

STATE OF SOUTH CAROLINA        )  
  )  
  )  
COUNTY OF BEAUFORT            ) **FIFTH AMENDEMNT TO DECLARATION  
OF COVENANTS, CONDITIONS AND  
RESTRICTIONS FOR SEABROOK LANDING –  
ADDITION OF PROPERTY SUBJECT TO  
COVENANTS**

This FIFTH AMENDMENT to the Declaration of Covenants, Conditions, Restrictions and Easements for Seabrook Landing (“Amendment”) is made effective this March \_\_\_\_\_, 2022 by Seabrook Landing Property Owners Association Inc. (“Association”).

WITNESSETH

**WHEREAS**, Seabrook Landing Partnership (“Declarant”) did execute and file of record that certain Declaration of Covenants, Conditions, Restrictions and Easements for Seabrook Landing dated July 18 1995, as recorded in the Office of the Register of Deeds for Beaufort County, South Carolina in Official Record Book 794 at page 1134 (“Initial Covenants”); and

**WHEREAS**, amendments to the Initial Covenants have been recorded in the Register of Deeds Office in Book 935 at Page 1361, Book 1268 at Page 877, Book 3511 at Page 880 and Book 4118 at page 1106 (the Initial Covenants and amendments thereto, hereinafter collectively referred to as the “Covenants”); and

**WHEREAS**, as successor to the Declarant, the Association wishes to further amend the Covenants so as to subject additional property to the Covenants; and

**WHEREAS**, the addition of property to be subject to the Covenants was approved by the Seabrook Landing owners pursuant to the requisite notice and approval at a duly called meeting of the Seabrook Landing owners on January 22, 2022; and

**WHEREAS**, the owner of the additional property wishes to subject their property to the Covenants and the Association wishes to formally amend the Covenants as provided for herein.

**NOW, THEREFORE**, the Association pursuant to the provisions of Article XIII, Section 13.3 of the Covenants, hereby amends the Covenants as follows:

1. All that certain piece, parcel or lot of land more particularly known as 4 Seabrook Landing Drive, Hilton Head Island, South Carolina and described on Exhibit A hereto (“Added Property”) is hereby submitted to the provisions of the Covenants as Property, effective as of the date and time of recordation of this Amendment in the Office of the Register of Deeds for Beaufort County, South Carolina.

2. Exhibit A to the Covenants is hereby amended to provide that the Added Property is incorporated therein as part of the Property and shall be subject to the operation and control of the Covenants. Further, the owner of the Added Property shall be an Owner as defined in Section 1.19 of the Covenants.
3. All other covenants conditions restrictions terms and provisions as contained in the Covenants shall remain unchanged in full force and effect and shall apply fully and completely to the Added Property

[remainder of page left blank intentionally – signature pages to follow]

**IN WITNESS WHEREOF**, the Association has executed this Fifth Amendment as of the day first above written. By affixing his signature below, the President of the Association affirms that the agreement of the required parties to this Amendment was lawfully obtained.

**SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:**

**SEABROOK LANDING PROPERTY  
OWNERS' ASSOCIATION, INC.**

\_\_\_\_\_  
  
\_\_\_\_\_

By: \_\_\_\_\_  
David Politi, President

STATE OF SOUTH CAROLINA

)

)

ACKNOWLEDGMENT

COUNTY OF BEAUFORT

)

I, the undersigned Notary Public, do hereby certify that **David Politi, as President of the Seabrook Landing Property Owners' Association, Inc.**, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the \_\_\_\_\_ day of March, 2022.

\_\_\_\_\_  
Notary Public for SOUTH CAROLINA  
My Commission Expires: \_\_\_\_\_

CONSENT AND JOINDER

Jeffrey G. Kuss and Leslie J. Kuss, Trustees of the Jeffrey G. Kuss and Leslie J. Kuss Joint Trust Dated August 4, 2021, as the owner of the Added Property, hereby joins in the execution of recording of this Amendment so that the Added Property shall be encumbered by the Covenants.

**SIGNED, SEALED AND DELIVERED  
IN THE PRESENCE OF:**

\_\_\_\_\_

\_\_\_\_\_  
Jeffrey G. Kuss, Trustee of the Jeffrey G. Kuss  
and Leslie J. Kuss Joint Trust Dated August 4, 2021

\_\_\_\_\_

\_\_\_\_\_  
Leslie J. Kuss, Trustee of the Jeffrey G. Kuss  
and Leslie J. Kuss Joint Trust Dated August 4, 2021

STATE OF SOUTH CAROLINA

)

)

ACKNOWLEDGMENT

COUNTY OF BEAUFORT

)

I, the undersigned Notary Public, do hereby certify that **Jeffrey G. Kuss and Leslie J. Kuss, Trustees of the Jeffrey G. Kuss and Leslie J. Kuss Joint Trust Dated August 4, 2021** personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

Witness my hand and official seal this the \_\_\_\_\_ day of March, 2022.

\_\_\_\_\_  
Notary Public for SOUTH CAROLINA  
My Commission Expires: \_\_\_\_\_

EXHIBIT "A"  
(the "Added Property")

All that certain piece, parcel or lot of land lying and being within Hilton Head Plantation, Hilton Head Island, Beaufort County, South Carolina, being shown and designated as Lot 83 of Seabrook Landing Drive, Elliott Point Subdivision, Hilton Head Plantation. Said property having dimensions, metes and bounds as shown on the plat thereof as recorded in the Register of Deeds for Beaufort County, South Carolina in Plat Book 34 at Page 145.

R510 004 00B 0508 0000