, 2007.

**PORTRAIT HOMES-MARSH VIEW COMMONS LLC**

  
\_\_\_\_\_  
Its Vice President

SIGNED, SEALED AND  
DELIVERED

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In the Presence of:

[Signature]  
WITNESS

[Signature]  
WITNESS

STATE OF Illinois

SS:

COUNTY OF Cook

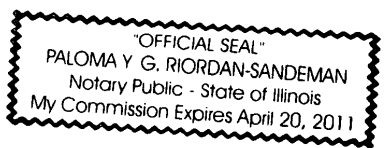
I, Paloma Y. G. Riordan, a Notary Public in and for said City and State do hereby certify that Michael J. Pasquinelli personally appeared before me this day and acknowledged and that by authority duly given and as the act of Portrait Homes-Marsh View Commons LLC, the foregoing instrument was signed in its name by its Vice President.

WITNESS my hand and official seal, this 19 day of November, 2007.

[Signature]  
Notary Public for Illinois

[Signature]  
Witness who first signed above

My Commission Expires: 4-20-11



*Handwritten initials*

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**RECORDER'S PAGE**

**NOTE: This page MUST remain with the original document**



<b>FILED</b>
November 21, 2007
3:44:56 PM
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Charlie Lybrand, Register Charleston County, SC

Filed By:

*JSC*  
**J. Stanley Claypoole, P.A.**  
 Attorney at Law  
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Number of Pages:

3

DESCRIPTION	AMOUNT
AMEND/COV/REST	\$ 10.00
Postage	
<b>TOTAL</b>	<b>\$ 10.00</b>

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